

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

VICTORIA SARVER,)	
)	
Applicant,)	
)	
v.)	No. ADJ11096006;
)	ADJ11096005
LIGHTHOUSE COASTAL COMMUNITY)	
CHURCH; BROTHERHOOD MUTUAL)	
INSURANCE COMPANY,)	
)	
Defendants.)	
_____)	

VOLUME I
DEPOSITION OF VICTORIA SARVER
Beverly Hills, California
January 19, 2018
2:20 P.M. - 4:50 P.M.

COMPLIMENTARY
CONDENSED TRANSCRIPT
& ALL-WORD INDEX

Reported By:
PAMELA J. YOON, CSR #4211
Job Number: 18-034

BOB McCANN & ASSOCIATES
CERTIFIED COURT REPORTERS
28511 ENMDA AVENUE, SUITE 410
VAN NUYS, CALIFORNIA 91411

Page 2

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

VICTORIA SARVER,
Applicant,

v.

LIGHTHOUSE COASTAL COMMUNITY CHURCH; BROTHERHOOD MUTUAL INSURANCE COMPANY,
Defendants.

No. ADJ11096006;
ADJ11096005

THE DEPOSITION OF VICTORIA SARVER, taken on behalf of the Defendants, at 9595 Wilshire Boulevard, Beverly Hills, California, at 2:20 P.M., on Friday, January 19, 2018, before PAMELA J. YOON, CSR #4211, licensed by the State of California, pursuant to Notice.

Page 3

APPEARANCES:

For the Applicant:

LAW OFFICES OF NATALIA FOLEY
BY: NATALIA FOLEY, ESQ.
8306 Wilshire Boulevard, Suite 115
Beverly Hills, California 90211

For the Defendants:

FAMIGLIETTI & VOLPE
BY: MIKE MAZUREK, ESQ.
1748 West Katella Avenue, Suite 209
Orange, California 92867

Page 4

I N D E X

WITNESS	EXAMINATION	PAGE
VICTORIA SARVER	BY MR. MAZUREK	5, 87
	BY MS. FOLEY	78

(No Exhibits Offered.)

INFORMATION REQUESTED

PAGE	LINE
14	19

Page 5

Beverly Hills, California, Friday, January 19, 2018
2:20 P.M.

VICTORIA SARVER,
called as a witness on behalf of Defendant, having been first duly sworn, was examined and testified as follows:

EXAMINATION

BY MR. MAZUREK:
Q Would you state your name and spell your middle name for the record, please.
A **Victoria Marleen Sarver. Marleen is M-a-r-l-e-e-n.**
Q And Sarver is S-a-r-v-e-r?
A **Correct.**
Q Ms. Sarver, my name is Mike Mazurek, attorney for the defense. That means I'm against you in this case -- but only in this case. I'm going to take your deposition today, which means I'm going to ask you a bunch of questions under oath on the record.
"On the record" means anything you say today will be put on this machine by this lady, who's certified by the State of California to do that.
So you must answer in words and not with nods of the head or "uh-huh" or "huh-uh," or shakes of your

Page 6

head one way or another, because she's not allowed to interpret what you meant, other than with words. Okay?
A **Yes.**
Q I talk fast. I can't lose my South Side of Chicago accent. So if you can't understand me, you won't hurt my feelings. Just tell me to slow down or speed up, or "Can you ask that again?" And I'll be glad to do it to make it clear for you. Okay?
A **Yes.**
Q What you see me looking at here is my handy-dandy depo outline. I do this about, probably a hundred times a year; same questions over and over, nothing tricky. You're welcome to look at the questions with me as we go along.
Of course, they change because not everybody has your injuries. They may have -- maybe they're blind or something or have hearing loss or something. But for the most part, same questions.
Are you missing work today for anything?
A **No.**
Q You weren't scheduled to work anywhere today?
A **No.**
Q I'll give you -- Miranda warnings, we call them. Even though we're in the informal surroundings of this Beverly Hills office, your testimony is the same as

Page 7

if you were in court today. You must tell the truth. Because if you don't tell the truth, it's a felony called perjury.
Do you understand that?
A **Yes.**
Q Same thing with work comp doctors -- Off the record.
(Telephonic interruption.)
BY MR. MAZUREK:
Q (Continuing) -- you've got to tell the truth to work comp doctors, because lying to work comp doctors about something important -- what they call material -- is also a felony.
Do you understand that?
A **Yes.**
Q Okay. I don't think you've seen any doctors yet for your injuries, have you?
A **Yes.**
Q Oh, you have?
A **Yes.**
Q I thought it was upcoming, this Dr. Iseke?
A **I've seen him last week.**
Q Oh, last week?
A **Yes.**
MS. FOLEY: Yes.

<p style="text-align: right;">Page 8</p> <p>1 MR. MAZUREK: Oh, then I misunderstood you. 2 That's spelled I-s-e-k-e 3 Q And he's in Long Beach? 4 A Yes. 5 Q And you've seen him only one time? 6 A Yes. 7 Q And how long did you spend with the doctor, 8 approximately? 9 A About 45 minutes. 10 Q Have you ever had your deposition taken before 11 today for anything? 12 A No. 13 Q Also, I'm entitled to an approximate or an 14 estimate of something if the question requires an 15 estimate or approximate. But I don't want you to guess. 16 So let me give you an example of the difference between 17 a guess and an approximate. 18 If I ask you how long this table is, you can 19 look at it and say "five feet." That's an approximate. 20 If I asked what my daughter's name is, you have 21 no idea. You don't even know if I have a daughter. 22 That's a guess. So do you see the difference between a 23 guess and an approximate? 24 A Yes. 25 Q I don't want you to guess. Your lawyer doesn't</p>	<p style="text-align: right;">Page 9</p> <p>1 want you to guess. Pam doesn't want you to guess. 2 Nobody wants you to guess. Okay? 3 A (Witness nods head.) 4 Q Wait until I finish my question before you 5 answer, because if we talk at each other at the same 6 time, Pam can't put that on the machine either. So I'll 7 wait until you finish, or when I think you're finished. 8 Sometimes it can't be helped, we'll talk over each 9 other. And if you will wait until you think I'm 10 finished, that will make it much easier. And we'll have 11 a clear record. 12 Try to answer "yes" or "no," so we have a clear 13 record. If you want to explain something, if it's okay 14 with your lawyer, it's okay with me. But wait for your 15 lawyer to say it's okay or not okay. Okay? 16 A Yes. 17 Q We're here today because you have filed two 18 claims. One is a specific injury, which is alleged to 19 have happened on August 30, 2017. 20 A Yes. 21 Q And the application describes an incident where 22 you were forced to go on your knees in the middle of the 23 parish crowd and wash the floors, "So everyone would 24 laugh at her" -- you -- "in order to discriminate, 25 diminish, and sexually harass." That caused you severe</p>
<p style="text-align: right;">Page 10</p> <p>1 stress, sleep, depression, mental anguish resulting in 2 flashbacks. That's the specific injury. One day that 3 this specific happened on. 4 The other one is what we call a continuing 5 trauma. And that happened over a period of time. And 6 the period of time alleged is from 9/1/13, September 1, 7 2013 -- is that when you started at this place? 8 A Yes. 9 MS. FOLEY: Are you sure? If you're not sure, 10 let us know. 11 MR. MAZUREK: Right. 12 MS. FOLEY: If you don't have a perfect 13 memory -- nobody does -- 14 MR. MAZUREK: Just approximately is -- 15 MS. FOLEY: -- but make sure it's accurate. 16 BY MR. MAZUREK: 17 Q Again, approximates or estimates are allowed, 18 so don't feel bound that it's got to be 9/1/13. 19 A '08. 20 Q '08? 21 A '08. 22 Q Was your start date? 23 A Around, yes, '08. 24 MS. FOLEY: Counsel, can I help you just a 25 second?</p>	<p style="text-align: right;">Page 11</p> <p>1 MR. MAZUREK: Sure, but just let me write 2 down -- 3 MS. FOLEY: Or do you want me to wait until the 4 end? 5 MR. MAZUREK: No, that's good. 6 MS. FOLEY: Is that true that there was a 7 moment that you've been working for your employer 8 without -- just an exchange for their services without 9 actually being hired? 10 THE WITNESS: Yes. 11 MS. FOLEY: Is that why it's hard for you to 12 remember the actual moment when you were hired? 13 THE WITNESS: Yes. 14 MS. FOLEY: Thank you. 15 BY MR. MAZUREK: 16 Q Anyway, this continuing trauma between 9/1/13 17 and 9/1/17 alleges stress and strain, repetitive work, 18 lifting of heavy items, constant bending, kneeling, 19 washing, causing headache, pain and neck, shoulders, 20 arms, wrists, lower back, and lower extremities. 21 A Yes. 22 Q That's what we're here for today -- 23 A Yes. 24 Q -- a specific injury and a continuing trauma 25 injury.</p>
<p style="text-align: right;">Page 12</p> <p>1 Have you had any alcohol in the past eight 2 hours? 3 A No. 4 Q Have you had any medications in the past eight 5 hours? 6 A Yes. 7 Q What have you had? 8 A A Valium last night. 9 Q And what did you take that for? 10 A So I could rest for the night. I was nervous. 11 Q Did you say rest for -- 12 A Uh-huh. 13 Q Yes? 14 A Yes. 15 Q Who prescribed that for you? 16 A Dr. Khon. 17 Q How do you spell that? 18 A K-h-o-n, Khon? 19 Q Is that a male or female? 20 A It's a female. 21 Q And do you know her first name? 22 A It's a hard name. Starts with an M. No, I 23 don't know how -- 24 Q Starts with an M? 25 A Yes.</p>	<p style="text-align: right;">Page 13</p> <p>1 Q And where is Dr. Khon? 2 A Costa Mesa, on Fairview Street -- no, sorry, 3 Wilson Street. 4 Q Wiltern or Wilton? 5 A Wilson. 6 Q Oh, Wilson? 7 A Yes. 8 Q What kind of doctor is Dr. Khon? 9 A She's my primary doctor. 10 Q Primary doctor for what? 11 A Primary doctor that you have to go see if I'm 12 sick or anything. 13 Q Oh, sort of like a family doctor? 14 A Yes. 15 Q Okay. How long have you been treating with 16 Dr. Khon, approximately? 17 A Seven years. 18 Q Seven? 19 A (Witness nods head.) 20 Q And that's the only medication you've had in 21 the past eight hours, the Valium? 22 A Yes. Forgot to take my medicine this morning 23 before I left. 24 Q Okay. Do you have insurance? 25 A Marlark from CalOptima from the state.</p>

1 Q What was --
 2 A **Marlark, CalOptima?**
 3 Q Marlark?
 4 A **Marlark is the name of it.**
 5 Q Marlark?
 6 A **Marlark.**
 7 Q How do you spell that?
 8 A **M-a-r-l-a-r-k. I'm sorry, I'm not a very good**
 9 **speller, but Marlark. It's from the state. CalOptima**
 10 **is the...**
 11 Q Do you have a card with the name on it?
 12 A **Not with me. But yes, I do have a card.**
 13 Q L-a-r-k, like the bird?
 14 A **Yes.**
 15 MS. FOLEY: Can I suggest that we leave a space
 16 in the transcript? And when she reviews it, we'll put
 17 the correct spelling.
 18 MR. MAZUREK: Okay.
 19 (INFORMATION REQUESTED:
 20
 21 .)
 22 BY MR. MAZUREK:
 23 Q Besides a future appointment with Dr. Iseke, do
 24 you have any other future medical appointments anywhere?
 25 A **Yes, Dr. Shabazian.**

1 Q Dr. --
 2 A **I don't know the name, the spelling of that. I**
 3 **don't know -- Michael Shabazian. And I cannot spell**
 4 **that.**
 5 Q Michael?
 6 A **Shabazian.**
 7 Q Where is Dr. Mike --
 8 A **I see him in Fountain Valley and Irvine.**
 9 Q He has two offices?
 10 A **Yes. He's a pain specialist.**
 11 Q How long have you been seeing him?
 12 A **Three years now.**
 13 Q He's an M.D.?
 14 A **(No response.)**
 15 Q He can prescribe medicine?
 16 A **Yes.**
 17 Q When do you have a future appointment with him?
 18 A **It was today. I canceled for tomorrow --**
 19 **excuse me, for next week.**
 20 Q You see him for pain. Pain where, any
 21 particular place?
 22 A **Back, knees, foot.**
 23 Q Any others?
 24 A **No, that's all right now, yes.**
 25 Q And you use your Marlark Insurance with Dr. --

1 A **Yes.**
 2 Q -- Shabazian?
 3 A **Uh-huh.**
 4 Q Have you ever been married?
 5 A **Yes.**
 6 Q How many times?
 7 A **Once.**
 8 Q Have you used any other last name besides
 9 Sarver?
 10 A **No.**
 11 Q That's your maiden name?
 12 A **Yes.**
 13 Q You still live at 666 West 18th Street,
 14 Apartment 4, Costa Mesa?
 15 A **Yes.**
 16 Q How long have you been there?
 17 A **Two years now.**
 18 Q Who lives there with you?
 19 A **My daughter, Olivia Rogers, 12 years old.**
 20 Q Rogers is your ex-husband, right?
 21 A **Correct.**
 22 Q And that's R-o-g-e-r-s, right?
 23 A **Yes, correct.**
 24 **And my oldest, every once in a great while,**
 25 **will come and stay. I have an older daughter too,**

1 **Lindsey Richardson.**
 2 Q How old is your oldest daughter?
 3 A **Twenty-three.**
 4 Q What's her name?
 5 A **Lindsey, L-i-n-d-s-e-y, Richardson.**
 6 Q Do you have any idea how to spell that?
 7 A **Richardson?**
 8 Q Oh, Richardson? I misunderstood you. Oh,
 9 sure, that's easy.
 10 Okay. And that's it? Sometimes she's living
 11 there?
 12 A **(Witness nods head.)**
 13 Q Yes?
 14 A **Yes.**
 15 Q Remember, you can't shake your head. I know
 16 what you meant, but Pam's not allowed to say, "She shook
 17 her head 'yes.'" Okay?
 18 A **Okay.**
 19 Q And your date of birth is 11/1/66?
 20 A **Yes.**
 21 Q Place of birth?
 22 A **San Luis Obispo.**
 23 Q Jeff McClintock still there?
 24 A **I was just born there. I don't know.**
 25 Q Oh, you moved right when you were young?

1 A **(Witness nods head.)**
 2 MR. MAZUREK: Off the record.
 3 (Discussion held off the record.)
 4 BY MR. MAZUREK:
 5 Q Do you have your driver's license with you?
 6 A **Yes.**
 7 Q Could you show it to your attorney, so I can
 8 take look at it and write down the number.
 9 (Witness complies.)
 10 MS. FOLEY: I received from applicant a
 11 document that looks like a driver's license. And I
 12 transfer it to the defense attorney for examination.
 13 MR. MAZUREK: Okay.
 14 Q This has a Newport Beach address.
 15 A **Yes.**
 16 Q Is this an old address?
 17 A **Yes. It's an old license.**
 18 MR. MAZUREK: Okay, thanks.
 19 MS. FOLEY: Please take your driver's license.
 20 (Counsel returns license to witness.)
 21 BY MR. MAZUREK:
 22 Q So you lived in Costa Mesa two years. Where
 23 did you live before that?
 24 A **Costa Mesa on Miner Street, 2195, Apartment 1,**
 25 **92627.**

1 Q Your current place, is that an apartment, a
 2 house, or what is that?
 3 A **An apartment.**
 4 Q Education, what's your furthest education?
 5 A **Tenth grade.**
 6 Q Tenth?
 7 A **Yes.**
 8 Q In California?
 9 A **Yes.**
 10 Q Marital history, you were married one time, and
 11 that was to Henry Rogers?
 12 A **Yes.**
 13 Q And got divorced in 2015?
 14 A **Yes.**
 15 Q Orange County?
 16 A **Yes.**
 17 Q Superior Court.
 18 MS. FOLEY: I apologize for one second.
 19 Your "yes" didn't sound convincing. If you
 20 don't remember --
 21 THE WITNESS: Santa Ana.
 22 MR. MAZUREK: Yes, that's Orange County.
 23 MS. FOLEY: Yes, Santa Ana is Orange County.
 24 MR. MAZUREK: Is there a psych claim? I didn't
 25 see psych in here.

Page 20

1 MS. FOLEY: Yes, it's a specific claim of
2 psych.
3 MR. MAZUREK: What?
4 MS. FOLEY: Specific injury would be psych
5 injury.
6 MR. MAZUREK: Oh, I see, nervous system.
7 MS. FOLEY: Yes.
8 BY MR. MAZUREK:
9 Q Is your divorce over with, the court
10 proceedings?
11 A Yes.
12 Q And the court awarded custody of your daughter
13 to you?
14 A Yes.
15 Q Do you have any other kids besides two
16 daughters?
17 A No.
18 Q Did the court order alimony or child support?
19 A Yes.
20 Q Which one or both?
21 A Both.
22 Q And is your ex-husband paying it?
23 A Yes.
24 Q How much is that?
25 A All together?

Page 22

1 Q 2015 or at 15 years old?
2 A 2015.
3 Q That was a bad year for you.
4 A Oh, yes.
5 Q Okay. In Orange County, you were robbed?
6 A Uh-huh.
7 Q Yes?
8 A Yes.
9 Q That caused you stress?
10 A Yes.
11 Q Did they uses a gun or knife?
12 A No.
13 Q Just force?
14 A No, he broke into the church and stole my
15 money.
16 Q You were present?
17 A (No response.)
18 Q You were there when this happened?
19 A No.
20 Q Oh, okay.
21 MS. FOLEY: So it's not a robbery. You have to
22 define a robbery.
23 THE WITNESS: Oh, did I misunderstand the
24 question?
25 ///

Page 24

1 MR. MAZUREK: It's what?
2 MS. FOLEY: It's work-related, so it might be
3 important actually.
4 BY MR. MAZUREK:
5 Q Did you want to ask some questions, did you
6 say?
7 MS. FOLEY: I might ask just couple of
8 questions just to clarify what happened.
9 MR. MAZUREK: Sure.
10 MS. FOLEY: What was the money that you are
11 referring to?
12 THE WITNESS: I was saving money up for the
13 divorce. And I had it in the church's office, and in a
14 locked room. And somebody broke into the church office
15 and stole the money.
16 MS. FOLEY: Are you saying that you kept your
17 money there?
18 THE WITNESS: Yes.
19 MS. FOLEY: You believed it to be a safe place?
20 THE WITNESS: Yes.
21 MS. FOLEY: Did anyone know about it in --
22 THE WITNESS: Yes.
23 MS. FOLEY: What happened after it was -- it
24 disappeared?
25 THE WITNESS: I made a police report. And

Page 21

1 Q Yes.
2 A 1,700 and -- \$1,700; a thousand for me, and 700
3 for Olivia, for the next 10 years. That was our deal.
4 Q And he's paid all long, no problem?
5 A Yes.
6 Q Have you ever been convicted of a felony?
7 A No.
8 Q Ever spent time in jail?
9 A Yes.
10 Q When?
11 A About 17 years ago, approximately 17 years ago.
12 Q What for?
13 A A DUI.
14 Q That's the only time that you spent time in
15 jail?
16 A Yes.
17 Q Have you ever been the victim of a crime, like
18 rape or robbery, or --
19 A Robbery, yes.
20 Q In Orange County?
21 A Yes.
22 Q When was that?
23 A I would say...
24 Q Approximately.
25 A At '15, 2015.

Page 23

1 BY MR. MAZUREK:
2 Q Are you talking about a burglary, where they
3 broke into a house or --
4 A Right.
5 MS. FOLEY: But it was a church. It was not
6 her house. Apparently, she was -- if I understood you
7 correctly -- you considered yourself to be a victim of
8 some crime that caused you to lose money?
9 THE WITNESS: Yes.
10 MS. FOLEY: This is my best --
11 MR. MAZUREK: I see what you're saying.
12 Q You did not see this crime happen; you were
13 gone? You came back. And your money was missing?
14 A Correct.
15 Q Okay.
16 A Yes.
17 Q Okay, more like a burglary. But I can't expect
18 you to know the difference. Robbery is when they use
19 force or fraud and take your --
20 MS. FOLEY: Can I ask a question?
21 MR. MAZUREK: It's not important.
22 Q You were just a victim of a crime, and it
23 caused you stress, right?
24 A Correct.
25 MS. FOLEY: But it's work-related.

Page 25

1 insurance paid it back.
2 BY MR. MAZUREK:
3 Q Who paid it back?
4 A Insurance.
5 MS. FOLEY: The insurance for church?
6 THE WITNESS: Insurance, yes.
7 BY MR. MAZUREK:
8 Q Well, that's good. At least you got your money
9 back, right?
10 A Not all of it; but yes, some.
11 Q So it just caused you financial stress? Not
12 that that's nothing, but you weren't there. You weren't
13 a victim of it personally. No one put a gun to your
14 head and said, "Give me your money"?
15 A Correct.
16 Q Ever been in the military?
17 A No.
18 Q Going back to the crime, victim of a crime,
19 were you the victim of any other crime?
20 A I don't understand.
21 Q Well, like another robbery, a rape, or assault,
22 someone punched you out, any type of a crime where you
23 were a victim of?
24 A In my lifetime?
25 Q Yes, in your lifetime.

1 **A Can you repeat the question?**
 2 Q Since you've alleged a psych claim, the
 3 psychiatrists are going to ask you all these questions
 4 too. But I want to know the answer before they know the
 5 answer.
 6 So were you ever a victim of a crime in your
 7 lifetime that at least caused you some stress?
 8 **A Yes.**
 9 Q What was that, and when was that?
 10 **A It would be probably Olivia -- excuse me --**
 11 **Lindsey's dad, we would fight a lot. But he would hit**
 12 **me. Yeah, he would hit me.**
 13 MS. FOLEY: Are you referring to domestic
 14 violence?
 15 THE WITNESS: Domestic violence, yeah.
 16 BY MR. MAZUREK:
 17 Q Are you talking about your ex-husband?
 18 **A We were never married. Lindsey's father,**
 19 **Richardson.**
 20 Q Oh, we're not talking about Henry?
 21 **A Not Henry.**
 22 Q Somebody else?
 23 **A Right.**
 24 Q A boyfriend or -- I'm old fashion, so I can't
 25 think of any other word.

1 **A Yes.**
 2 MS. FOLEY: How long ago did this happen?
 3 THE WITNESS: Twenty years ago.
 4 MS. FOLEY: Did you recover after this?
 5 THE WITNESS: I don't think I ever really
 6 recovered after it.
 7 BY MR. MAZUREK:
 8 Q He used to beat you up, your ex-boyfriend?
 9 **A (Witness nods head.)**
 10 Q Did you have him arrested ever?
 11 **A I tried to.**
 12 Q Cops wouldn't do it?
 13 **A His uncle was the sheriff, the chief of the**
 14 **Sheriff's Department.**
 15 Q In Orange County?
 16 **A Yes, at the time.**
 17 Q Was that Baca?
 18 **A No.**
 19 Q Ever file for bankruptcy?
 20 **A No.**
 21 Q Have you ever -- or someone on your behalf ever
 22 file a civil suit against anybody for like auto
 23 accidents, trip and falls, assaults, anything like that?
 24 **A Not that I recall, no.**
 25 Q Have you ever made an insurance claim or a

1 claim for any civil suit, like auto accident and trip
 2 and falls --
 3 **A Yes, auto accident.**
 4 Q But no one's filed a lawsuit? You just made a
 5 claim?
 6 **A Yes.**
 7 Q When was the auto accident?
 8 **A June 7th of '17.**
 9 Q Last year?
 10 **A Yes.**
 11 Q An accident, you said?
 12 **A Yes.**
 13 Q Car accident?
 14 **A Yes.**
 15 Q You were the driver?
 16 **A Yes.**
 17 Q And you were injured?
 18 **A Yes.**
 19 Q What body parts did you injure?
 20 **A Knees.**
 21 Q Both knees?
 22 **A Yes.**
 23 Q Did you have surgery?
 24 **A No.**
 25 Q And you saw a doctor, right?

1 **A I saw my doctor, yes.**
 2 Q Dr. --
 3 **A Khon.**
 4 Q That's the only doctor you saw in connection
 5 with this?
 6 **A No, and a Dr. Greenbrow (phonetic).**
 7 Q Who sent you to Dr. Greenbrow?
 8 **A My lawyer. Hold on.**
 9 **(Witness searching phone.)**
 10 THE WITNESS: I don't have his card on me.
 11 BY MR. MAZUREK:
 12 Q Who's your lawyer?
 13 **A Shenille. I can't remember the last name. I'm**
 14 **sorry, I don't recall, but Shenille.**
 15 Q Do you have his or her card?
 16 **A No, I don't have his card.**
 17 Q How do you spell Shenille?
 18 **A On my phone?**
 19 Q Okay.
 20 **A Yes?**
 21 Q Yes. Shenille is his first name or last name?
 22 **A His first name.**
 23 **(Witness searching phone.)**
 24 THE WITNESS: Oh, it's Dr. Greenoak.
 25 ///

1 BY MR. MAZUREK:
 2 Q G-r-e-e-n-o-a-k?
 3 **A Correct.**
 4 Q Do you have his address or just the telephone
 5 number?
 6 **A He's on Victoria Street in Costa Mesa.**
 7 **Shenille is S-h-e-n-i-l-l-e. And I don't have**
 8 **a last name for him, just the first name.**
 9 Q Do you have a phone number?
 10 **A Yes, I do, yes.**
 11 Q 949?
 12 **A No, 1 (310) 594-5167.**
 13 Q And all you hurt was -- it's enough -- but all
 14 you hurt were your bilateral knees and --
 15 **A And the lower back.**
 16 Q And lower back?
 17 **A Yes.**
 18 Q Are you still treating for it?
 19 **A No.**
 20 Q When did you stop?
 21 **A I saw him probably about four or five times. I**
 22 **didn't care for him. I saw him about four or five**
 23 **times. He just wasn't --**
 24 Q You're talking about Shenille?
 25 **A No, the doctor. I didn't like him.**

1 Q Oh, Shenille was the lawyer.
 2 **A Yes.**
 3 Q Dr. Greenoak?
 4 **A Right.**
 5 Q Dr. Greenoak is a male, right, as far as you
 6 know?
 7 **A Yes.**
 8 Q You saw him four or five times, and then you
 9 stopped because you didn't like him?
 10 **A Correct.**
 11 Q Did you see anybody else?
 12 **A No.**
 13 Q Has that case settled?
 14 **A No.**
 15 Q So your lawyer didn't send you to any other
 16 doctors?
 17 **A Yes, a neurologist. The last name for him?**
 18 Q Yes -- wait just a minute. Okay, go ahead.
 19 **(Witness searching phone.)**
 20 THE WITNESS: Dr. Shaw in Newport Beach.
 21 BY MR. MAZUREK:
 22 Q And do you have a number for him?
 23 **A Excuse me?**
 24 Q The phone number?
 25 **A Every time I press something on the phone, it**

<p style="text-align: right;">Page 32</p> <p>1 goes to something else. Give me one second. 2 (949) 933-7012. 3 Q (949) 933-7012? 4 A Yes. 5 Q How many times have you seen Dr. Shaw, 6 approximately? 7 A Four or five times. 8 Q And what's the diagnosis? 9 A Depression. 10 Q Dr. Shaw's a psych? 11 A He's... 12 Q A neuro, you said. 13 A Yeah. 14 Q Oh, a neuro-psych? 15 MS. FOLEY: You said it was a neurologist. 16 THE WITNESS: Yes, for my head. 17 BY MR. MAZUREK: 18 Q But Dr. Shaw has diagnosed depression? 19 A That's what he said it would be, depression. 20 I'm under a new treatment where they put you -- it's 21 hard to explain -- stuff on your head. And then it's 22 like a machine that has magnets that go around it to try 23 to wake it up; the one side for depression or things 24 like that. 25 Q Okay.</p>	<p style="text-align: right;">Page 33</p> <p>1 A When I went to see him, he was -- yes. 2 Q You don't see him anymore? 3 A No, I still see him, but I do the treatments 4 every other day. Try to get in there every other day, 5 if I can. And I've seen him about three times out of 6 those times when I've been in the office. 7 Q Only three times? 8 A Uh-huh. 9 Q Yes? 10 A Yes. 11 Q Did you hit your head on the windshield in this 12 accident? 13 A No. 14 Q Did you hurt your head in this accident? 15 A I might have -- I didn't hit anything. I think 16 I just jolted it really hard is what I thought. I don't 17 know. 18 Q Did they take your deposition in this accident? 19 A Is that what this is? 20 Q Yes. 21 A No. 22 Q What else did you hurt in this accident besides 23 your head and your knees? Anything else? 24 A No. 25 Q Have you ever been injured in any other</p>
<p style="text-align: right;">Page 34</p> <p>1 accidents? 2 A Yes. 3 Q When? 4 A When I was younger, I was hit by a car. 5 Q About how old? 6 A Thirteen. I got my front teeth completely 7 knocked out of my mouth. 8 Q Were you a passenger or a driver or -- 9 A No, I was on my bike, riding home from the 10 beach. And a bus hit me. 11 Q What hit you? 12 A A bus. 13 Q A bus? 14 A (Witness nods head.) 15 Q This happened in Costa Mesa? 16 A Uh-huh. 17 Q What? 18 A Yes. Another Dr. Green. 19 Q Another Dr. What? 20 A Dr. Green is the one that put the teeth back 21 into my mouth. 22 Q That's Dr. Greenoak, right? 23 A Not Greenoak, another Dr. Green. 24 Q Another Dr. Greenoak? 25 A Not Oak, another Dr. Green.</p>	<p style="text-align: right;">Page 35</p> <p>1 Q Green, period? 2 A Yes. 3 Q But when you say "another Dr. Green," it makes 4 me think there's another Dr. Greenoak. 5 A No. 6 Q But you weren't talking about Dr. Greenoak -- 7 but just because -- 8 A Yeah. 9 Q -- the first part of his name is Green -- 10 A Yes. 11 Q -- right? 12 A Correct. 13 Q Any other accidents or injuries that caused you 14 injury for any amount of time? 15 A Not that I recall, no. 16 Q When you were 13, in this accident -- not that 17 that's minor -- but did you hurt anything else besides 18 your teeth? 19 A No. I was just raw from here to here 20 (indicating). 21 Q Do you smoke? 22 A Yes. 23 Q Cigarettes? 24 A Yes. 25 Q How long?</p>
<p style="text-align: right;">Page 36</p> <p>1 A On and off since I was about 18. 2 Q How many packs per day? 3 A No packs per day. Maybe a pack a week. 4 Q When was the last time you smoked, 5 approximately? 6 A Last night. 7 Q Do you take marijuana for any medicinal 8 purposes? 9 A No, only for rubbing on my body. 10 Q Some doctor tell you to -- 11 A There's CB -- I can't say what it is, but CB -- 12 there's no marijuana inside of it. It's just a rub to 13 help with pain, instead of taking pain medication. See 14 what I'm saying? You wouldn't get stoned or anything if 15 you use it. It's just to rub for the pain, to help you. 16 MS. FOLEY: It's like a cream? 17 THE WITNESS: Yes, a cream, oils. It comes in 18 oil. 19 BY MR. MAZUREK: 20 Q So there's creamy marijuana now? 21 A But it's not marijuana. It comes from the 22 plant, but you won't -- you can take it, but it's not -- 23 they give it to like children that have seizures and 24 things like that, to help with seizures or pain or other 25 things like that. But you don't get high off of it.</p>	<p style="text-align: right;">Page 37</p> <p>1 Does that make sense to you? 2 Q Yeah, I guess so. 3 A Okay. 4 MS. FOLEY: Is it part of your pain management? 5 THE WITNESS: My pain management? 6 MS. FOLEY: Yes. 7 THE WITNESS: (Witness nods head.) 8 BY MR. MAZUREK: 9 Q No doctor prescribed this? 10 A No. 11 THE REPORTER: Excuse me. Did you say "CB"? 12 THE WITNESS: Yes. 13 BY MR. MAZUREK: 14 Q The cream is CB? 15 A Yes. 16 MS. FOLEY: Is it helpful? 17 THE WITNESS: Yes. 18 MR. MAZUREK: Is it what? 19 MS. FOLEY: Helpful. 20 THE WITNESS: Very helpful. 21 BY MR. MAZUREK: 22 Q Do these initials stand for something? 23 A I'm not sure what they stand for. 24 Q Have you ever been sued for anything? 25 A No.</p>

1 Q Have you ever had drug counseling?
 2 A Yes.
 3 Q Aside from the time of the DUI.
 4 A Oh, no.
 5 Q Any other drug counseling besides in connection
 6 with the DUI?
 7 A **Classes, classes that they make you take?**
 8 Q Yes.
 9 A Yes.
 10 Q Besides the DUI.
 11 A **And the classes that they make you take, right?**
 12 Q Who's "they make you take"?
 13 A **You have to go -- when you get a DUI, you have**
 14 **to take classes.**
 15 Q But I already counted that.
 16 A Oh.
 17 Q I'm saying, besides the DUI, have you had any
 18 drug counseling?
 19 A **Yes, when I -- 25 years ago.**
 20 Q What was that in connection with?
 21 A **That was with a lady named Sherry Fox that I**
 22 **went to go see at the Well Clinic -- Wellness Clinic?**
 23 Q Why did you have drug counseling 25 years ago?
 24 Did you have a drug problem?
 25 A **I was going a little -- partying too much, and**

1 **I didn't like that. So I wanted to make sure that I got**
 2 **help before it got out of hand.**
 3 Q So it was voluntary?
 4 A Yes.
 5 Q Have you ever had psych counseling,
 6 psychological counseling?
 7 A **With a counselor or a therapist? I'm confused**
 8 **on that word.**
 9 Q Psych therapy with a psychologist,
 10 psychiatrist --
 11 A Yes.
 12 Q When?
 13 A **Two years ago, when something had happened at**
 14 **the church. And I had to speak with somebody that**
 15 **wasn't related with the church. And I needed to talk to**
 16 **somebody.**
 17 MS. FOLEY: Do you refer to private counseling
 18 with a private person or a professional --
 19 THE WITNESS: Private --
 20 MS. FOLEY: -- therapist?
 21 Let me repeat the question. Just listen.
 22 When you are talking about counseling, do you
 23 refer to the private counseling or to the professional
 24 therapist?
 25 THE WITNESS: It was private counseling. The

1 only thing I could afford was free.
 2 MS. FOLEY: Would you refer to that as a
 3 spiritual counseling?
 4 THE WITNESS: No spiritual. It was a lady that
 5 was a counselor for -- it's called SOS, for people -- if
 6 you don't have any money or have anything, they will
 7 help you.
 8 MS. FOLEY: So she was a licensed therapist,
 9 but she provided her help for free?
 10 THE WITNESS: For me, it was for free. But I
 11 don't know -- I mean she got paid, I'm sure. She worked
 12 there.
 13 BY MR. MAZUREK:
 14 Q She worked where?
 15 A At SOS.
 16 Q In Costa Mesa?
 17 A Yes.
 18 MS. FOLEY: Did you go over there on your own,
 19 or someone referred you?
 20 THE WITNESS: I went on my own.
 21 BY MR. MAZUREK:
 22 Q Do you remember her name?
 23 A **Gloria, Gloria.**
 24 Q You don't remember her last name?
 25 A **No, they didn't tell last names.**

1 Q SOS is in a building in Costa Mesa?
 2 A Yes. **It's across the street from Hoag**
 3 **Hospital.**
 4 Q It's what?
 5 A **It's across the street from Hoag Hospital.**
 6 Q Oh, okay. Now, how long did you get counseling
 7 there?
 8 A **They only did it weeks at a time, and then you**
 9 **have to sign back up again. So I'm going to say about**
 10 **three months, three or four months. And then she left**
 11 **so...**
 12 Q When she left, you stopped going there?
 13 A Yes.
 14 Q And this is due to an incident at the church?
 15 A (No response.)
 16 Q I think that's what you said.
 17 A Yes.
 18 Q And what was that incident?
 19 A **The pastor, Pastor Leigh --**
 20 **Pastor what?**
 21 **A Pastor Leigh from the church.**
 22 Q Pastor Leigh is L-e-i-g-h?
 23 A Yes.
 24 Q Pastor Leigh at the church, you had an incident
 25 with him?

1 A Yes.
 2 Q He's gone, right?
 3 A (Witness nods head.)
 4 Q Yes?
 5 A Yes.
 6 Q And because of this incident, that's why you
 7 went to --
 8 A **It was more than one incident.**
 9 Q More than one?
 10 A **It was more than one incident.**
 11 Q But they all started in 2015?
 12 A Yes -- '14.
 13 Q '14?
 14 THE WITNESS: Can we take break for a minute?
 15 MR. MAZUREK: Sure. That's something I forgot
 16 to tell you. Any time you want to take a break, or
 17 stand up, or something, that's okay.
 18 THE WITNESS: Okay.
 19 (Short recess taken.)
 20 MR. MAZUREK: Back on the record.
 21 Q You're still under oath. Okay?
 22 A Yes.
 23 Q All right. We were talking about Pastor Leigh,
 24 more than one incident. The incidents started in 2014,
 25 right?

1 A Correct.
 2 Q Okay. How many incidents were there --
 3 approximately, if you don't know exactly.
 4 A **Seven to eight, approximately.**
 5 MS. FOLEY: Objection. To me it sounds a
 6 little bit vague, because I'm not sure if you and the
 7 applicant understand the word "incident" the same way.
 8 Can you please just define what you mean?
 9 MR. MAZUREK: Good question.
 10 Q Yes, define incident for us.
 11 A **Something that happens in an incident,**
 12 **something like an incident -- an incident. I spill the**
 13 **coffee, that's an incident, right?**
 14 Q I know you're nervous, but it would help Pam
 15 and us if you'd take your hand away from your mouth.
 16 A **Like if I spilled my coffee, that's an**
 17 **incident?**
 18 Q Yes.
 19 A **Okay, an incident is something that happened,**
 20 **correct?**
 21 Q Something that's -- what's a good word?
 22 Because there's a million incidents, but something
 23 tragic. Is that a good word?
 24 A Yes.
 25 MS. FOLEY: Would it be better to say something

Page 44

1 disturbing?
 2 MR. MAZUREK: Yes.
 3 THE WITNESS: There you go, disturbing.
 4 BY MR. MAZUREK:
 5 Q Incident equals something disturbing, you say,
 6 right?
 7 A Yes.
 8 MS. FOLEY: In which way was it disturbing to
 9 you?
 10 THE WITNESS: Uncomfortable and --
 11 uncomfortable.
 12 MS. FOLEY: And that led you to seek
 13 counseling; is that right?
 14 THE WITNESS: Correct.
 15 BY MR. MAZUREK:
 16 Q And did you first get counseling in 2014?
 17 A **2015. It started in 2014. I didn't say**
 18 **anything to anybody for quite a while.**
 19 Q Oh, okay, I see. When you said it caused you
 20 to seek counseling, since the incidents started in 2014,
 21 I thought that's when you first started getting
 22 counseling.
 23 A No.
 24 Q So a few months went by before you got
 25 counseling is what you're saying?

Page 46

1 A No.
 2 MS. FOLEY: what did you feel when that
 3 happened?
 4 THE WITNESS: what did I feel?
 5 MR. MAZUREK: what? I didn't understand that.
 6 MS. FOLEY: what did you feel when that
 7 happened?
 8 MR. MAZUREK: Oh.
 9 THE WITNESS: I just couldn't even believe that
 10 that just happened. I couldn't even -- I felt just in
 11 like shock, grossed out, just -- I can't describe how it
 12 felt. I never had that happen before.
 13 BY MR. MAZUREK:
 14 Q Where did this happen?
 15 A **In the sanctuary.**
 16 Q Is there more than one building in this place?
 17 A Yes.
 18 Q So the sanctuary's a building by itself?
 19 A **Yes, the main church, the sanctuary.**
 20 Q So you say he French-kissed you, open mouth.
 21 Whose mouth was open; yours or his?
 22 A His.
 23 Q Okay. But as I understand French kissing --
 24 and again, I'm old fashion -- I thought that means when
 25 someone puts their tongue in your mouth.

Page 48

1 Q Was this on a Sunday --
 2 A No.
 3 Q -- a church day?
 4 A **No, a workday.**
 5 Q You left because you were upset?
 6 A Yes.
 7 Q Were you crying?
 8 A **After, until I got home.**
 9 Q You turned around and left because you were
 10 shocked, did you say?
 11 A **Yeah -- mortified, yes, that he would even do**
 12 **that.**
 13 MS. FOLEY: Did you attempt to discuss it with
 14 Pastor Leigh?
 15 THE WITNESS: The next day at work, he called
 16 me into the office, his office.
 17 BY MR. MAZUREK:
 18 Q How did he do that --
 19 A **He said, "I would --**
 20 **Q -- by phone?**
 21 A **-- like to talk to you Victoria. Can you come**
 22 **into my office."**
 23 Q Did he call you by phone --
 24 A **No -- that day?**
 25 Q You said the next day, he called you into the

Page 45

1 A **Correct, for a while, yes.**
 2 Q Was every incident different?
 3 A **Yes -- no, three different incidents. Does**
 4 **this make sense?**
 5 MS. FOLEY: would it be easier if we just ask
 6 her to describe the first incident and see where we are
 7 going?
 8 MR. MAZUREK: Yes.
 9 Q Describe it, if you remember -- you remember
 10 the first incident?
 11 A **Oh, yes.**
 12 Q Describe the first incident in 2014.
 13 A **Okay, we're in the sanctuary, and I was moving**
 14 **the chairs. And I just got done moving all the chairs.**
 15 **And he came in, and --**
 16 Q She?
 17 A **He came in.**
 18 Q Okay.
 19 A **And I thought he was going give me a hug,**
 20 **saying "thank you" for moving the chairs.**
 21 Q Wait a minute. Who's "he"?
 22 A **Pastor Leigh.**
 23 **And he kissed he instead. He French-kissed me,**
 24 **and open mouth.**
 25 Q Was anybody else there?

Page 47

1 A **Correct.**
 2 Q So you had your mouth open?
 3 A **Not expecting a tongue to be inside of it, yes.**
 4 MS. FOLEY: Could you clarify your question. I
 5 didn't get it.
 6 MR. MAZUREK: Yes. I'm trying to define. She
 7 said "with open mouth." So whose --
 8 THE WITNESS: He was going to give me a hug to
 9 say "thank you." I'm thinking he's going to say "thank
 10 you," and give me a hug.
 11 Instead, he comes and puts his mouth on my
 12 mouth and stuck his tongue inside my mouth. Okay? And
 13 I just was -- sorry. And it was shocking. I didn't --
 14 that's the last thing I was expecting, or even -- I
 15 didn't even know what even just happened. I mean like,
 16 what was that?
 17 BY MR. MAZUREK:
 18 Q He put his tongue in your mouth, right?
 19 A **Correct.**
 20 Q Okay. And then what happened?
 21 A **I turned around and walked out and left for the**
 22 **whole day.**
 23 Q What was that?
 24 A **I turned around and left for the whole day. I**
 25 **just left and went home.**

Page 49

1 office?
 2 A **Correct.**
 3 Q Did he you call by phone, or --
 4 A **No.**
 5 Q -- did he walk up to you and say, "Come into my
 6 office"?
 7 A **Yes, walked up to me.**
 8 Q Okay.
 9 MS. FOLEY: So he came. And what he said?
 10 THE WITNESS: He wanted to talk about what had
 11 happened. And I didn't want to talk about it. And I
 12 said, "I don't want to talk about it. Just forget it
 13 ever ever happened. I don't want to think about it."
 14 BY MR. MAZUREK:
 15 Q You didn't want to think about it?
 16 A **Yeah, that it happened.**
 17 MS. FOLEY: what was your motivation, why you
 18 didn't want to talk about it?
 19 THE WITNESS: (No response.)
 20 MS. FOLEY: why you refused to discuss it?
 21 THE WITNESS: I was scared. His wife was a
 22 very good friend, and I didn't want anyone to get hurt.
 23 I didn't want -- he was a good friend, you know. And
 24 it's --
 25 ///

1 BY MR. MAZUREK:

2 Q Who was a good friend; he or she?

3 A **Mary is a very good friend. His wife was a**
4 **very good friend of mine. And Leigh, I thought, was a**
5 **very good friend of mine too.**

6 Q Who was -- oh, Leigh? You call him by his last
7 name, okay. So you say Leigh as his first name too.

8 So Pastor Leigh, we'll call him --

9 A **Yes.**

10 Q Pastor Leigh and his wife were good friends
11 with you; is that what you're saying?

12 A **Yes.**

13 Q Okay. So was anybody around when he asked you
14 to come to his office?

15 A **(No response.)**

16 Q Anybody witness this, as far as you know?

17 A **No, it was early in the morning.**

18 Q So this was four years ago, 2014, right?

19 A **Yes.**

20 Q Okay.

21 MS. FOLEY: Would it be accurate to say that
22 you've been confused, scared, humiliated?

23 THE WITNESS: Confused and scared, yes.

24 Ashamed that he would even -- confused, right. I don't
25 even know where that came from, yes.

1 MS. FOLEY: What happened after that? Was that
2 the only isolated incident, or did this behavior
3 continue?

4 THE WITNESS: It started to continue a couple
5 months later, when me and Henry were going through the
6 divorce. And then it started to get weird with...

7 MS. FOLEY: In which way?

8 THE WITNESS: Well, I would go into church or
9 into congregation. You're supposed to go to the older
10 women for advice and support in our congregation. And
11 they would tell me, "You need to go and talk to Pastor
12 Leigh about things like this."

13 BY MR. MAZUREK:

14 Q Who's "they"?

15 A **Diane Winecki (phonetic), the older lady, our**
16 **elder's wife.**

17 Q The people in church?

18 A **Yeah.**

19 Q You have to understand, I don't belong --

20 A **I'm sorry. I apologize. I know.**

21 **So I couldn't go speak to him because it's him**
22 **that's -- like he would make -- he would like put his**
23 **arm around me, a little too touchy and feely. "Come cry**
24 **on my shoulder. Come sit on my lap. Come closer." You**
25 **know, say little comments that just weren't appropriate.**

1 **And it just started to get so awkward that I would do**
2 **anything to avoid being in the same room with him.**

3 MS. FOLEY: You didn't feel safe?

4 THE WITNESS: I didn't feel safe.

5 BY MR. MAZUREK:

6 Q Nobody was ever around?

7 A **Yeah, there was Cheryl that was in the office.**

8 **But she was in the front office, Cheryl.**

9 Q So Cheryl saw these --

10 A **Cheryl didn't see that incident --**

11 Q -- incidents with --

12 A -- **because the couch was faced a different**
13 **way from the -- in his office, the couch wasn't facing**
14 **the door anymore. He had changed offices. And now the**
15 **couch was where you wouldn't be able to see anything if**
16 **you walked by.**

17 Q So as far as you know, no one has ever
18 witnessed any of these seven or eight incidents?

19 A **No, no one has ever witnessed -- no.**

20 MS. FOLEY: Did you try to report it?

21 THE WITNESS: No. I was scared I would lose my
22 job.

23 MS. FOLEY: Did you discuss it anyway with
24 someone at church?

25 THE WITNESS: I told -- yes, a girl, one girl

1 at church what was going on.

2 BY MR. MAZUREK:

3 Q Who's that?

4 A **Her name is Jaime Whitlock (phonetic).**

5 Q Jaime?

6 A **Whitlock.**

7 Q Whitlock?

8 A **(Witness nods head.)**

9 MS. FOLEY: Did you discuss it with the other
10 pastor?

11 THE WITNESS: Not until later when I just
12 couldn't -- I couldn't do it anymore. It was eating me
13 up inside. Just physically making me sick inside.

14 And then when my oldest daughter told me that
15 he was patting her on the ass in an inappropriate way,
16 that's when I went straight to Eric. That was it.

17 BY MR. MAZUREK:

18 Q Wait a minute, wait a minute. Your oldest
19 daughter --

20 A **Lindsey.**

21 Q -- she used to go to that church, too?

22 A **Yes, she did.**

23 Q So you told Lindsey what had happened, right?

24 A **She was home the day that happened, the first**
25 **incident. And she saw me crying, yes.**

1 Q She didn't see the incident?

2 A **She didn't see it.**

3 Q You told her about it?

4 A **Well, she wanted to know why I was upset and**
5 **crying.**

6 Q So you told Lindsey on the first incident date
7 what happened?

8 A **Correct.**

9 Q Okay.

10 A **Yes.**

11 MS. FOLEY: Did she comment on it?

12 THE WITNESS: Yes.

13 MS. FOLEY: What did she say?

14 THE WITNESS: She said, "That's why I stopped
15 going to that church, mom."

16 Because I guess he had stood up on the podium
17 when --

18 THE REPORTER: I'm sorry?

19 THE WITNESS: When he was talking one Sunday up
20 at the podium, and talked about his past of using drugs
21 and robbing houses and all this when he was younger as a
22 young adult or whatever he was, and Olivia was just -- I
23 mean, I'm sorry, Lindsey was just grossed out and didn't
24 want to ever come back. She just didn't -- she was --
25 yeah, she didn't want to come back after that.

1 BY MR. MAZUREK:

2 Q Wait. Slow down for a minute.

3 A **She never went back to the church.**

4 Q So on the first incident date, you went home
5 and told Lindsey, your oldest daughter -- what, was she
6 living with you at that time?

7 A **Yes.**

8 Q Okay.

9 MS. FOLEY: You just said that she stopped
10 going to the church. But then you said that he patted
11 her on her ass

12 THE WITNESS: She told me later that --

13 MS. FOLEY: So when that happened --

14 THE WITNESS: She told me later about that.

15 MS. FOLEY: So it happened before, but --

16 THE WITNESS: She was --

17 THE REPORTER: I'm sorry, please wait for --

18 THE WITNESS: Listen, hold on. She was telling
19 me -- she would come to help me clean sometimes at the
20 church. She would come back to help me clean, to move
21 the chairs and stuff, because after a while, I couldn't
22 do it anymore, because it got too much for me. So I
23 needed help, and she would come to help me sometimes.

24 And so, you know, he would be there in the
25 office or whatever. Sometimes we would work at -- you

Page 56

1 know, I would try to go at night to do certain things,
2 knowing that they would be gone.
3 Some days he would be in there. They would
4 talk or whatever, "Hi, how are you?"
5 Cordially, they would still talk. You know,
6 cordially, not rude. She's not going to be rude to him
7 or anything. But she had said that he just pats her on
8 the ass, like a little -- like this (indicating). And
9 inappropriately for a pastor to do.
10 BY MR. MAZUREK:
11 Q So this was happening before the first incident
12 with you?
13 A **No, this is after, after this with me. Okay?**
14 Q We're talking about 2015 now?
15 A (No response.)
16 Q Lindsey would help you clean the church --
17 A Yes.
18 Q -- in 2015?
19 A **Yes, she would help me. On and off when I**
20 **needed help, yes.**
21 Q So you were there with Lindsey --
22 A **Correct.**
23 Q -- at the church when he would pat her on the
24 butt, but you didn't see it?
25 A **No, I would not see that. I would be like in**

Page 58

1 about. And then he brought in another person to my
2 house with him. And his name was Rapolli, Rich Rapolli.
3 BY MR. MAZUREK:
4 Q Rich?
5 A **Rich Rapolli.**
6 Q Rapolli?
7 A **He's one of the elders at our church.**
8 Q R-a-p-o-l-i-i?
9 A (No response.)
10 Q Something like that? That's what it sounds
11 like.
12 A **R-a-p-p or l-l -- yeah, right, I'm sorry.**
13 Q Rapolli --
14 A **Rapolli.**
15 Q -- because she's going to ask.
16 You don't have to know exactly, but it sounds
17 like Rapolli?
18 A Yes.
19 Q Okay.
20 A **He's an elder.**
21 MS. FOLEY: So he and another gentleman,
22 Rapolli, came together to your house to discuss your
23 issue; is that correct?
24 THE WITNESS: Yes.
25 MS. FOLEY: And what was that conversation?

Page 60

1 THE WITNESS: I told them everything. And they
2 were going to go and talk with Leigh and discuss what
3 had happened and see what was going on.
4 And Leigh told them, "yes," that he had -- what
5 he had done. He did not deny it.
6 BY MR. MAZUREK:
7 Q How do you know this?
8 A **Because Eric told me this.**
9 Q But you didn't see -- you weren't there when
10 Leigh admitted he did this?
11 A **Correct.**
12 Q How do you know that's what Pastor Leigh said
13 to Eric? How do you know Pastor Leigh admitted --
14 A **Eric said that he did not deny it. That's what**
15 **Eric just told me. "He did not deny what was said."**
16 Q So we're talking about a couple days apart,
17 between the time when they come to your house and they
18 go talk to Pastor Leigh, and then they come back and
19 tell you, he admitted it?
20 A **That he did not deny it.**
21 Q Okay, he did not deny it. Did he admit it, or
22 he just did not deny it?
23 A (No response.)
24 Q You don't know because you weren't there?
25 A **Correct.**

Page 57

1 **another room. Or I would be in -- getting coffee. Or**
2 **you know, she would be in there getting candy in the**
3 **front office.**
4 Q And you wouldn't see it?
5 A **No, I wouldn't see it.**
6 MS. FOLEY: What was your reaction when she
7 told you about this?
8 THE WITNESS: I was pissed. Sorry, I was mad.
9 MS. FOLEY: And then you start seeking help?
10 THE WITNESS: That's when I went to Eric, yes.
11 I went to Eric. That was it. Now he's touching my kid.
12 BY MR. MAZUREK:
13 Q At this time, Eric was there?
14 A **Yes, Eric was there.**
15 Q He wasn't there in '14? He wasn't there in
16 '15?
17 A **Eric was there. Eric's been there.**
18 Q In '14?
19 A **Yes, Eric's been there.**
20 MS. FOLEY: Did you say everything to Eric?
21 THE WITNESS: I told Eric I needed to speak
22 with him personally away from the church campus, if we
23 could go talk somewhere.
24 And he said, "What is it about?"
25 And I gave him a little bit of what it was

Page 59

1 Can you describe it to us, please.
2 MR. MAZUREK: What year was this?
3 THE WITNESS: It was 2015.
4 BY MR. MAZUREK:
5 Q Okay, go ahead. They came to your house to
6 talk to you about Pastor Leigh?
7 A Yes.
8 Q Was anybody else around? Where was Lindsey?
9 A **She wasn't there.**
10 Q What?
11 A **She was not there.**
12 Q She was there for the incidents, but not there
13 for --
14 A **No. Now, I've moved into my new home now,**
15 **okay, the 666 residence? Before, we were at the Miner**
16 **house on Miner Street, okay, when all this was going**
17 **down. Okay?**
18 **So now she's not living with me full time.**
19 **She's on her own. She's going to college. She's going**
20 **to school. She's, you know --**
21 MS. FOLEY: So you were alone at your new
22 place, and two gentlemen came to discuss your problem?
23 THE WITNESS: Correct.
24 MS. FOLEY: What happened during that
25 conversation?

Page 61

1 Q All you know is what Eric and Rapolli told you,
2 right?
3 A **Correct.**
4 Q And when Eric told you that Leigh did not deny
5 it, where did that conversation happen?
6 A **When did it happen?**
7 Q Where, where, where? At the church, your
8 house --
9 A **It was -- I think it was on the phone. It was**
10 **on the phone, I believe.**
11 Q And this is in 2015?
12 A Yes.
13 MS. FOLEY: What kind of measures Eric took to
14 remedy the situation?
15 THE WITNESS: He was very kind. He tried
16 measures -- meaning, for me was that at first, we just
17 stay away from each other in the office, which was
18 getting very awkward, you know, for me.
19 So I asked if I could be on nights, and work at
20 nighttime instead of the daytime so I wouldn't have to
21 see anybody, actually. I started to feel
22 self-conscious. And we were in just like -- I didn't
23 feel comfortable there like that anymore.
24 MR. MAZUREK: Let's stop for a minute.
25 (Telephonic interruption.)

1 BY MR. MAZUREK:

2 Q You also said that Eric told you to work at
3 night because that would keep you two guys separated,
4 right?

5 A **He didn't care when I got my work done, as long
6 as I got my work done. Okay? So I could go in at night
7 if I felt more comfortable doing that.**

8 **Eric had told all of our elders. And, of
9 course, all the elders went and told all of their wives.**

10 Q Told them about --

11 A **What happened.**

12 Q When you say "what happened," do you mean --

13 A **With Eric -- with Leigh.**

14 Q When he French-kissed you?

15 A **Yes.**

16 Q How do you know --

17 A **Because Eric --**

18 Q Wait. How do you know that Eric told all the
19 elders?

20 A **Because he had to have a meeting with the
21 elders and discuss it.**

22 Q How do you know that?

23 A **Because he told me.**

24 Q Okay.

25 MS. FOLEY: Did he offer you any counseling?

1 Q Oh, Wayman, W-a-y-m-a-n?

2 A **Yes.**

3 Q Eric's last name is Wayman?

4 A **Yes.**

5 Q Eric Wayman, okay.

6 And I forgot already. What's the mom's name?

7 A **Cindy.**

8 Q Cindy.

9 A **And Judy is --**

10 Q And what?

11 A **Judy is the aunt.**

12 Q Judy Wayman?

13 A **Wayman.**

14 MS. FOLEY: Did you discuss the issue with Judy
15 too?

16 THE WITNESS: Oh, yes.

17 MS. FOLEY: Would it be accurate to say that
18 eventually, the whole church knew what happened?

19 THE WITNESS: I could say the people that I
20 worked with in the office definitely knew what happened
21 because of the change of the attitudes and the way they
22 were with me, yes.

23 As for the whole church, I can't say that for
24 sure. I don't know about the whole church. I just know
25 of the people in the office, how it got.

1 Q Are we talking about -- are we still on that
2 first incident, only one incident, that this is going
3 on, or is this years later?

4 A **No, after that first incident, then through the
5 months, there's times where he's still touching me.
6 "Come sit on my lap. Here, let me hug and hold you."
7 And touching inappropriately and other things. There's
8 other incidents that are happening through that time.**

9 Q Are we talking about the seven or eight
10 incidents?

11 A **There you go, yeah.**

12 Q I thought we were talking about seven or eight
13 incidents, right?

14 A **Right.**

15 MS. FOLEY: Did he try to come to your house
16 when you were alone?

17 THE WITNESS: Yeah, he did.

18 BY MR. MAZUREK:

19 Q She came to your house?

20 A **Yeah.**

21 Q She is --

22 A **He.**

23 MS. FOLEY: He.

24 BY MR. MAZUREK:

25 Q He is --

1 THE WITNESS: He offered his mother to be my
2 mentor, and his aunt.

3 MS. FOLEY: In order to help you to cope with
4 this?

5 THE WITNESS: Correct. Because obviously the
6 other women won't -- yes. The other women went to
7 church. They aren't going to do that or just -- I
8 needed somebody to talk to, because I didn't want to
9 give up on my faith and my church. I still wanted to be
10 there and hope everything, you know -- I don't know.

11 I'm saying I would just assume that the women
12 would be, you know, kind of just there for you. And
13 instead, they just turned their backs.

14 MS. FOLEY: Did you have counseling with mother
15 of Eric?

16 THE WITNESS: Yes, on the phone, a lot. I only
17 met with her twice.

18 MR. MAZUREK: Wait, wait, wait.

19 Q I can't write that fast. Okay, you had
20 counseling with -- what's her name, Eric's mother?

21 A **Cindy.**

22 Q What?

23 A **Cindy Wayman.**

24 Q Raymond?

25 A **Wayman.**

1 MR. MAZUREK: Let's stop for a minute.
2 (Short recess taken.)

3 BY MR. MAZUREK:

4 Q Okay, let me get this right. Eric tells all
5 the elders -- oh, Eric Wayman offered his mother, Cindy
6 Wayman, to give you counseling? Is that what you meant
7 by mentor?

8 A **Yes.**

9 Q And you had counseling with Cindy Wayman,
10 Eric's mom, via phone. Did you say two or three times?

11 A **I only saw her two or three times.**

12 Q In person?

13 A **In person.**

14 Q So I'll put down "and in person."

15 A **And then I --**

16 Q Wait, wait, just a minute.

17 How many phone conversations did you have with
18 Eric's mom about the incidents?

19 A **Sometimes two or three times a day. We would
20 talk about all kinds of things that, you know -- it
21 started to affect me a lot, more than that I thought
22 that it was. I mean it was really -- I kept it in for a
23 very long time. And I was losing weight. I was getting
24 sick. I was just -- it was eating me up. I couldn't,
25 you know...**

1 A **He would call me.**

2 MS. FOLEY: Pastor Leigh.

3 MR. MAZUREK: The bad guy?

4 THE WITNESS: Yeah.

5 BY MR. MAZUREK:

6 Q So Leigh came to your house?

7 A **Yes. He would call and see if my daughter
8 would be there or not -- not my oldest, my youngest,
9 because my husband would have her every other weekend.**

10 Q Oh, that's right, your husband. You were
11 married at this time?

12 A **I'm going through a divorce, yes.**

13 Q Was Henry with you still at the house?

14 A **We lived in the same house for six months when
15 we filed for divorce, because we -- for money
16 situations, yes.**

17 Q And Leigh would call --

18 A **Not this -- I'm sorry. I don't mean to
19 interrupt you. He didn't call at the house when we were
20 living with Henry. He didn't call until I moved into
21 the new apartment.**

22 Q Which was what year?

23 A **2015.**

24 Q Okay. He would call you and ask if your
25 daughter was home, or you were alone?

<p style="text-align: right;">Page 68</p> <p>1 A Yes. He never did that before. 2 Q And you would tell him the truth? 3 A No, I lied. 4 Q And said she was home? 5 A I said that she would be on her way home right 6 now, or he's going to be dropping her off, or she's at 7 the grocery store, or whatever I had to -- I did lie, 8 yes. 9 Q And so he didn't come over. I thought you said 10 Leigh came over to your house? 11 A He did come over once to fix a pipe. 12 Q So Leigh came over once to fix a pipe? 13 A Actually, twice. And that was during the 14 daytime, because we had a flood in the downstairs 15 garage. And I needed a ride. And he was right there. 16 And he said, "I'll take you to your house," with 17 everybody in the office right there. 18 And my manager had called me and said, "There's 19 a flood in your garage." I still had all my things in 20 boxes, because I just moved into the house. All my 21 things were stored down in the garage. 22 He just dropped me off, and that was it. But 23 he had been on the property, so it would be twice. 24 Q All this is occurring in 2015? 25 A Oh, yes.</p>	<p style="text-align: right;">Page 69</p> <p>1 Q Okay. So first it was, Leigh would call and 2 ask if your daughter was home. Then you're talking 3 about a time -- I don't know if it's different times -- 4 Leigh came over twice. Once to fix a pipe, and what was 5 the other time? 6 A The other time was to drop me off. 7 Q From church? 8 A Correct. 9 Q Was Leigh a plumber? 10 A No. 11 Q Did he fix the pipe? 12 A Not correctly. 13 Q And when he went over to -- you let him into 14 your house to fix the pipe? 15 A Yes. 16 Q Even though you were afraid of him? 17 A Uncomfortable. 18 Q Okay, you were -- 19 A Not afraid, uncomfortable. 20 Q But he didn't do anything that time? 21 A No. 22 Q That's correct? 23 A That's correct. 24 Q So he never did any of this unconsented conduct 25 at your house?</p>
<p style="text-align: right;">Page 70</p> <p>1 A Correct. See, I went -- 2 Q Wait just a minute. 3 All the unconsented conduct was at the church? 4 A Correct. 5 Q Which came first, the unconsented conduct with 6 you, or the unconsented conduct with your daughter? 7 A You're asking -- okay, with me or my daughter? 8 Q Which came first? You told me he had 9 unconsented -- 10 A It was me, okay? And then when I took Lindsey 11 in to help me work -- when I would take her in to help 12 me work, then obviously, he patted her on the ass 13 inappropriately. You want me to say again -- do you 14 understand? It was me first. Then later, it would be 15 Lindsey. 16 Q All the unconsented conduct is at the church? 17 A Correct. 18 Q Not at your house? 19 A When he came to my home, he smelled like 20 alcohol -- like wine or whatever, I don't know. So I 21 went downstairs and acted like I had to do things 22 downstairs while he fixed the upstairs. 23 Q While he what? 24 A While he fixed things upstairs. 25 Q Fixed things up?</p>	<p style="text-align: right;">Page 71</p> <p>1 A Fixed things upstairs. 2 My house -- my garage is on the bottom. And my 3 house is on the top of my garage. 4 Q Okay. 5 A It's a one bedroom apartment. Okay? So you 6 have to go down the stairs to get to my garage. And 7 that's where I stayed for the time that he was there. 8 MS. FOLEY: Do you want us to understand that 9 you were avoiding -- 10 THE WITNESS: Yes. 11 MS. FOLEY: -- being in the same -- 12 THE WITNESS: Yes. 13 MS. FOLEY: -- room with him? 14 THE WITNESS: Right. 15 MS. FOLEY: why did you start seeking some help 16 with this regard after Lindsey complained about his 17 conduct? 18 THE WITNESS: she's my daughter. 19 MS. FOLEY: why did you start complaining after 20 that? 21 THE WITNESS: He touched my daughter now 22 inappropriately. 23 Now I'm wondering if my other little daughter 24 goes and sits on his lap like, you know, like to Pastor 25 Leigh, not understanding or whatever. I'm scared he</p>
<p style="text-align: right;">Page 72</p> <p>1 might do something that's even more inappropriate to my 2 youngest daughter. I can't have that happen to her. 3 You know what I mean? 4 MS. FOLEY: Is it accurate to say that you 5 thought you're adult woman, you can handle it, but 6 she's -- 7 THE WITNESS: Exactly. 8 MS. FOLEY: -- she cannot do that? 9 THE WITNESS: Yes, that's exactly what I'm 10 thinking. But I couldn't -- yes. 11 BY MR. MAZUREK: 12 Q Does your daughter, your youngest daughter, 13 does she go to the church, too? 14 A Not anymore. 15 Q No, back in '15. 16 A She went to preschool there from the very 17 beginning. Since she was three years old, she's been in 18 that church. She was baptized in that church. From a 19 baby, that's the only church she's ever known. 20 Q So in 2015 -- she wasn't in preschool in 2015? 21 A No, she wasn't. 22 Q Let's see, how old is your daughter? How old 23 was your youngest daughter in 2015? 24 A How old is she in 2015? 25 Q Yes.</p>	<p style="text-align: right;">Page 73</p> <p>1 A Well, let's see, she's 10. 2 THE REPORTER: "She's 10"? 3 THE WITNESS: Ten, right? Let's see, '05 -- 4 she's 10 years old. 5 BY MR. MAZUREK: 6 Q In 2015? 7 A Right. 8 Q So let's put it this way. For the moment, 9 let's forget about the middle incidents. The last 10 incident, when was that, what we call an incident? 11 A Okay, I'm going to say around March time, 12 March, because it was about -- no, I'm sorry, January, 13 around January. 14 MS. FOLEY: which year? 15 THE WITNESS: Of the two thousand and -- that 16 would be '16 now, right? Yeah, 2016. 17 BY MR. MAZUREK: 18 Q And that was at the church? 19 A No, at my house. Is that what we're talking 20 about? 21 Q You said it was only at the church -- 22 A Can you -- 23 Q -- right? 24 A -- repeat the question? 25 Q I said when was the last incident?</p>

1 And you said January of 2016, right?
 2 And I said, "Where?"
 3 And you said at your house.
 4 **A Oh, the last time -- you meant when I saw him.**
 5 **I'm sorry, I apologize.**
 6 MS. FOLEY: I think there's a little
 7 misunderstanding what we consider to be the last
 8 incident.
 9 BY MR. MAZUREK:
 10 Q We're focusing on the incidents; not the last
 11 time you saw this guy.
 12 **A Oh, okay.**
 13 Q When was the last incident -- you defined
 14 incident as unconsented conduct.
 15 **A Right.**
 16 MS. FOLEY: You've been describing that he was
 17 asking you to sit on his lap and cry on his shoulder and
 18 hugging you. Is it difficult for you to remember?
 19 THE WITNESS: I'm saying it was a verbal -- it
 20 wasn't anything with hugging or anything like that, but
 21 it was a verbal thing. "Now that you're divorced, does
 22 that mean we can date?"
 23 BY MR. MAZUREK:
 24 Q That was the last one?
 25 **A Yeah.**

1 church, in person, "Now that you're divorced, does that
 2 mean we can date?" Witness is Leigh's daughter, 26
 3 years old --
 4 **A Excuse me --**
 5 Q -- right?
 6 **A Correct. But I'm not for sure that she heard**
 7 **that. I'm just saying that it was loud enough that she**
 8 **may have heard that. So I'm not saying she is a**
 9 **witness, because I don't know that for sure. Okay?**
 10 **I'm just saying that --**
 11 Q Okay. Remember, I told you, don't guess.
 12 **A You asked if there was anybody else there in**
 13 **the office. And yes, there was somebody else in the**
 14 **office. That would be Danielle.**
 15 Q Right, but you don't know if she heard this?
 16 **A Correct.**
 17 Q All you know is -- oh, the daughter's name is
 18 Danielle?
 19 **A (Witness nods head.)**
 20 Q Okay. In this office, the last incident,
 21 there's you. There's Leigh, Pastor Leigh, and Danielle,
 22 just three people, right?
 23 **A Yes.**
 24 Q Okay. The office is just one room --
 25 **A No.**

1 where she's sitting (indicating) would be the feet.
 2 Q Was there any window or door between them?
 3 **A Two doors, our door, and her door, and a**
 4 **hallway that echoes very clearly, that you can hear**
 5 **people in other offices, very clearly.**
 6 **You know why I would remember that?**
 7 Q Why?
 8 **A Because when I walked by, and she was in the**
 9 **office, I thought to myself, I hope that she wouldn't**
 10 **have heard that, because that would be just disgusting**
 11 **for your father to say that. You see what I'm saying?**
 12 **I thought that would be disgusting, you know, for her to**
 13 **hear that. And I know that, you know -- my**
 14 **thought was -- that, yeah, it would be inappropriate and**
 15 **disgusting.**
 16 MR. MAZUREK: I think we're going to have to do
 17 this in two parts. If you want to ask some questions --
 18 MS. FOLEY: Yeah, I might.
 19 MR. MAZUREK: Go ahead.
 20
 21 EXAMINATION
 22 BY MS. FOLEY:
 23 Q Is it true that your co-workers called you
 24 Pastor Leigh's favorite?
 25 **A Okay, not exactly my -- that I worked with at**

1 Q Okay, that's verbal. You got divorced in 2015.
 2 So this happens, you said, in January of 2016. Okay, so
 3 the last was a verbal where; at the church?
 4 **A Correct.**
 5 Q In person?
 6 **A Correct.**
 7 Q And it's, "Now that you're divorced" -- go
 8 ahead.
 9 MS. FOLEY: Can you read it back.
 10 (Record read.)
 11 BY MR. MAZUREK:
 12 Q Is that accurate?
 13 **A Correct, yes.**
 14 Q Was anybody around when he said this?
 15 **A Actually, his daughter was in her office. And**
 16 **I'm pretty sure he said that loud enough that she could**
 17 **hear that.**
 18 Q Wayman's --
 19 **A Not Wayman.**
 20 Q Oh, Leigh not Wayman. Leigh's also got a
 21 daughter?
 22 **A Correct.**
 23 Q Okay. How old is his daughter?
 24 **A Twenty-six or so. He has four children.**
 25 Q Okay. Last incident, January 2016, in the

1 Q -- like this?
 2 **A No, no -- what office are you referring to?**
 3 **The whole church offices?**
 4 Q Where the incident happened.
 5 **A Double the size of this room.**
 6 Q Double the size of this room?
 7 **A Yes.**
 8 Q It's all in one room?
 9 **A Yes.**
 10 Q Leigh's daughter is standing, sitting, what?
 11 **A His daughter is in her office down the hall.**
 12 Q And you're saying she might have heard it from
 13 her office down the hall? You think she might have
 14 heard that comment?
 15 **A Yes, you can hear it. Our office is -- it's**
 16 **wood floors. It echoes. Her door's open. His door's**
 17 **open.**
 18 Q You remember her door being open?
 19 **A Uh-huh, yes, I do.**
 20 Q Three years ago, and you remember --
 21 **A Yes, I do.**
 22 Q -- her door being open? Okay.
 23 In terms of feet, how many feet away was the
 24 daughter from her father when he said that remark?
 25 **A From that couch right here (indicating) to**

1 the preschool that's on the property that I worked and
 2 did stuff for too? The teachers said that to me.
 3 Another teacher said that I was his favorite because
 4 they asked for loans or something like that, and did not
 5 get them.
 6 **And it was like, "Go ask him."**
 7 **And it was, "No, you're his favorite." And**
 8 **that was like -- I don't know where that was coming**
 9 **from.**
 10 MR. MAZUREK: What's their names?
 11 THE WITNESS: Nani (phonetic) Stewart would be
 12 one.
 13 MR. MAZUREK: That's a female?
 14 THE WITNESS: Yes. She works for the
 15 Lighthouse Preschool.
 16 MR. MAZUREK: He?
 17 THE WITNESS: She works for the Lighthouse
 18 Preschool.
 19 And Marge Minashi (phonetic), who runs the
 20 preschool. She's the director.
 21 MR. MAZUREK: What's that last name?
 22 THE WITNESS: Minashi. She needed some extra
 23 money.
 24 MR. MAZUREK: Who's that?
 25 THE WITNESS: Nani Stewart.

<p style="text-align: right;">Page 80</p> <p>1 MR. MAZUREK: Works for Lighthouse Preschool. 2 And she would ask for loans? 3 THE WITNESS: Yes. 4 MR. MAZUREK: What does that have to do with 5 anything? 6 THE WITNESS: I don't know. That's what she 7 would say. She would just... 8 MR. MAZUREK: Anyway, okay. 9 THE WITNESS: She said that's what the other 10 ladies were saying. 11 MR. MAZUREK: We're on the preschool. Marge 12 runs the preschool? 13 THE WITNESS: Correct. 14 MR. MAZUREK: And they both said you're Leigh's 15 favorite? 16 THE WITNESS: Not Marge, in particular, but the 17 other -- some of the other teachers that are there. 18 It's a big place, I'm sorry. 19 MS. FOLEY: Let's stipulate to a second volume. 20 MR. MAZUREK: Okay, yeah. We're going to do 21 this in two parts. You want to stop now? You want to 22 ask any more questions? I hogged this whole day, sorry. 23 MS. FOLEY: Yeah, I just want to move on with 24 that and ask some questions. 25 Q When you asked Eric for help, and allegedly he</p>	<p style="text-align: right;">Page 81</p> <p>1 share his knowledge of what happened with the elders, 2 did you feel changing attitude towards you? 3 A Not at first by everybody, no. But after a 4 while, the people in the office -- not so much the elder 5 men that were there -- but the women definitely, and the 6 people in the office, 100 percent. 7 Q Did you feel that they shamed you? 8 A Belittled. 9 MR. MAZUREK: What? 10 THE WITNESS: Belittled me? 11 MR. MAZUREK: Oh. Who belittled you? 12 THE WITNESS: The women there. They made me do 13 things that I never had to do before. 14 MR. MAZUREK: What women? 15 THE WITNESS: That would be Jeannie. 16 BY MS. FOLEY: 17 Q Did you feel ostracized? 18 A Did I feel -- one more time. 19 Q Ostracized. 20 A I don't know what that word means. 21 Q Did you feel that you are isolated -- 22 A Oh, yes. 23 Q -- on purpose from the rest of the -- 24 A Yes, yes. 25 Q -- people?</p>
<p style="text-align: right;">Page 82</p> <p>1 A They did that. I wasn't allowed to volunteer 2 anymore. They took that away from me. I could not -- I 3 couldn't do a lot of things that -- they took a lot of 4 my duties away. 5 Q Did you feel it was in retaliation for your 6 complaint? 7 A Yes, I do. 8 Q What else did they take away from you? Did you 9 lose your income? 10 A They cut my hours. They kept cutting them. 11 Every time, they would be writing up the notes, then 12 they would take more stuff away from me. More stuff 13 away from me by saying that I left a cleaning a product, 14 left it out and left a light on. So now they wrote me 15 up for that, and "You'll have to work to get that back," 16 of the sanctuary or the other things -- the Faith Cafe. 17 Q Did they allow you to bring help as before? 18 A I used to be able to bring help with me. And 19 no, they made sure -- the last write-up was they didn't 20 want anybody to come to the church anymore. 21 MR. MAZUREK: Who's "they"? 22 THE WITNESS: Eric and Jeannie did not want 23 help -- me to bring anybody to the church for help 24 anymore. 25 ///</p>	<p style="text-align: right;">Page 83</p> <p>1 BY MS. FOLEY: 2 Q Did that affect your physical condition? 3 A Yes. 4 Q What kind of help did you use before? 5 A I used my daughter, or I used Poncho. 6 Q Who's Poncho? 7 A Poncho is a kid that lives by me, a little 8 Mexican boy that helps me move things, and helps me put 9 stuff together. And he'll vacuum and do certain things 10 to help. Lift up the vacuum up the stairs, things like 11 that. I was having trouble lifting at the end. 12 Q Basically, to lift heavy items? 13 A Yes. 14 Q And so you had to lift those items now on your 15 own? 16 A Correct. 17 Q Did it cause you pain? 18 A Yes. 19 Q A lot -- what kind of pain? 20 A Burning back pain, just pain that I can only 21 do -- that would take me a day to recover. I would miss 22 church on Sundays because I worked Saturday nights by 23 doing it all. And by Sunday, I couldn't make it to 24 church because I would be so sore. 25 Q Did Eric know about it?</p>
<p style="text-align: right;">Page 84</p> <p>1 A He thought I might have been just missing 2 for -- I don't know if he knew how bad it was hurting. 3 Q Did he see you with the back pain? 4 A Earlier when it first happened. Not as much at 5 the end, because we had different -- I was working at 6 nights. 7 Q When you're referring to earlier, what is the 8 moment earlier that he saw? 9 MR. MAZUREK: He saw what? 10 THE WITNESS: Me on the floor with ice packs on 11 my back. 12 MR. MAZUREK: Okay. This is Eric we're talking 13 about, right? 14 THE WITNESS: Yeah. 15 BY MS. FOLEY: 16 Q And although he knew of your pain, he prevented 17 you from getting help to lift heavy items? 18 A Yes. 19 MR. MAZUREK: Did you ask him for help? 20 THE WITNESS: Yes. 21 MR. MAZUREK: What did he say? 22 THE WITNESS: He didn't want me to bring 23 anybody in the church anymore. 24 MR. MAZUREK: Did you pay these people that 25 helped you in the past?</p>	<p style="text-align: right;">Page 85</p> <p>1 THE WITNESS: No, not my daughter; and Poncho, 2 no. He just did it. 3 MR. MAZUREK: So you didn't pay anybody, right? 4 THE WITNESS: No. 5 MR. MAZUREK: That's correct? 6 THE WITNESS: Correct. 7 MR. MAZUREK: Weren't you disciplined in your 8 last year there at least four times? 9 THE WITNESS: Yes. 10 MR. MAZUREK: And did you feel the discipline 11 was fair? 12 THE WITNESS: No. 13 BY MS. FOLEY: 14 Q Did you feel it was intimidation? 15 A I felt that they -- I felt that they were -- I 16 was the only one that ever got written up for anything. 17 And after 10 years, now, all of a sudden, I'm getting 18 written up for leaving a light on, or not calling when I 19 had called certain times and did certain things. 20 Now I have to contact Jeannie for everything. 21 And me and Jeannie -- I would have a meeting with Eric 22 about me and Jeannie, how we don't see eye-to-eye on 23 certain things. 24 So I was told that what Jeannie says goes. And 25 that's how it was. And I was willing to work with</p>

1 whatever Jeannie wanted me to do. And I could see that
2 she did not want me there. She didn't want me there.
3 She was going to --

4 MR. MAZUREK: Jeannie is who?

5 THE WITNESS: Jeannie is now the new secretary.

6 MR. MAZUREK: The office manager?

7 THE WITNESS: Correct.

8 BY MS. FOLEY:

9 Q You mentioned something about they prevented
10 you from volunteering?

11 A Yeah, I couldn't volunteer for anything.

12 Q After you complained?

13 A Yes.

14 Q Why?

15 A Because I had missed one Sunday of Sunday
16 school. And I called in to tell them that I had
17 overslept. I worked until like 3:30 in the morning the
18 night before, and I overslept. So I tried -- I called
19 Michelle, who does our preschool. And the next day was,
20 no volunteering for anything anymore.

21 Q What other restrictions did they put on you,
22 basically?

23 A To be staying away pretty much from everybody
24 and everything -- like just staying away.

25 Q They wanted you to be isolated, not to talk to

1 people?

2 A Correct. I think they thought that I was going
3 to --

4 MR. MAZUREK: That's your opinion, right?

5 BY MS. FOLEY:

6 Q That's how you feel?

7 A That's how I feel.

8 MR. MAZUREK: When you say "they" -- when she
9 says "they," who do you think she's referring to?

10 THE WITNESS: "They" being the elders and Eric.

11 MR. MAZUREK: The what?

12 THE WITNESS: Elders and Eric, the new pastor.

13 BY MS. FOLEY:

14 Q Do you think they wanted you out of the church?

15 A I felt that, yes.

16 MS. FOLEY: Thank you.

17 FURTHER EXAMINATION

18 BY MR. MAZUREK:

19 Q You only worked, at the most, 12 hours a week,
20 right?

21 A At the end?

22 Q In your last year there.

23 A About, yes. They kept taking my hours away
24 more and more.

1 Q Did they take taxes out of your pay?

2 A Yes.

3 Q Okay. So in 2016, that was the last full year
4 you worked, right?

5 A Correct.

6 Q Because you only worked eight months --

7 A Uh-huh.

8 Q -- in 2017, right? August 30th was your last
9 day, right, in 2017? So that's -- you worked eight
10 months in '17, and all 12 months in '16?

11 A Right.

12 Q And you worked only, in 2016, 10 to 12 hours a
13 week at most, right?

14 A Yes.

15 Q And in 2017, the same thing, 10 to 12 hours?

16 A One more time, can we go back to '16?

17 Q Sure.

18 A 2016 --

19 Q 2016, how many hours a week would you work,
20 usually?

21 A I would have to look at my records for that
22 just to see like how many -- there would be pretty much
23 every night or every other night and weekends, holidays.
24 So I was working at night. A lot of times, it was at
25 night.

1 Q First, it started out every day, and then it
2 was every other day. And now it's something like -- how
3 much did you make in 2016?

4 A \$15.00 an hour.

5 Q No, no, total.

6 A Oh, the whole -- I'm not quite sure on that
7 either. \$9,000, I think, maybe.

8 MS. FOLEY: We don't want you to guess. If you
9 don't remember, just say so.

10 THE WITNESS: Yes, I think I can -- am I
11 allowed to look at my paperwork? Does that help you?

12 MR. MAZUREK: No, we don't have time to do
13 paperwork.

14 This is a Social Security Earnings.
15 Information. You've seen these before, Counsel. We can
16 get a copy of her earnings, and we'll know. Because we
17 need this to know what your PD rate is, what your TD
18 rate is.

19 THE WITNESS: My tax lady is right outside.

20 MR. MAZUREK: No, that's privileged
21 information. We don't want to go into your taxes. This
22 is good enough. Case law authorizes this Social
23 Security earnings release. That will tell us. So if
24 you can sign by the X --

25 MS. FOLEY: I will suggest that we'll take it

1 under consideration, because you have her personnel
2 file, and you can see what was provided in that
3 earnings.

4 MR. MAZUREK: It's not in the personnel files.

5 MS. FOLEY: So why don't you provide us with
6 the personnel file? Before my client sign this, I want
7 to see --

8 MR. MAZUREK: That's fine. We'll just ask for
9 sanctions --

10 MS. FOLEY: For what?

11 MR. MAZUREK: For hindering discovery --

12 MS. FOLEY: You didn't provide us personnel
13 file.

14 MR. MAZUREK: I don't provide anything. I
15 don't have to provide anything to you.

16 MS. FOLEY: You don't have to provide anything.
17 Your client has to.

18 MR. MAZUREK: I didn't see any subpoena. If
19 you did, you didn't serve me.

20 MS. FOLEY: We sent a notice, a request for
21 production of documents to the employer. And if they
22 did not provide it to you, it's their problem. But we
23 want to see her personnel file. She has a right to
24 that.

25 MR. MAZUREK: So subpoena --

1 MS. FOLEY: Yes, subpoena whatever you want,
2 and we'll subpoena whatever we need, and then maybe
3 we'll meet in court.

4 MR. MAZUREK: See you there.

5 Stipulate to relieve the court reporter of her
6 duties under the code. Any changes will be made under
7 penalty of perjury. If I don't receive any changes
8 within 60 days of counsel's receipt of the deposition,
9 it will be deemed signed with no changes.

10 An unsigned, certified copy can be used with
11 the same force and effect as a signed original, if a
12 signed original is not available, for any hearing in
13 this matter.

14 MS. FOLEY: So stipulated.

15 (Whereupon, the deposition
16 was adjourned at 4:50 P.M.)

1 STATE OF CALIFORNIA }
 2 COUNTY OF LOS ANGELES } ss.
 3
 4
 5
 6 I, VICTORIA SARVER, hereby declare that I am
 7 the deponent in the within matter; that I have read the
 8 foregoing deposition and know the contents thereof, and
 9 I declare that the same is true of my knowledge except
 10 as to the matters which are therein stated upon my
 11 information or belief, and as to those matters I believe
 12 it to be true.
 13 I declare under penalty of perjury that the
 14 foregoing is true and correct.
 15 Executed on the ____ day of _____,
 16 2018, at _____, California.
 17
 18
 19
 20 _____
 21 WITNESS
 22
 23
 24
 25

1 STATE OF CALIFORNIA }
 2 COUNTY OF LOS ANGELES } ss.
 3
 4 I, PAMELA J. YOON, a Certified Shorthand Reporter
 5 in the State of California, and duly empowered to
 6 administer oaths, do hereby certify:
 7 That prior to being examined, the witness named in
 8 the foregoing proceedings was duly sworn by me to
 9 testify to the truth, the whole truth and nothing but
 10 the truth;
 11 That said proceedings were taken down by me in
 12 shorthand and thereafter transcribed into typewriting or
 13 print under my direction and supervision; and I hereby
 14 certify the foregoing is a full, true and correct
 15 transcript of my notes so taken.
 16 I further certify that I am neither counsel for nor
 17 related to any party to said action nor in any way
 18 interested in the outcome thereof.
 19 IN WITNESS WHEREOF, I have hereunto subscribed my
 20 name and C.S.R. number on this ____ day of
 21 January, 2018.
 22
 23 Certified Shorthand Reporter ⁴²¹¹ C.S.R. Number
 24
 25