

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

VOLUME II

DEPOSITION OF VICTORIA SARVER

Beverly Hills, California

May 11, 2018

10:38 A.M. - 2:50 P.M.

**COMPLIMENTARY  
CONDENSED TRANSCRIPT  
& ALL-WORD INDEX**

Reported By:  
PAMELA J. YOON, CSR #4211  
Job Number: 18-233

**BOB McCANN & ASSOCIATES**  
CERTIFIED COURT REPORTERS  
6851 LENNOX AVENUE, SUITE 410  
VAN NUYS CALIFORNIA 91405

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THE DEPOSITION OF VICTORIA SARVER, taken on behalf of the Defendants, at 9595 Wilshire Boulevard, Beverly Hills, California, at 10:38 A.M., on Friday, May 11, 2018, before PAMELA J. YOON, CSR #4211, licensed by the State of California, pursuant to Notice.

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1 **A Yes.**

2 Q First rule is, answer with words and not with

3 nods of the head --

4 **A Yes.**

5 Q -- or "uh-huh" or "huh-uh," because Pam, our

6 court reporter, is not allowed to say which way you

7 shook your head, or what you meant by "uh-huh" or

8 "huh-uh."

9 **A Okay.**

10 Q So try to answer "yes" or "no." Okay?

11 **A Okay.**

12 Q You can't answer everything "yes" or "no." But

13 the more you can, the clearer the deposition testimony

14 we'll have. And it will be safer.

15 Are you losing any wages today for this

16 deposition?

17 **A No.**

18 Q You weren't scheduled to work anywhere?

19 **A No.**

20 Q Since January 2018, depo one, have you worked

21 anywhere?

22 **A No.**

23 Q Since deposition one --

24 **A Excuse me, I'm sorry. I did work for my**

25 **managers at the apartment. And they gave me a hundred**

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1 APPEARANCES:

2 For the Applicant:

3 LAW OFFICES OF NATALIA FOLEY

4 BY: NATALIA FOLEY, ESQ.

5 8306 Wilshire Boulevard, Suite 115

6 Beverly Hills, California 90211

7 For the Defendants:

8 FAMIGLIETTI & VOLPE

9 BY: MIKE MAZUREK, ESQ.

10 1748 West Katella Avenue, Suite 209

11 Orange, California 92867

12 ALSO PRESENT:

13 ERIC WAYMAN

14 IRINA PALEES

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Beverly Hills, California, Friday, May 11, 2018  
10:38 A.M.

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

E X A M I N A T I O N

BY MR. MAZUREK:

Q Would you state your name for the record again.

**A Victoria Sarver.**

Q And Victoria is spelled V-i-c-t-o-r-i-a?

**A Yes.**

Q Ms. Sarver, we meet again. We're here to  
hopefully complete your deposition. If we don't  
complete it, there will be a part three.

The same rules apply. But I don't expect you  
to remember the rules from the last deposition, so I'll  
go over them again.

Your last deposition was January 19th. So when  
I ask questions about your last deposition testimony,  
that's what I'm talking about. January 19th, 2018 was  
deposition one. Okay?

**A (Witness nods head.)**

Q Okay?

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**dollars. Does that count?**

Q You said you worked for the managers of your  
apartment?

**A Yes.**

Q What did you do?

**A I helped clean up the kitchen for them, just  
the tile.**

Q How long did you spend doing that?

**A About two hours.**

Q Two hours cleaning up a kitchen of a rental  
room?

**A Of an apartment.**

Q Of an apartment?

**A Yes, the tile. I had stuff that they needed,  
like the cleaning things -- the tile cleaning stuff, I'm  
sorry. Does that make sense?**

Q It wasn't your apartment though, was it?

**A No.**

Q And were you paid cash?

**A Yes.**

Q And did you have to lift anything?

**A No.**

Q Did you have pain while you were cleaning up?

**A I don't recall. I don't remember. It was a  
while ago.**

1 Q When was a while ago?  
2 A I'm going to say about probably the end of -- I  
3 don't -- it was a while ago. I can't be for sure.

4 Q Was it a month ago?  
5 A No, about a couple of months -- more than a  
6 month. Say about four months, maybe.

7 Q We'll put down about four months.  
8 A Sorry, yes. I'm not sure.

9 Q Did you drive here today?  
10 A I didn't drive. I had someone drive me.

11 Q Do you have your driver's license with you  
12 today?

13 A Yes.

14 Q Could you show it to your attorney. I won't  
15 read it into the record so there won't be any identity  
16 theft.

17 MS. FOLEY: I've got the document from the  
18 applicant that looks like a valid driver's license. And  
19 I transfer it to the defense attorney for  
20 identification.

21 MR. MAZUREK: You were a blond back then.

22 THE WITNESS: Uh-huh.

23 BY MR. MAZUREK:

24 Q This license is expired. Did you know that?

25 A Yes. I have the new one here somewhere.

1 Q You have what?

2 MS. FOLEY: If you have --

3 THE WITNESS: I have it in here somewhere.

4 It's not expired though, the one I use.

5 (Witness searching for license.)

6 THE WITNESS: Can I have Poncho go look in the  
7 car?

8 MR. MAZUREK: That's okay. We'll keep going.  
9 Maybe at a break or something.

10 THE WITNESS: Okay.

11 (Counsel returns card to witness.)

12 BY MR. MAZUREK:

13 Q You still live at --

14 A Yes.

15 Q -- 18th --

16 A Yes.

17 Q That's another rule.

18 A Oh, right.

19 Q Let me tell you -- well, I might as well go  
20 through all of them.

21 MS. FOLEY: Listen to the question before you  
22 answer.

23 BY MR. MAZUREK:

24 Q Yes, wait until I finish the question. And

25 I'll wait until you finish your answer. That way we're

1 not talking at each other.

2 Sometimes -- you were right this time about  
3 what I was going to ask. But you're not always going to  
4 be right. So I'll wait until you finish your answer,  
5 and you'll wait --

6 A Okay.

7 Q -- until I finish my question --

8 A I'm sorry.

9 Q -- before you answer.

10 Also, it's tough on Pam to put all that on the  
11 machine she's using. Okay?

12 A Yes.

13 Q Another rule is, even though we're in the  
14 informal surroundings of this room, your testimony is  
15 the same as if you were in court today. You must tell  
16 the truth. If you don't tell the truth, it's a felony  
17 called perjury.

18 Do you understand that?

19 A Yes.

20 Q You must also tell doctors the truth --

21 A Yes.

22 Q -- about --

23 A Okay.

24 MS. FOLEY: Put back your license, please.

25 THE WITNESS: Okay.

1 BY MR. MAZUREK:

2 Q Because lying to doctors about something  
3 important is also a felony.

4 Do you understand that?

5 A Yes.

6 Q Have you told doctors the truth, every --

7 A Yes.

8 Q -- doctor you visited for and been examined by  
9 for this work comp case?

10 A Yes.

11 Q Have you told doctors the truth about your  
12 personal injury case of 6/7/17?

13 A Yes.

14 Q Another rule, I don't want you to guess, but  
15 I'm entitled to an estimate or an approximate. Let me  
16 give you an example of the difference.

17 If I ask you how long this table is, you can  
18 give me an approximate, four feet. You don't have to be  
19 exactly right. If you are exactly right, if you know  
20 exactly, then certainly say that. But if you can only  
21 give me an approximate, I'm entitled to that.

22 However, if I ask you what my daughter's name  
23 is, you don't know if I even have a daughter. And even  
24 if I did, you wouldn't know her name, I don't think.

25 So do you understand the difference between a

1 guess and an approximate?

2 A Yes.

3 Q Okay. If you don't understand a question, tell  
4 me. I talk fast. I can't lose my accent. So you won't  
5 hurt my feelings. For your protection, tell me, "I  
6 didn't understand you. You're talking too fast" or  
7 whatever the problem is. And I'll repeat it. Okay?

8 A Yes.

9 Q What you see me looking at here is the same  
10 deposition outline that I had the last time. Nothing  
11 tricky on here. Same questions for everybody, of  
12 course, depending on what body parts are hurt. I bring  
13 it along with me even though I've been doing this for  
14 40 years. I tend to forget to ask some important  
15 questions if I don't have it.

16 Have you had any alcohol in the past eight  
17 hours?

18 A No.

19 Q Did you say "no"?

20 A Excuse me?

21 Q Have you had any alcohol --

22 A No.

23 Q -- in the past eight hours?

24 Have you had any medications in the past eight  
25 hours?

1 A Yes.

2 Q What have you had?

3 A Norco.

4 Q Who prescribed that for you?

5 A Dr. Shahbazian.

6 Q Is it a her or a him?

7 A It's a him.

8 Q You know, we ran across this the last time. I  
9 still couldn't find him. Do you have his address in  
10 your cell phone or something, his phone number?

11 A His phone number.

12 Q Okay. What's the phone number?

13 A (No response.)

14 Q Do you have any idea how it's spelled?

15 A No.

16 (Witness checking phone.)

17 MR. MAZUREK: Counsel, do you have any reports  
18 from this doctor?

19 MS. FOLEY: No. I think it's private doctor,  
20 and not part of workers' comp.

21 THE WITNESS: I'm pretty sure I gave it to you  
22 last time.

23 MR. MAZUREK: What?

24 THE WITNESS: I'm pretty sure I gave it to you  
25 last time. He works in like --

1 BY MR. MAZUREK:  
 2 Q Is that the one on Victoria in Costa Mesa?  
 3 A **No, no. That's Dr. Khan, my primary doctor.**  
 4 Q Oh, yeah. I got his records.  
 5 A **Her.**  
 6 MS. FOLEY: This doctor is Dr. Shahbazian?  
 7 THE WITNESS: Yes. I don't know -- Michael  
 8 Shahbazian, pain specialist.  
 9 BY MR. MAZUREK:  
 10 Q You didn't give it to me the last time.  
 11 Anyway, what's his phone number?  
 12 A **I'm trying to find it.**  
 13 Q Do you have anything with his name on it so I  
 14 can spell it?  
 15 A **No, I do not right now.**  
 16 Q And you don't know his address? It's Michael,  
 17 a him, right, a male?  
 18 A **Yes.**  
 19 **Okay, he just changed it to Fountain Valley.**  
 20 MS. FOLEY: What?  
 21 THE WITNESS: He changed it to Fountain Valley.  
 22 He was in Irvine. Now he's in Fountain Valley.  
 23 MS. FOLEY: I have internet search for  
 24 Dr. Michael Shahbazian, pain management. And it is --  
 25 is that him?

1 THE WITNESS: Uh-huh.  
 2 MS. FOLEY: Okay. It's S-h-a-h-b-a-z-i-a-n.  
 3 MR. MAZUREK: S-h-a-h --  
 4 MS. FOLEY: B-a-z --  
 5 MR. MAZUREK: I-a-n?  
 6 MS. FOLEY: Yes.  
 7 MR. MAZUREK: Is that the same --  
 8 MS. FOLEY: I have Mission Viejo --  
 9 MR. MAZUREK: The main one?  
 10 MS. FOLEY: -- 25982 Pala, P-a-l-a, No. 218,  
 11 Mission Viejo, California 92691.  
 12 THE WITNESS: And I have the other number here.  
 13 (949) --  
 14 MR. MAZUREK: What's the number for Mission  
 15 Viejo?  
 16 MS. FOLEY: Hold on one second. Okay, it's  
 17 (949) 297-3838.  
 18 BY MR. MAZUREK:  
 19 Q And what number were you going to give me?  
 20 A **That's the same one.**  
 21 Q Same one?  
 22 A **Yes.**  
 23 Q Okay. So Dr. Shahbazian prescribed you Norco  
 24 for your pain where?  
 25 A **On my lower back.**

1 Q What?  
 2 A **My lower back.**  
 3 Q How do you pay Dr. Shahbazian?  
 4 A **Medi-Cal pays him, the insurance.**  
 5 **I get injections from him too.**  
 6 Q You're claiming you hurt your low back in your  
 7 work at the church, right?  
 8 A **Correct.**  
 9 Q You're also claiming your low back was injured  
 10 in the auto accident, right?  
 11 A **Yeah -- okay, yes, it was.**  
 12 Q Right?  
 13 A **But it was -- yeah, okay.**  
 14 Q I didn't understand that.  
 15 A **It was. It irritated it a little bit. But it**  
 16 **wasn't from the auto accident. It was before the auto**  
 17 **accident happened.**  
 18 Q The low back pain was --  
 19 A **Yeah, years before that.**  
 20 Q What caused it before that then?  
 21 A **What do you mean?**  
 22 Q What caused your low back pain before the auto  
 23 accident?  
 24 A **Strain on it. Just moving the chairs and**  
 25 **stuff, it just went out one day. And ever since that,**

1 **it just wasn't the same.**  
 2 Q Why didn't you file a work comp claim?  
 3 A **I didn't know about work comp. I didn't know**  
 4 **about -- I don't know. I didn't know about workmen's**  
 5 **comp.**  
 6 Q Did you tell Dr. Shahbazian about your auto  
 7 accident --  
 8 A **Yes.**  
 9 Q -- of 2017?  
 10 A **And Dr. Khan, too.**  
 11 Q And you also saw Dr. Shah, S-h-a-h, right?  
 12 A **Yes, still am.**  
 13 Q Did you tell Dr. Shah --  
 14 A **I think both the doctors.**  
 15 Q -- about your work comp case?  
 16 A **About -- no.**  
 17 Q Why didn't you tell him about your work comp  
 18 case?  
 19 A **It was ahead of that or before that, that I saw**  
 20 **him. I saw him right after the accident, around the**  
 21 **time of the accident, like about a month or so -- or**  
 22 **maybe longer after that, about two, three months after**  
 23 **the accident, I think.**  
 24 Q You haven't told Dr. Shah anything about your  
 25 work comp case?

1 A **I haven't seen him, really. I see the**  
 2 **assistant.**  
 3 Q Well, anybody in his office, you haven't told  
 4 about the auto accident, right -- I mean, about the work  
 5 comp case, right?  
 6 A **No, not -- no, I have not.**  
 7 Q And why is that?  
 8 A **I don't know. Why would I? I don't**  
 9 **understand. Why would I?**  
 10 MS. FOLEY: When did you see the doctor last  
 11 time?  
 12 THE WITNESS: Oh, a while ago.  
 13 MS. FOLEY: Year ago?  
 14 THE WITNESS: No.  
 15 MS. FOLEY: Less?  
 16 THE WITNESS: Yes.  
 17 MS. FOLEY: Six months?  
 18 THE WITNESS: Three months ago, maybe. I'll  
 19 say three months -- approximately three months, four.  
 20 BY MR. MAZUREK:  
 21 Q So you last saw Dr. Shah three months ago,  
 22 about?  
 23 A **Yes.**  
 24 Q And he still knows nothing about your work comp  
 25 case?

1 A **I don't believe so.**  
 2 Q And that's because why?  
 3 A **I never brought it up. I haven't seen him --**  
 4 **I've seen him twice only.**  
 5 Q Well, didn't he ask you, "Have you ever injured  
 6 your back before this auto accident," or "after the auto  
 7 accident"?  
 8 A **Yes, she's spoken to Dr. Shahbazian.**  
 9 Q No, didn't Dr. Shah ask you about prior back  
 10 injuries?  
 11 A **Yeah, with Dr. Shahbazian.**  
 12 Q What did you tell him?  
 13 A **I told him --**  
 14 Q You told him, "no"?  
 15 A **No, I told him I'm seeing Dr. Shahbazian.**  
 16 Q That was your response? You didn't say what  
 17 caused it?  
 18 A **(No response.)**  
 19 Q So far as you know, Dr. Shah knows nothing  
 20 about your work comp case, right?  
 21 A **Yeah, I don't think -- I don't know.**  
 22 Q You never said a word to him?  
 23 A **I don't believe so, no.**  
 24 Q We got into this subject by talking about, in  
 25 the past eight hours, what medications have you taken.

<p style="text-align: right;">Page 114</p> <p>1 And you said Norco. Are there any other medications 2 that -- 3 <b>A I got my --</b> 4 THE REPORTER: I'm sorry. 5 MR. MAZUREK: Yeah, let me finish the question. 6 Q Are there any other medications you've taken in 7 the past eight hours for anything? 8 <b>A Yes.</b> 9 Q What was that? 10 <b>A A half of a muscle relaxer before bed.</b> 11 Q Is there a name for it, these meds? 12 <b>A I don't know the new name of it. It's a</b> 13 <b>non-narcotic, but I don't know the name of it.</b> 14 Q Who gave it to you? 15 <b>A Dr. Shahbazian.</b> 16 Q Does Dr. Shahbazian know about your auto 17 accident injuries? 18 <b>A Yes.</b> 19 Q So Dr. Shahbazian knows about both, your auto 20 accident and your work comp injuries; is that what 21 you're saying? 22 <b>A Yes.</b> 23 Q But Dr. Shah doesn't? 24 <b>A I don't know -- I don't understand the</b> 25 <b>question.</b></p>	<p style="text-align: right;">Page 115</p> <p>1 Q Okay. Previously you testified that Dr. Shah 2 knows nothing about your work comp case because you 3 didn't tell him anything about it. 4 <b>A Correct.</b> 5 Q But with reference to Dr. Shahbazian, you said 6 he knows about both, because you told him about both. 7 <b>A Correct.</b> 8 Q Why didn't you tell -- 9 <b>A I saw one before the other. I've been seeing</b> 10 <b>him for about five years, Dr. Shahbazian, now -- four or</b> 11 <b>five years now for my back.</b> 12 Q Right. But you're also seeing Dr. Shah. 13 <b>A Not for my back.</b> 14 Q What are you seeing Dr. Shah for? 15 <b>A For my head.</b> 16 Q Your head? 17 <b>A Yes.</b> 18 Q When you say your head, you mean the body part 19 or psych? 20 <b>A Body part and psych, yeah. I guess you would</b> 21 <b>say both.</b> 22 Q How did you hurt your head working for the 23 church? 24 <b>A Depression.</b> 25 Q So this is not a physical injury, it's --</p>
<p style="text-align: right;">Page 116</p> <p>1 <b>A They said it might help with the depression.</b> 2 Q What? 3 <b>A They said it will help with the depression and</b> 4 <b>the memory.</b> 5 Q It will help? What will? 6 <b>A The machine that they put on -- it's a machine</b> 7 <b>that they put on you.</b> 8 MS. FOLEY: Some kind of procedure? 9 THE WITNESS: Yes. 10 BY MR. MAZUREK: 11 Q Who's they? 12 <b>A Dr. Shah's office.</b> 13 Q Dr. Shah's -- 14 <b>A Uh-huh, Dr. Shah.</b> 15 Q What? 16 <b>A Dr. Shah.</b> 17 MS. FOLEY: Can you describe the procedure, 18 please. 19 THE WITNESS: Okay, so they put the machine on. 20 And it goes on one side right here (indicating), and one 21 side right here (indicating). And it's supposed to go 22 to the sweet spot. And it hurts really bad when you do 23 it, really bad. 24 BY MR. MAZUREK: 25 Q What are you depressed about?</p>	<p style="text-align: right;">Page 117</p> <p>1 <b>A There was a lot of things that I was depressed</b> 2 <b>about.</b> 3 Q Tell me. 4 <b>A Well, where, from the very beginning?</b> 5 Q When did you first start feeling depression? 6 <b>A Anxiety, depression, and all that. It's more</b> 7 <b>than just depression. There was anxiety and other</b> 8 <b>things that were going with it.</b> 9 Q Let's focus on one thing at a time. 10 <b>A Uh-huh.</b> 11 Q Depression, when did you first feel depression? 12 <b>A About four years ago, three years -- four years</b> 13 <b>ago.</b> 14 Q And what were you depressed about? 15 <b>A The way that things were going in my life.</b> 16 Q Such as? 17 <b>A Such as work, home life.</b> 18 Q Did you say home life? 19 <b>A Uh-huh.</b> 20 Q You were going through a divorce then, right? 21 <b>A Uh-huh.</b> 22 Q 2015? 23 <b>A Uh-huh.</b> 24 Q Yes? 25 <b>A Yes, I'm sorry, yes.</b></p>
<p style="text-align: right;">Page 118</p> <p>1 Q Anything else? Your kids? 2 <b>A Daughter leaving home, yes. Just all -- my</b> 3 <b>church, everything -- lot of things all at once.</b> 4 Q Returning to the original question, anything 5 else besides muscle relaxer and Norco? 6 <b>A No.</b> 7 Q Turning to Dr. Shah, one thing that puzzles me 8 in his records -- 9 <b>A Uh-huh.</b> 10 Q -- he has your date of birth as 8/7/81. Did 11 you tell him your date of birth is 8/7/81? 12 <b>A I don't recall that, no.</b> 13 Q Do you know anybody that has that birthday of 14 8/7/81; anybody in your family? 15 <b>A No, not that I know.</b> 16 MR. MAZUREK: Did you notice that, Counsel? 17 MS. FOLEY: (Counsel shakes head.) 18 MR. MAZUREK: See (indicating)? 19 MS. FOLEY: Okay. 20 MR. MAZUREK: That's one. There's another. 21 (Counsel examining document.) 22 MR. MAZUREK: Throughout all his records 23 THE WITNESS: I don't know. 24 BY MR. MAZUREK: 25 Q So that's --</p>	<p style="text-align: right;">Page 119</p> <p>1 <b>A It's August 7th?</b> 2 Q That date of birth, yes. 3 <b>A August 7th? And what was the year?</b> 4 Q '81. 5 <b>A No.</b> 6 Q So he has you as 36 years old. 7 I also see on 10 -- it looks like 10/5/17, that 8 he prescribed Paxil for you. You took Paxil? 9 <b>A Yes, I did.</b> 10 Q After your last day of work at the church, 11 right? 12 <b>A No. He prescribed it for me? No.</b> 13 Q No, no, that you took it. 14 <b>A Yes.</b> 15 Q I don't care when he prescribed it. 16 <b>A Okay, I'm sorry.</b> 17 <b>One more time, the question?</b> 18 Q He prescribed Paxil for you on 10/5/17. That 19 was after you stopped working for the church, right? 20 <b>A No, he didn't prescribe it -- he never gave me</b> 21 <b>a prescription of any sort.</b> 22 Q What? 23 <b>A No, he did not.</b> 24 Q Who gave you the prescription? 25 <b>A Dr. Khan.</b></p>

1 Q They're in the same office?  
 2 A No.  
 3 Q This is Dr. Shah.  
 4 A Dr. Shah --  
 5 Q Gave you a prescription.  
 6 A No.  
 7 Q I'm showing it to you, Page 21 of the  
 8 subpoenaed records of Dr. Shah (indicating). I'm  
 9 showing it to you.  
 10 Let's get one thing straight, also. Your last  
 11 day of work at the church was when?  
 12 A That was the -- I have to look. I think  
 13 it's -- I'm sorry.  
 14 Q Does August 30th sound right?  
 15 A (No response.)  
 16 MS. FOLEY: Was it last year?  
 17 THE WITNESS: Yes.  
 18 MS. FOLEY: August or September --  
 19 THE WITNESS: September, September,  
 20 September 17th, around there, the second Wednesday of  
 21 the month.  
 22 BY MR. MAZUREK:  
 23 Q I thought you said in your last depo that the  
 24 last day of work at the church was when they made you do  
 25 that incident before a crowd?

1 Q And you think --  
 2 A I thought it was a lot --  
 3 THE REPORTER: Excuse me --  
 4 THE WITNESS: Sorry, I apologize.  
 5 BY MR. MAZUREK:  
 6 Q Go ahead.  
 7 A With the muscle relaxers and the painkiller  
 8 things and also the Paxil, it was just -- I didn't want  
 9 all that in there, my body. And since he was doing the  
 10 head treatment things --  
 11 Q When you say "he," you're talking about who?  
 12 A Dr. Shah's office, who was doing the  
 13 treatments. I thought that would help, so I would not  
 14 take Paxil.  
 15 Do you understand what I'm saying?  
 16 Q So am I right in saying that you've been taking  
 17 medicine prescribed by Dr. Shah for your auto accident?  
 18 A No.  
 19 Q Dr. Shah doesn't know about your work comp  
 20 claim, so --  
 21 A I'm sure he asked me what medications I was on.  
 22 And I'm sure he's talked to the other doctors.  
 23 Q We don't want you to guess.  
 24 A Okay.  
 25 Q It doesn't matter what you're sure of.

1 A Back to where?  
 2 Q Five years ago.  
 3 A For my back. Dr. Khan referred him to me for  
 4 the -- through her.  
 5 Q Dr. Khan referred you to --  
 6 A Shahbazian.  
 7 Q -- Dr. Shahbazian?  
 8 A Correct.  
 9 Q None of these doctors, Shahbazian, Khan, Shah,  
 10 none of them know about your work comp case, right?  
 11 A No.  
 12 Q That's correct?  
 13 A Yes -- no.  
 14 Q It's not correct?  
 15 A Yes, it's correct, I guess, yes.  
 16 Q You haven't told them anything, all three of  
 17 them? You haven't said anything about your work comp  
 18 case?  
 19 MS. FOLEY: It's asked and answered.  
 20 MR. MAZUREK: She said, "yes" and "no," "yes"  
 21 and "no." So which is it?  
 22 THE WITNESS: I'm confused by the question.  
 23 MR. MAZUREK: Okay, listen --  
 24 MS. FOLEY: Can you say it again.  
 25 ///

1 A No.  
 2 Q That was not your last day of work?  
 3 A No.  
 4 Q Going back to Dr. Shah, has Dr. Shah prescribed  
 5 anything for you?  
 6 A I don't recall. Maybe he did the Paxil. But  
 7 I've been taking the Paxil.  
 8 Q You've been taking it?  
 9 A Uh-huh, I was taking Paxil.  
 10 Q Did you stop taking Paxil?  
 11 A I believe I ran out maybe -- I don't know. I  
 12 don't recall what -- I don't believe -- I don't remember  
 13 him giving me a prescription.  
 14 Q Whoever gave you the prescription --  
 15 A Khan.  
 16 Q -- when did you stop taking Paxil?  
 17 THE REPORTER: I'm sorry, I'm not --  
 18 THE WITNESS: About two months ago.  
 19 BY MR. MAZUREK:  
 20 Q Why?  
 21 A Because you're supposed to take it for a short  
 22 period of time, and not put -- it's for short periods of  
 23 time just to help you get through what you need to get  
 24 through, I guess. I don't want to take things if I  
 25 don't need to be taking them.

1 A Okay. What I am sure of, I know that he did  
 2 talk to Dr. Shahbazian.  
 3 Q Dr. Shah --  
 4 A Yes.  
 5 Q -- when you say "he," you're talking about  
 6 Dr. Shah?  
 7 A Correct.  
 8 Q How do you know he's talked to Dr. Shahbazian?  
 9 A Shahbazian told me that he spoke to him because  
 10 he's a doctor too for pain.  
 11 Q Who sent you to Dr. Shahbazian?  
 12 A That would be my lawyer.  
 13 Q Your work comp -- I mean your P.I. lawyer?  
 14 A P.I. is the accident?  
 15 Q Yes, your auto accident.  
 16 A Yes, yes, yes.  
 17 Q Okay. And your P.I. lawyer also sent you to  
 18 Dr. Shah?  
 19 A I'm sorry, wait. Can you say the first  
 20 question back again?  
 21 Q Your P.I. lawyer sent you to Dr. Shahbazian?  
 22 A No.  
 23 Q Who did?  
 24 A I went to him on my own like five years ago.  
 25 Q Why did you go back then?

1 BY MR. MAZUREK:  
 2 Q Khan, Shahbazian, Shah, all three of them, you  
 3 haven't said a word to about your work comp case?  
 4 A I haven't Dr. --  
 5 Q "Yes" or "no"?  
 6 A No, no.  
 7 Q So it's true, you have not?  
 8 A Yes, it's true.  
 9 Q All three?  
 10 A Yes, that's true.  
 11 MS. FOLEY: Okay.  
 12 THE WITNESS: That's true.  
 13 BY MR. MAZUREK:  
 14 Q So when they prescribed medicine for you, based  
 15 on your complaints, all three of them are thinking it's  
 16 caused by your auto accident, because that's all you  
 17 told them about --  
 18 A No.  
 19 Q -- right?  
 20 A No.  
 21 MS. FOLEY: You're assuming facts not in  
 22 evidence. My client said she's going to Dr. Shahbazian  
 23 five years ago. It was way before the accident. Now  
 24 you're assuming something. Rephrase your question.  
 25 MR. MAZUREK: That's not a proper objection.

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1 This is a deposition. It's discovery. Of course, I'm  
2 assuming things. That's why I'm asking.  
3 THE WITNESS: May I ask a question?  
4 MR. MAZUREK: If your lawyer lets you.  
5 MS. FOLEY: If you don't understand the  
6 question, then you can clarify.  
7 THE WITNESS: why would I tell them about the  
8 workmen's comp case? I don't understand.  
9 BY MR. MAZUREK:  
10 Q Well, I don't know about you. I'm not you. I  
11 don't live your life.  
12 But if some doctor asked me, "Does your back  
13 hurt?"  
14 "Yeah."  
15 "Why? Do you know why?"  
16 I'd tell him about my work comp and auto  
17 accident.  
18 MS. FOLEY: Objection. Work comp does not  
19 include back pain, if I understand you directly.  
20 MR. MAZUREK: Work comp is not what?  
21 MS. FOLEY: Causing pain. The work is causing  
22 pain, but not the workers' compensation case.  
23 MR. MAZUREK: Well, I meant the work comp --  
24 the work injury that --  
25 MS. FOLEY: So you have to rephrase your

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1 **A No, because I was concerned with me, about what**  
2 **was going on.**  
3 **Everyone said that it would be okay after a**  
4 **couple days; that I just was nervous or -- not nervous.**  
5 **It was shock or whatever. That's what Dr. Khan told me.**  
6 **And that's the last I seen Dr. Khan. So she would not**  
7 **know about the workmen's, because I have not seen her.**  
8 **So does that make sense?**  
9 Q No.  
10 A No?  
11 Q But anyway, so you're seeing Dr. Shah for your  
12 psych?  
13 A Yes.  
14 Q Okay. And you've told Dr. Shah the truth about  
15 everything he asked you about, right?  
16 A Yes, yes. **He's very short and to the -- I**  
17 **mean, yes, yes.**  
18 Q Your first visit with Dr. Shah was 9/6/17,  
19 wasn't it?  
20 A I really don't recall that. I don't really  
21 remember the first visit with him. I was still a little  
22 messed up from the accident, head wise.  
23 Q From the auto accident?  
24 A Yes.  
25 Q And when you went on 9/6/17, you went to

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1 Q Why didn't you tell me that in the first depo?  
2 A I don't know.  
3 Q Okay. Well, what else did you hurt in your  
4 auto accident besides --  
5 A **And my toenail on my big toe just came off.**  
6 **That's why I just remembered.**  
7 Q Which toe, right or left?  
8 A Left.  
9 Q Is that it for the auto accident?  
10 A Yes.  
11 Q That's still going on, right, that lawsuit?  
12 A Yes.  
13 Q You haven't settled it?  
14 A No.  
15 Q Your first visit, according to Dr. Shah's  
16 subpoenaed records, was -- according to Page 35 of the  
17 subpoenaed records of Dr. Shah, was 9/6/17. So you were  
18 still working for the church when you saw Dr. Shah,  
19 right?  
20 A What was the date?  
21 Q 9/6/17.  
22 A **If that's what it says, I guess, yes.**  
23 Q And you told him all your aches and pains,  
24 right?  
25 A Yes.

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1 question, please.  
2 BY MR. MAZUREK:  
3 Q The work in the work comp case, all three of  
4 these doctors, from their records, have zero knowledge  
5 about your work comp claimed injuries. And that's --  
6 A Correct.  
7 Q And you've said nothing to all three of them  
8 about it, your work comp injuries, right?  
9 A (No response.)  
10 MS. FOLEY: Did they ever ask you -- strike  
11 that.  
12 BY MR. MAZUREK:  
13 Q They didn't ask you about your past history?  
14 Three doctors didn't ask you about your past history?  
15 A **Dr. Khan is my primary doctor. She knows about**  
16 **my history. She's the one that gave me the referral to**  
17 **go to Dr. Shahbazian.**  
18 **Dr. Shahbazian is my pain specialist doctor.**  
19 **Okay? So those are -- that's how those two doctors**  
20 **are -- I haven't seen Dr. Khan in probably over -- since**  
21 **the accident.**  
22 Q What accident?  
23 A **Since the car accident. I went in to see her**  
24 **the day after because I was concerned.**  
25 Q Because your lawyer told you about her, right?

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1 Dr. Shah for your auto accident, right?  
2 A Yes.  
3 Q And in your auto accident, you hurt your  
4 bilateral knees and low back, right?  
5 A (No response.)  
6 Q Yes?  
7 A Yes.  
8 Q And that's it?  
9 A No.  
10 Q What else?  
11 A **My elbow started hurting me.**  
12 Q What?  
13 A **This elbow started hurting, right here**  
14 **(indicating).**  
15 Q Your right elbow?  
16 A **Yes. And my big toe on my left foot.**  
17 Q Page 28 and Page 30 of your first deposition,  
18 you answered: "What body parts did you injure?"  
19 "Both knees."  
20 A **Uh-huh, yes.**  
21 Q "Did you injure anything else?"  
22 "Low back."  
23 And that's it. Now you're telling me your  
24 right elbow?  
25 A Yes.

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1 Q And he took a history from you? He asked you  
2 about your history, any accidents or injuries anywhere,  
3 didn't he?  
4 A **He must have, because I told him about**  
5 **Dr. Shahbazian. So, yes.**  
6 Q And you answered, according to his records,  
7 "None."  
8 A Okay, no.  
9 Q No others?  
10 A No.  
11 Q It's right there (indicating).  
12 A **Well, he's spoken to -- he had to have spoken**  
13 **to Dr. Shahbazian, so...**  
14 Q So when I asked about what you hurt in the  
15 accident last time, it was big toenail. So that's it,  
16 right, just those four things?  
17 A **Yeah, and just my head getting weird. That's**  
18 **it.**  
19 Q And your head?  
20 A **Yes, it wasn't -- it didn't -- yes.**  
21 Q But you don't mean your physical head? You  
22 mean headaches and psych problems? You didn't hurt your  
23 physical head in the accident, did you?  
24 A **I didn't hit anything, but -- no, I didn't hit**  
25 **anything. I don't know if I -- I must have jolted**

1 something hard. I mean --  
 2 Q In the accident, the auto accident?  
 3 A It took a while to get clear-headed, yes, so I  
 4 don't know what happened. But it took me a while to  
 5 get -- to speak, even. Words weren't even coming out.  
 6 Q You said you didn't hit the windshield.  
 7 A I didn't.  
 8 Q And property damage estimates say nothing about  
 9 hitting the windshield.  
 10 A No, I didn't hit the windshield.  
 11 Q Okay. And you didn't black out, right?  
 12 A No, I didn't black out.  
 13 Q Okay.  
 14 A I couldn't hear anybody talk though.  
 15 Q Did you tell Dr. Shah, during any of those  
 16 visits with him, those exams with him, about any  
 17 depression caused by the church?  
 18 A I think we talked about when I got laid off,  
 19 fired, yes. I'm pretty sure we did.  
 20 We talked about -- he didn't spend much time  
 21 with me, so I don't recall what I was -- what we talked  
 22 about.  
 23 Q Did you tell him about the August 30th incident  
 24 before the crowd, where they made you get on your knees?  
 25 Did you tell Dr. Shah about that?

1 left the church?  
 2 A No.  
 3 Q Isn't it true that the Las Vegas shooting  
 4 caused you great anxiety?  
 5 A Yes.  
 6 Q Well, that's something else. Did you forget  
 7 about that?  
 8 A Did I forget about -- no.  
 9 Q The Las Vegas shooting was causing you  
 10 psychological problems?  
 11 A Yes.  
 12 Q I guess you forgot about it.  
 13 A No -- yes, I know what you're speaking of.  
 14 Q Well, I asked you, "Is that it?"  
 15 And you said, "Yeah."  
 16 And then I asked you about Las Vegas also  
 17 causing you depression, anxiety. And you said --  
 18 A That was for my daughter. My daughter's friend  
 19 had gotten shot.  
 20 Q Right, so that also --  
 21 A Okay?  
 22 Q -- caused you anxiety or --  
 23 A Yes, because I explained why I was upset about  
 24 my daughter. And I just said about my daughter's  
 25 leaving. It's to that reference. She went and left

1 Q Your daughter's male friend had a girlfriend  
 2 that was shot?  
 3 A Correct.  
 4 Q It's a male friend. And the girlfriend that  
 5 got shot in the face were not related to you, right?  
 6 A No, they're related to -- can I explain to you?  
 7 J.J. --  
 8 Q Is the guy?  
 9 A Is the guy. J.J.'s girlfriend is the one who  
 10 got shot. J.J.'s sister goes out with the girl's  
 11 brother.  
 12 Q Wait a minute, wait a minute. J.J.'s  
 13 girlfriend got shot?  
 14 A J.J.'s girlfriend.  
 15 Q Correct?  
 16 A Yes.  
 17 Q J.J.'s girlfriend got shot in the face --  
 18 A Right.  
 19 Q -- correct?  
 20 A I don't think I explained that all to him. I  
 21 don't think I explained all of that --  
 22 Q And your daughter's male friend --  
 23 A Correct.  
 24 Q -- is the girlfriend that got shot in Vegas?  
 25 A Correct.

1 A No.  
 2 Q Why not? That caused you great depression,  
 3 didn't it.  
 4 A Yes. It was the icing on the cake of  
 5 everything, yes.  
 6 Q Yeah, you interpreted --  
 7 A But I had -- I'm sorry.  
 8 Q Go ahead, finish.  
 9 A What date was that?  
 10 Q The first visit, 9/6/17, a week after the --  
 11 A Yeah, I wasn't --  
 12 THE REPORTER: I'm sorry?  
 13 BY MR. MAZUREK:  
 14 Q That was only a week after the church --  
 15 A Yeah, I know, but I still wasn't -- I was foggy  
 16 still for a while. I was still really foggy and weirded  
 17 out after this accident. And it took me a while to get  
 18 even like -- yeah. No one was understanding what I was  
 19 trying to explain. No one was listening. They kept  
 20 saying it was shock. And it was like -- I didn't  
 21 understand.  
 22 Q You told us your psych problems were partially  
 23 caused by the church, home life, the divorce, and your  
 24 daughter leaving home. Anything else causing you  
 25 depression, psychological problems in the past since you

1 again. She left the house again to go be with this guy.  
 2 Q Why didn't you tell the doctor about the church  
 3 causing you depression? You told him about Las Vegas --  
 4 A Because I was crying when he walked into the  
 5 office at that point. And he wanted to know why I was  
 6 crying. And I told him about Lindsey.  
 7 Q You told him about the auto accident causing  
 8 you depression. So you're depressed about Las Vegas  
 9 because your daughter -- how was daughter related to  
 10 that?  
 11 A It's a long story but --  
 12 Q Make a long story short. What --  
 13 A The person that she's living with -- the  
 14 girlfriend is the one that got shot in the face. So she  
 15 had to go back to help him and be with him. And she  
 16 left the house again.  
 17 Q So your daughter's girlfriend --  
 18 A No, my daughter's friend, who's a boy --  
 19 Q I thought you said girlfriend?  
 20 A That's his girlfriend, I told you.  
 21 Q Your daughter's boyfriend --  
 22 A No, it's not her boyfriend. It's just a boy  
 23 that's a friend.  
 24 Q Okay, your daughter's male friend?  
 25 A Correct.

1 Q She didn't die?  
 2 A Yes, she did.  
 3 Q She died?  
 4 A Yes.  
 5 Q But she's no relation to you or anything?  
 6 A No, they're related to --  
 7 Q That's why it says in Dr. Shah's initial  
 8 report, "The patient is currently tearful that she  
 9 learned about a niece that died in Las Vegas."  
 10 A No.  
 11 Q That's not your niece?  
 12 A She's not my niece.  
 13 Q So the doctor made this up?  
 14 A I don't know how he got that, unless he  
 15 misunderstood the story.  
 16 Q Did you tell the doctor you had to miss work,  
 17 you were so depressed; and since you were not able to  
 18 work, that's why you were fired?  
 19 A I don't recall if I talked to him about work or  
 20 not. I don't remember. I don't know.  
 21 Q Why do you think you were fired from the  
 22 church?  
 23 A Why do I feel?  
 24 Q Did someone tell you, or what do you think?  
 25 A I was feeling it for a while. And I think they



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1 just didn't want me around anymore because it was bad --  
 2 what is the word -- bad publicity -- not publicity, but  
 3 it wasn't a good thing anymore. I don't know how to  
 4 explain the word. I don't know what word to use.  
 5 Q Did anybody tell you --  
 6 A After what happened -- after like that  
 7 happened, things just weren't really the same anymore.  
 8 And you could feel it. And that's why I think they were  
 9 just -- like whatever I did, it just wasn't right. And  
 10 you could tell.  
 11 Q So you deny telling the doctor you were fired  
 12 because you missed work?  
 13 A I did miss work.  
 14 Q Before you were fired?  
 15 A Correct.  
 16 Q So between -- when you first saw Dr. Shah for  
 17 the initial neurological evaluation of 9/6/17, you  
 18 weren't fired yet?  
 19 A 9/6? That's September, yes?  
 20 Q Yes.  
 21 A Oh, okay.  
 22 Q It says 9/6/17.  
 23 A Okay, I believe you.  
 24 Q You weren't fired yet?  
 25 A Probably -- no, obviously, no -- the 17th or

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1 don't know.  
 2 Q Your auto accident, you drove away from that  
 3 accident --  
 4 A No, I did not.  
 5 Q How did you get home?  
 6 A Oh, yes, I did. Yes, I did. I drove the car  
 7 to the -- yeah, I did.  
 8 Q You drove the car where?  
 9 A To the side of the road.  
 10 Q And then what?  
 11 A And then someone had to come pick it up to the  
 12 body shop.  
 13 Q Well, you said you drove home.  
 14 A I'm sorry.  
 15 Q What car did you drive?  
 16 A My car to the side of the road.  
 17 Q You said someone picked it up?  
 18 A Correct.  
 19 Q Did you drive your car home?  
 20 A No, not home, to the side of the road.  
 21 Q Okay.  
 22 A I'm getting confused. Henry came to get the  
 23 vehicle. I remember that. And I drove the car to the  
 24 side of the road for somebody to come and pick it up and  
 25 take it to the body shop.

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1 first doctor I saw, my doctor. And I think it was maybe  
 2 three or four days after. I'm not quite sure. I don't  
 3 recall the exact date. Words weren't coming right in my  
 4 head or my mouth.  
 5 Q Another diagnosis -- again, these diagnoses are  
 6 for the auto accident injuries.  
 7 A Okay.  
 8 Q This doctor knows nothing, by your own sworn  
 9 testimony --  
 10 A Right.  
 11 Q -- nothing about your work comp case.  
 12 And when I say "this doctor," I'm talking about  
 13 Dr. Shah.  
 14 MS. FOLEY: And at that time, there was no work  
 15 comp case.  
 16 MR. MAZUREK: What?  
 17 MS. FOLEY: At that time, there was no work  
 18 comp case.  
 19 MR. MAZUREK: Okay.  
 20 MS. FOLEY: Is that right?  
 21 MR. MAZUREK: I guess so.  
 22 MS. FOLEY: So how he would know about work  
 23 comp case at that time when there's no work comp case?  
 24 MR. MAZUREK: Because of the injury -- there  
 25 may not have been a case, but the injuries had happened.

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1 so? Was that --  
 2 MS. FOLEY: The year 2017.  
 3 THE WITNESS: Oh, sorry.  
 4 BY MR. MAZUREK:  
 5 Q You earlier testified, I believe, 9/15/17 --  
 6 Counsel, correct me if I'm wrong --  
 7 A September?  
 8 MS. FOLEY: She didn't give the date. She said  
 9 second Wednesday of September.  
 10 THE WITNESS: Second week? It was the second  
 11 pay day. It was on a Wednesday.  
 12 BY MR. MAZUREK:  
 13 Q You said it was on a Wednesday, yes.  
 14 A Right. That's what I remember. It wasn't a  
 15 very good day.  
 16 Q The last day of work at the church, 9/17/17 --  
 17 well, the second Wednesday?  
 18 A I don't know.  
 19 Q So going back to Dr. Shah's report, he  
 20 diagnosed post concussion syndrome. Did you have a  
 21 concussion anywhere?  
 22 A I don't know.  
 23 Q You don't know if you had a concussion?  
 24 A I don't know. I don't know if I -- I really  
 25 don't know. I know that I did not -- I've had a -- I

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1 Q How did you get home?  
 2 A I don't remember. I drove the car to my -- it  
 3 was just on....  
 4 Q What?  
 5 A Hold on.  
 6 To my house -- by my house. I didn't make it  
 7 to the house, all the way to the house. I made it like  
 8 two streets down.  
 9 Q Down from what, the house?  
 10 A My house, yes.  
 11 MS. FOLEY: So that's the location of the  
 12 accident.  
 13 THE WITNESS: No, that was on the freeway.  
 14 MS. FOLEY: Okay.  
 15 BY MR. MAZUREK:  
 16 Q Your home was two feet from the freeway --  
 17 A No, not two --  
 18 Q -- the accident?  
 19 A -- feet. No, two blocks from my house is where  
 20 the car was left, in front of the girls club.  
 21 It was bad. It was just -- it wasn't -- I  
 22 shouldn't have -- yeah.  
 23 Q When was the first doctor you saw for this P.I.  
 24 case?  
 25 A Dr. Shah was my -- no, no, no. Dr. Khan is the

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1 The 8/30 specific -- there's only one specific injury  
 2 that was --  
 3 MS. FOLEY: So then phrase your question so it  
 4 will be easy to understand.  
 5 MR. MAZUREK: What? The main injury that she's  
 6 complaining about, the only specific injury you have  
 7 alleged and she has testified to, is the August 30th  
 8 incident. This exam was 9/6, which is a week after  
 9 that. So what are you talking about, there's no work  
 10 comp injury? The main injury was just --  
 11 MS. FOLEY: You didn't use the word -- can we  
 12 go off the record for a second, please, Counsel?  
 13 MR. MAZUREK: Yes.  
 14 (Discussion held off the record.)  
 15 MR. MAZUREK: Back on the record.  
 16 Q Once again, none of the three doctors, the main  
 17 doctors, Dr. Khan, Dr. Shah, and Dr. Shahbazian, none of  
 18 them -- you've told none of them anything about your  
 19 work comp injuries?  
 20 A Yes, I have.  
 21 Q Who did you tell?  
 22 A If you're talking about Dr. Shahbazian, back  
 23 when it happened, then that was at work.  
 24 Q When was this?  
 25 A When my back went out. When my back started

1 hurting. When my neck was hurting. And the pain was  
2 going down my legs.  
3 He's asking me what I'm doing. I'm lifting  
4 chairs up and stuff. That's what I'm doing, I'm telling  
5 him.  
6 Q You said your back --  
7 A I was so into --  
8 Q You said when your back started hurting.  
9 Earlier, you testified that the back started hurting --  
10 when?  
11 A Five years ago.  
12 Q Okay. So if we get Dr. Shahbazian's records --  
13 A Yes.  
14 Q -- it should have --  
15 A Yes.  
16 Q -- you complaining about the church?  
17 A Yes.  
18 Q Please wait. Don't guess about what I'm going  
19 to ask you.  
20 A Sorry.  
21 I wasn't complaining about the church.  
22 Q Do you have any future appointments with  
23 Dr. Shah?  
24 A I should be seeing him every day, but I haven't  
25 for the last week or so.

1 Q Listen to my question.  
2 A Oh, I'm sorry.  
3 Q Do you have any future appointments with  
4 Dr. Shah? We'll start with him.  
5 A Not at this moment. I go every other day -- or  
6 I should be going every day for the treatment.  
7 Q I don't care what you should be doing --  
8 A Okay. No, no, not that I know --  
9 Q -- just "yes" or "no."  
10 A -- of right now, no.  
11 Q And do you have any future appointments with  
12 Dr. Khan?  
13 A No.  
14 Q Do you have any future Dr. Shahbazian  
15 appointments?  
16 A Shahbazian, yes.  
17 Q When?  
18 A The 22nd. I missed the last one, so they had  
19 to reschedule.  
20 Q The 22nd of May, right?  
21 A Yes -- it's May right now, right?  
22 Q Yes.  
23 A Yes.  
24 Q And you pay Dr. Shahbazian every time you see  
25 him?

1 A No.  
2 Q Do you pay him at all?  
3 A No.  
4 Q Why not?  
5 A The insurance pays for it.  
6 Q What insurance?  
7 A My insurance, CalOptima.  
8 Q Oh, Medi-Cal?  
9 A Medi-Cal.  
10 Q There's no deductible or anything?  
11 A No.  
12 Q Let me get to something here -- let's talk  
13 about August 30, 2017.  
14 What happened on August 30, 2017?  
15 A You're talking about Leigh?  
16 Q The what?  
17 A I'm sorry.  
18 Q With your having to get down -- allegedly,  
19 having to get down on your knees and --  
20 A Okay.  
21 Q -- wash floors.  
22 A Well, I've been in the accident. And my knees  
23 were swollen already. So for him to have me get down on  
24 my --  
25 Q Wait a minute, wait a minute. Let's talk about

1 August 30th.  
2 A Right.  
3 Q You're alleging that on August 30th, you were  
4 forced to go down on your knees?  
5 A Was told, yes.  
6 Q Who forced you to --  
7 A I was --  
8 Q -- go down on your knees on August 30th before  
9 a crowd?  
10 A Haseem (phonetic).  
11 Q Haseem?  
12 A Yes.  
13 Q Is Haseem a male or female?  
14 Is that Nissim?  
15 A Nissim?  
16 Q N-i-s-s-i-m.  
17 What did you call him? Haseem?  
18 A (No response.)  
19 Q It sounds like that's what you were saying.  
20 A Haseem, yes.  
21 MR. MAZUREK: Is that what you're hearing, too,  
22 Counsel, or is it just me?  
23 MS. FOLEY: Apparently, my client -- I'm  
24 guessing right now -- doesn't know the spelling of the  
25 name.

1 MR. MAZUREK: I just want to make sure we got  
2 the right person.  
3 MS. FOLEY: Who is Haseem or Nissim? Can you  
4 explain to us?  
5 THE WITNESS: He's Marge's husband.  
6 BY MR. MAZUREK:  
7 Q Well, you know what my next question is. Who's  
8 Marge?  
9 A Marge works in our preschool area. She's the  
10 main director.  
11 Q Marge is --  
12 A Menashe.  
13 Q Menashe?  
14 Is Nissim a first name or last name?  
15 A First name.  
16 Q Do you know Nissim's last name?  
17 A Menashe.  
18 Q What's Nissim's role there, if you know? What  
19 did you perceive it to be on August 30th?  
20 A (No response.)  
21 Q Was he your boss?  
22 A Absolutely not, no.  
23 Q What's his role?  
24 A He was working in the offices that were getting  
25 redone. He comes to help out once in awhile if the guys

1 need help and stuff like that. He doesn't -- he doesn't  
2 attend our church. But his wife works there, so he  
3 helps out and does certain things for the church, to  
4 help with what he can do.  
5 Q Like what?  
6 A Maintenance stuff.  
7 Q So where did this happen?  
8 A In the last office in the hallway.  
9 Q In the what?  
10 A In the last office in the hallway.  
11 Q You said last, l-a-s-t?  
12 A Yeah.  
13 Q Whose office is that?  
14 A That would be Don's now.  
15 Q Dawn or Don?  
16 A Dan, Don?  
17 Q Don, a male?  
18 A Yes.  
19 Q Don Shannon?  
20 A Yes.  
21 Q Who's that, in your mind? Is he a pastor? Or  
22 what is his role, if you know? What do you perceive his  
23 role as?  
24 A Missions.  
25 Q He's in charge of missions?

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1 A I guess, yes.  
 2 Q Missions or admissions?  
 3 A Missions, like going on a trip to a mission.  
 4 Q You said, now that's Don's office. On  
 5 August 30th, was that his office?  
 6 A They were working in it.  
 7 Q "Yes" or "no"?  
 8 A Yes. It would be his office -- it was to be  
 9 his office. They did reconstruction, and they were  
 10 changing offices.  
 11 Q I know, but on August 30th, that one day, who's  
 12 office was it?  
 13 A Nobody's, right then. But it was -- I don't  
 14 know how to answer that.  
 15 Q Regardless of the office being under  
 16 construction, like you've told us, does it have a name  
 17 on it, like "Mr. Hudson" or "Director" or --  
 18 A I don't believe at that time.  
 19 Q Why were you in there?  
 20 A Cleaning.  
 21 Q That was part of your job duties --  
 22 A Yes.  
 23 Q -- on August 30th?  
 24 A Yes.  
 25 Q What time did this happen?

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1 A I don't remember what time -- I don't know. I  
 2 don't remember what time, if I...  
 3 Q So is it fair to say that the incident  
 4 happened -- and when I say "incident," I'm talking about  
 5 the August 30th, we'll call it, kneeling washing floor  
 6 incident.  
 7 MS. FOLEY: Yes.  
 8 BY MR. MAZUREK:  
 9 Q We've got to do these things because when we  
 10 get this -- we're going to get a transcript like a  
 11 magazine. And when reading this, it's not going to make  
 12 sense unless we describe it.  
 13 Which reminds me. Let me ask you this  
 14 question. I forgot to ask. Did you read your  
 15 deposition, your first deposition before you came here  
 16 today?  
 17 A Yes.  
 18 Q Did you make any changes to it?  
 19 A No.  
 20 Q Okay.  
 21 A What I could...  
 22 Q What?  
 23 A Nothing, I'm sorry.  
 24 Q When did you read it? Today?  
 25 A No -- yes, yes, yes, yes. I looked over it on

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1 A Doing the floors.  
 2 Q Doing the floors? What does that mean, mopping  
 3 it, washing it --  
 4 A Washing it down, cleaning it.  
 5 Q First you picked up garbage off the floor,  
 6 right, before you washed it? There's construction  
 7 stuff, I thought you said?  
 8 A No, there was just a lot of drywall stuff,  
 9 because he was doing things over the doorway and inside  
 10 the office, so it was all drywall stuff, dusty stuff.  
 11 Q What about drywall? What about it? Was it on  
 12 the floor?  
 13 A Yes. And he insisted three times. And I said  
 14 I would do it after I got done, I think, probably taking  
 15 out the trash or being in one of the other offices, I  
 16 don't know. But whatever Jeannie was telling me to --  
 17 Q Slow down.  
 18 A Whatever she was telling me to do, I was doing  
 19 that.  
 20 Q She?  
 21 A Jeannie.  
 22 Q I thought Nissim was telling you --  
 23 A Well, Jeannie's first. Whatever she said, I  
 24 did. Then Nissim made me --  
 25 Q Okay, wait just a minute, wait just a minute.

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1 A (No response.)  
 2 Q Approximately. Morning, noon, night?  
 3 A Afternoon.  
 4 Q Still light out, right?  
 5 A Yes.  
 6 Q Was this office bigger than this office  
 7 (indicating)?  
 8 A Same size.  
 9 Q When I say "this," I'm talking about the room  
 10 we're in --  
 11 A Right, right, yes.  
 12 Q I have to say that for the record so we know  
 13 what the heck I'm talking about.  
 14 So the office is about the same size as the one  
 15 we're in; 10 by 12?  
 16 A (Witness nods head.)  
 17 Q Do you remember if you had had lunch before the  
 18 incident?  
 19 A (No response.)  
 20 Q I'm trying to pin down a time between noon and  
 21 six. Is it fair to say this happened between noon and  
 22 six?  
 23 A Yes.  
 24 Q What time did you finish work that day, if you  
 25 remember, usually?

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1 the way here.  
 2 Q Okay. So here we are, August 30th. We're in  
 3 this little office, about 10 by 12. And you were in it.  
 4 We know one person. Who else was in that room when this  
 5 incident happened -- and Nissim because he told you to  
 6 do it.  
 7 A Correct.  
 8 Q Why did you obey Nissim? Why didn't you just  
 9 tell him, "You do it"?  
 10 A I told him that I would do it after I got done  
 11 doing my work.  
 12 Q Would do what?  
 13 A I would wipe off the floor.  
 14 Q What exactly did Nissim tell you to do?  
 15 A "Clean it up now."  
 16 Q When you say "it" --  
 17 A The mess that was by the doorway, of drywall.  
 18 Q Oh, so, it's not the whole floor that you were  
 19 expected --  
 20 A The whole floor.  
 21 Q -- to wash?  
 22 A The office floor had drywall and dust all over  
 23 it. And he asked me -- yes, so that's where I was. And  
 24 when Jeannie came to get me, I was doing the floors.  
 25 Q Doing the what?

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1 Jeannie --  
 2 A Right. So I don't.  
 3 Q -- is the first person that told you to  
 4 clean --  
 5 A That's normal.  
 6 Q Just say "yes" or "no."  
 7 A Okay, yes.  
 8 Q Unless the question I'm asking asks for  
 9 something else, don't use other words.  
 10 A Yes.  
 11 Q So Jeannie was the first person to tell you to  
 12 do what --  
 13 A What to do that day.  
 14 Q -- what were her words?  
 15 And what was that? What did she tell you to --  
 16 A Straighten up the offices, the trash.  
 17 Q Okay. Straighten up the offices. When you say  
 18 "the trash," you mean take out the trash?  
 19 A Correct.  
 20 Q Don't let me put words in your mouth. But  
 21 that's what I --  
 22 A Correct.  
 23 Q -- interpret.  
 24 A Correct.  
 25 Q So Jeannie is the first person. Jeannie

1 Massingill, right?  
 2 A Yes.  
 3 Q What was her title to you? Who is she to tell  
 4 you to do this?  
 5 A She's the office manager. And I do whatever  
 6 she says to do.  
 7 Q So Jeannie tells you first. And you said  
 8 "okay"?  
 9 A Correct.  
 10 Q Okay. And then you started, what, picking up  
 11 stuff off the floor?  
 12 A No, mopping one of the other offices, cleaning  
 13 that other office first.  
 14 Q So Jeannie told you to clean all the offices?  
 15 A Every day, I do that.  
 16 Q I don't care if you do it every day. Did  
 17 Jeannie tell you to do that? Listen to the question.  
 18 Did Jeannie tell you to clean all the offices?  
 19 MS. FOLEY: "Yes" or "no"?  
 20 THE WITNESS: No.  
 21 BY MR. MAZUREK:  
 22 Q What?  
 23 A She didn't say exactly, "Go clean all the  
 24 offices." That's just my title, and I know what to do.  
 25 That's what I usually would do, is start to go clean the

1 me. Does that make sense?  
 2 Q Jeannie's in a catty-corner office from James's  
 3 office, where you were?  
 4 A Correct.  
 5 Q What were you doing in James's office?  
 6 A Cleaning.  
 7 Q Had you finished cleaning James's office when  
 8 Jeannie told you to --  
 9 A No, she had told me I did something wrong  
 10 first. I don't remember what it was, but something I  
 11 didn't do right. Or she didn't want me to do something  
 12 to the office. So I was putting something back. And  
 13 that's when Nissim...  
 14 Q Jeannie was in her office, Jeannie's office,  
 15 catty-corner from where you were in James's office,  
 16 right?  
 17 A Yes.  
 18 Q And she told you to clean James's office?  
 19 A Yes.  
 20 Q But you were already in James's office before  
 21 she even told you that?  
 22 A When I got there in the morning?  
 23 Q In the morning?  
 24 A I don't understand what you're saying. Can I  
 25 just -- it's hard to explain.

1 Q Clean what? What did she tell you?  
 2 A Hold on. I'm trying to think if we had done  
 3 the shelves. I wasn't doing it. I wasn't even in there  
 4 for like two -- maybe 10 minutes at the most. And she  
 5 said, "That's enough," to get out of the office. Okay?  
 6 Q So you were in the James's office?  
 7 A Right. I was going to wax the floors down.  
 8 And now they're done with the drywall and stuff in that  
 9 office, so they could be waxed now.  
 10 Q So you were cleaning James's office and was  
 11 about to start waxing?  
 12 A Right.  
 13 Q Okay. When Jeannie tells you, while she's  
 14 sitting catty-corner in a different office, tells you to  
 15 do what?  
 16 A Why I was taking so long or something like  
 17 that. I don't recall exactly what it was.  
 18 Q Okay. "Why is it taking so long" or something  
 19 like that?  
 20 A Right.  
 21 Q And you answered something. And then what?  
 22 A And then Nissim calls for me. Nissim calls my  
 23 name.  
 24 Q Where was -- where was Nissim?  
 25 A Standing outside of Don's door.

1 offices.  
 2 Q That's what you know to do. But what did  
 3 Jeannie tell you to do?  
 4 A I don't recall exactly what she said, to be  
 5 completely honest. All I know is she was right behind  
 6 me when I was in the second office.  
 7 Q Second office is Don's office?  
 8 A No, that's going to be the last one.  
 9 Q How many offices are there?  
 10 A Four, five.  
 11 Q Where were you when Jeannie told you whatever  
 12 she told you?  
 13 A James's office.  
 14 Q James's office. Who else was in there with  
 15 you?  
 16 A Nobody. She could see me from her desk.  
 17 Q She could see you from her desk?  
 18 A Yes.  
 19 Q She was in James's office?  
 20 A No. She could see me from her desk.  
 21 Q Which is where?  
 22 A Catty-corner -- would you say catty-corner,  
 23 like that way (indicating)?  
 24 Q Okay.  
 25 A So by that chair (indicating), you could see

1 Q The activities on August 30th -- I don't care  
 2 what you did in the past.  
 3 A Right.  
 4 Q What you thought your job duties were or what  
 5 they actually were. I only want to focus on  
 6 August 30th, because that's what's alleged, when the  
 7 alleged wrongdoing was --  
 8 A Right.  
 9 Q -- that is the subject of the work comp case.  
 10 A Okay.  
 11 Q So you're in James's office. Nobody else is in  
 12 there with you?  
 13 A (Witness shakes head.)  
 14 Q Catty-corner from that office, is Jeannie,  
 15 right?  
 16 A (Witness nods head.)  
 17 Q Right?  
 18 A Correct.  
 19 Q She tells you what -- through an open door?  
 20 A Yes -- two open doors.  
 21 Q Yours was open and hers was open?  
 22 A Yes.  
 23 Q So she says something to you to the effect of,  
 24 "Please clean" what -- who, what, and where?  
 25 A (No response.)

1 Q Standing outside. He wasn't inside Don's  
 2 office?  
 3 A Not at this time, no.  
 4 Q Standing outside Don's office, Nissim calls you  
 5 and said what? When you say "call," you don't mean a  
 6 phone call? You mean --  
 7 A Down the hallway.  
 8 Q He's down the hallway?  
 9 A Yes.  
 10 Q And what does he say?  
 11 A To come and clean up the mess.  
 12 Q Come and clean what?  
 13 A The mess.  
 14 Q The meth?  
 15 A To clean up the mess.  
 16 Q M-e-s-s?  
 17 A Mess -- the mess.  
 18 Q Sounds like you're saying meth, m-e-t-h.  
 19 A No, mess.  
 20 Q Okay, "Come clean up the mess." Was he  
 21 pointing to something or --  
 22 A Yes, the drywall down below.  
 23 Q In Don's office?  
 24 A Yes.  
 25 Q So what did you do?

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1 A I'm sorry, excuse me. I think, to go back, I  
2 think it was after lunchtime that day.  
3 Q Okay.  
4 A Because I think we had a meeting that day.  
5 Q Who's "we"?  
6 A The staff. I'm sorry, maybe I'm -- I was going  
7 back. I apologize, go ahead. I'm sorry.  
8 Q You didn't have a meeting?  
9 A Never mind. I'm sorry, go ahead.  
10 Q Okay. So Nissim says, "Come on down and clean  
11 this mess." He's standing outside of Don's office.  
12 A And I told him I would do it when I was  
13 finished. "I'll get to it, Nissim." And he --  
14 Q And his response was?  
15 A "Do it" and like now, like --  
16 Q Wait a minute. Your response was, "I'll do it  
17 when I'm" what?  
18 A Done with my -- "I'll get to it when I can get  
19 to it."  
20 Q Something to that effect?  
21 A Yes.  
22 Q "I'll get to it when I can," something like  
23 that?  
24 A I'm scared of Jeannie right now at this point.  
25 So I don't want to piss her off at all. You know what

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1 was next to do.  
2 He was calling for me. She was calling for me.  
3 There was somebody else calling for me. I was going  
4 like three different directions. I know Robert was  
5 there, but I don't think he was saying -- they were all  
6 just coming at me.  
7 Q I just want to know what Jeannie told you to  
8 do. Stop cleaning James's office?  
9 A Right.  
10 Q And then what? Go clean --  
11 A Put the things back into the closet.  
12 Q Okay. In James's office?  
13 A No, in the -- here we go. I moved my stuff out  
14 of her office and put it in a closet outside of the  
15 church, so I wouldn't have to be so close with her. So  
16 I was putting my stuff back out there into the closet  
17 out there.  
18 Q Hang on. And then what?  
19 A That's when he told me to --  
20 Q That's when Nissim --  
21 A Right, again. And he was like firm about it.  
22 And I said, "Okay." I didn't want to upset anybody else  
23 for the day.  
24 Q And this is when Nissim told you to help out --  
25 A No.

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1 he told you this, approximately?  
2 A Here to the chair (indicating).  
3 Q This chair?  
4 A No, the one way over there (indicating), that  
5 one (indicating).  
6 Q Which one? This one (indicating)?  
7 A No, the second one, way in the back.  
8 Q Way in the back there (indicating)?  
9 A Yes. I don't know how far that would be, but  
10 about that.  
11 MR. MAZUREK: Probably about 30 feet or so, you  
12 think?  
13 MS. FOLEY: I don't know.  
14 MR. MAZUREK: Okay.  
15 Q So did you do that? Did you go in the office  
16 or outside the office? Did you pick the stuff up and  
17 throw it away?  
18 A I was still cleaning when Jeannie told me to  
19 get back up and not to do that. I tried to finish the  
20 job to get it done. But she told me to get up from  
21 doing that.  
22 Q We're at the part where Nissim -- we're almost  
23 there -- where Nissim told you to clean the drywall mess  
24 that was outside of Don's office.  
25 A Right.

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1 I'm saying?  
2 Q I don't know if you told me or not. I didn't  
3 write it down. You said Jeannie was pissed off and  
4 she --  
5 A No --  
6 Q Do you know she was --  
7 A -- I didn't want to get her mad.  
8 Q Oh, you didn't want to get her mad. You don't  
9 know if she was?  
10 A She already had an attitude when I came in.  
11 Whatever that day was, she was having an attitude  
12 already.  
13 Q Okay. So your response was, "I'll get to it  
14 when I can"?  
15 A Uh-huh.  
16 Q Something like that?  
17 A Yes.  
18 Q So you finished James's office?  
19 A I don't -- she told me to stop doing James's  
20 office or not -- to stop doing it. So then I was going  
21 down the hallway --  
22 Q So Jeannie told you to stop --  
23 A Right.  
24 Q Cleaning James's office, and go --  
25 A Whatever, yes, and go -- I don't remember what

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1 Q What? No?  
2 A He didn't say "help out." He didn't use those  
3 words.  
4 Q What did Nissim tell you? What did he tell  
5 you --  
6 A To clean it.  
7 Q To clean Don's office?  
8 A Not the office, the mess in front of the  
9 office.  
10 Q Oh, it was just --  
11 A There was --  
12 Q -- the mess in front of Don's office?  
13 A Right.  
14 Q And the mess is drywall garbage, right?  
15 A Right, and dust, a lot of dust.  
16 Q Drywall and dust?  
17 A (Witness nods head.)  
18 Q You mean pieces of drywall --  
19 A Yes.  
20 Q -- and dust? Okay. Which were inside Don's  
21 office?  
22 A All the offices had a lot of the dust.  
23 Q I'm just asking you about Don's office.  
24 A Yes, yes, yes.  
25 Q How far away were you standing from Nissim when

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1 Q Did you do that?  
2 A Yes.  
3 Q But not right away?  
4 A Correct.  
5 Q What did you do right away after --  
6 A I went into the office to start with the  
7 dusting so it wouldn't come back in.  
8 Q Went into Don's office?  
9 A Correct. So I would start from one side of the  
10 room and tried to pick it up. Because they would just  
11 drag it back in again if I didn't do it that way.  
12 Q Okay. So you picked up this drywall stuff.  
13 Then what happened?  
14 A Then Jeannie asked me to get up.  
15 Q To pick up the drywall?  
16 A No, she said, "Get up."  
17 Q Get up?  
18 A Yeah.  
19 Q What do you mean, "Get up"?  
20 A Because I had to go down below to get it,  
21 right?  
22 Q You had to do what? Jeannie said to get up.  
23 And what?  
24 A That there's more than just outside of the  
25 doorway. Okay? There's all on the inside by the desk,

1 **down below. Okay?**  
 2 Q You're inside there already --  
 3 A **Right.**  
 4 Q -- and you start picking that up first, and  
 5 putting it outside?  
 6 A **Right.**  
 7 Q Outside the door --  
 8 A **Right.**  
 9 Q -- but the same office, outside the office?  
 10 A **Correct.**  
 11 Q So you picked that up from the inside of Don's  
 12 office. You put it on the outside of Don's office.  
 13 A **(Witness shakes head.)**  
 14 Q Well, you're shaking your head.  
 15 A **What are you saying? I'm confused. I don't**  
 16 **get to finish doing it.**  
 17 Q What are you trying to do on the computer?  
 18 A **Huh?**  
 19 Q Let's go back. Then Jeannie said, "Get up."  
 20 Get up from what?  
 21 A **From my knees. I'm bending down to do it.**  
 22 Q To do what? Pick up the dry cleaning --  
 23 A **Not the dry cleaning.**  
 24 Q -- in Don's office?  
 25 The drywall --

1 A **Correct.**  
 2 Q -- in Don's office?  
 3 A **(Witness nods head.)**  
 4 Q Get up from your knees?  
 5 MS. FOLEY: Counsel --  
 6 BY MR. MAZUREK:  
 7 Q Because you had to get down on your knees to  
 8 pick up the drywall, right? Because your back would --  
 9 A **You would have to do the floor like that, yes,**  
 10 **you would --**  
 11 Q Wait your lawyer wants to --  
 12 MS. FOLEY: I apologize, but I need a break. I  
 13 need some water.  
 14 MR. MAZUREK: Okay.  
 15 MS. FOLEY: I know you are in the middle of  
 16 something, but can we come back to it?  
 17 MR. MAZUREK: Yes.  
 18 **(Short recess taken.)**  
 19 **(Whereupon, Ms. Palees**  
 20 **exits deposition room.)**  
 21 BY MR. MAZUREK:  
 22 Q Applicant went to Don's office -- that's you --  
 23 to clean it first, per Nissim's request, right?  
 24 A **(No response.)**  
 25 Q Is that right?

1 A **I don't remember. I don't remember.**  
 2 Q Nissim told you to clean the mess --  
 3 A **Right.**  
 4 Q -- which was drywall pieces and dust, which was  
 5 outside of Don's office?  
 6 A **Yes.**  
 7 Q However, there must have been some inside too  
 8 because you went inside the office.  
 9 A **Yes.**  
 10 Q You said it makes sense to go inside and clean  
 11 that stuff up first, otherwise, you would be tracking it  
 12 outside, right?  
 13 A **Yes.**  
 14 Q Okay, I get that. So you go into Don's office  
 15 and start cleaning it. You're on your knees when you're  
 16 cleaning this?  
 17 A **Both. There's a mop thing too. I went to wet**  
 18 **it, and then do it.**  
 19 Q What?  
 20 A **I wetted it. But he wanted his part done right**  
 21 **there and then.**  
 22 Q His part? When you talk about --  
 23 A **Pointing at the mess outside the door.**  
 24 Q Outside the door?  
 25 A **Outside the door.**

1 Q Oh, I see. So he wanted the mess outside the  
 2 door cleaned first because people come in there, and  
 3 they're tracking all that stuff -- all your hard work  
 4 that you were doing, cleaning the inside?  
 5 A **(No response.)**  
 6 Q Nissim, for whatever reason, wanted the stuff  
 7 outside the door, right outside the door of the office  
 8 you were cleaning, cleaned up first before you cleaned  
 9 up the inside of the office? Is that how you  
 10 interpreted it?  
 11 A **No, that's not how I interpreted it, no.**  
 12 Q No?  
 13 MS. FOLEY: How did you interpret it?  
 14 BY MR. MAZUREK:  
 15 Q That's a good question. How did you interpret  
 16 it?  
 17 A **He was being -- I don't know what the nice word**  
 18 **would be to say.**  
 19 Q A jerk?  
 20 A **Yes.**  
 21 Q We'll do a mild word.  
 22 A **Yes, about it.**  
 23 Q Okay.  
 24 A **And the way his tone was, was like, "Now."**  
 25 **Like, do it now instead of, "I'll get to it."**

1 "No, now," like twice. So I did it.  
 2 Q When you say "it," you picked up the -- you  
 3 swept up the dust and drywall pieces and put it -- was  
 4 there a garbage can outside the door?  
 5 A **No.**  
 6 Q What did you do with this stuff?  
 7 A **There must have been a trash can inside the**  
 8 **office. I started doing inside the office, because I**  
 9 **got a little embarrassed after that.**  
 10 Q You got a little embarrassed from what?  
 11 A **From watching -- Robin and Jeannie were kind of**  
 12 **like laughing and giggling about it. It was just**  
 13 **embarrassing.**  
 14 Q Wait a minute. Robin's in the picture now?  
 15 A **Yes. She's in the first office.**  
 16 Q Okay.  
 17 A **That's why I'm thinking it must have been a**  
 18 **Wednesday or a Monday because Robin was there. So I**  
 19 **think it was after lunch because everybody would be**  
 20 **there.**  
 21 Q So Nissim's tone was jerky -- hostile could be  
 22 another word --  
 23 A **Yeah.**  
 24 Q -- regarding cleaning the junk outside his door  
 25 first?

1 A **(No response.)**  
 2 Q Wasn't his door. It was Don's door.  
 3 A **Correct.**  
 4 Q So you did that. You cleaned up the junk from  
 5 outside the door. Took it to the garbage can, wherever  
 6 that was.  
 7 But before then -- the way I interpret what you  
 8 said -- you said you wanted to clean the inside first.  
 9 And I understood why. So you started doing that,  
 10 cleaning -- picking up the drywall pieces, sweeping up  
 11 the dust, right?  
 12 A **(No response.)**  
 13 Q When you say it, meaning that's what you were  
 14 cleaning up, and then mopping also, right?  
 15 A **Dust mopping, yes.**  
 16 Q Oh, dust mopping?  
 17 A **With a dust thing.**  
 18 Q I thought you said water mopping?  
 19 A **The dust mop. We have a big long dust mop that**  
 20 **we use first. That's going to help get the things up.**  
 21 **That's my system. I can't explain it -- but just dust**  
 22 **mopping it first.**  
 23 Q Dust mopping it, not wet mopping?  
 24 A **That would be after that that would be done.**  
 25 Q Did you do any wet mopping in that office?

1 A No, I didn't get to do it. I used -- no, I  
 2 didn't get to do it. I couldn't -- no.  
 3 Q So you were dust mopping, and bending over,  
 4 picking up the stuff, right?  
 5 A Now, I have a --  
 6 Q A vacuum cleaner of sorts?  
 7 A No, a wet -- like the wipies, wet wipies so I  
 8 could get it.  
 9 Q Wet wiping the floor after you picked up --  
 10 A To get all the little pieces, I would wipe it  
 11 with wet wipies.  
 12 Q Why didn't you use a mop?  
 13 A Because I didn't have time to do it -- I don't  
 14 know. Because she told me to get out of there now, to  
 15 get up.  
 16 Q Who's "she"?  
 17 A Jeannie. Like after two minutes or three  
 18 minutes of that, I better -- I mean, I had to...  
 19 Q Just in case we don't have time, why didn't you  
 20 report this --  
 21 A I did.  
 22 Q -- August 30th --  
 23 A Sorry.  
 24 Q You've got to stop guessing what I'm going to  
 25 ask.

1 Q Wait a minute. How do you know she saw it?  
 2 A Because she was there in the hallway with  
 3 Jeannie, where they were looking in the hallway and  
 4 giggling.  
 5 Q So you first reported it to Robin on the day it  
 6 happened?  
 7 A Correct.  
 8 Q Why would you report it to her if she saw it?  
 9 A I didn't report it. You said report it. I  
 10 asked her, when I went in there if --  
 11 Q Wait, wait, slow down. You said I said  
 12 "record"?  
 13 A Report.  
 14 Q When did you report it?  
 15 A I didn't report it. I went into her office and  
 16 asked her what it was about.  
 17 Q Wait a minute. Who's "her"?  
 18 A Robin.  
 19 Q Robin?  
 20 A Correct.  
 21 Q You went into Robin's office on August 30th,  
 22 the day it happened?  
 23 A Yeah.  
 24 Q And Robin's office is down that same hallway  
 25 that --

1 about why didn't you report it to staff that day. And  
 2 you said you did. And the first person was Robin. She  
 3 actually saw this happening also.  
 4 You went into Robin's office, the same day,  
 5 after it happened -- the floor incident we'll call it --  
 6 and said something to the effect of, "What's going on?"  
 7 What did you think -- what did you say, just  
 8 approximately?  
 9 A "What's up with that? What's going on? What's  
 10 up?"  
 11 Q What's up with what?  
 12 A Being in the back office. And then finally  
 13 Jeannie saying, "Victoria, come out of there now," like  
 14 that. Okay? Meaning she knows that I'm back in there,  
 15 doing what Nissim said to do. Does that make sense? So  
 16 I'm like, "What's going on?"  
 17 Q And what did Robin say?  
 18 A I don't recall what she said, actually. I  
 19 don't. Like she just shrugged it off, actually. I  
 20 don't know. I don't know.  
 21 Q Why did you tell Robin though? Robin's not  
 22 your boss, right?  
 23 A No. But she's one of the ones that I was very  
 24 close to in the office.  
 25 Q So then what happened after Robin says, "I

1 Why didn't you report -- make that, did you  
 2 report? Did you report this 8/30/17 incident to  
 3 anybody?  
 4 A I told Eric's mom about it. And asked Robin  
 5 what the heck that was about.  
 6 Q Wait just a minute, just a minute. First  
 7 things first.  
 8 The first person you told about it was Eric's  
 9 mom?  
 10 A Actually, Robin would be the first. She saw  
 11 the --  
 12 Q Wait, wait, wait. The first person you told  
 13 about it was Robin?  
 14 A Uh-huh.  
 15 Q What's Robin's last name; do you know?  
 16 A Yes, I do. It's...  
 17 Q Strachan?  
 18 A No.  
 19 Q Oh, Swiffer? Maybe I'm not saying this right.  
 20 Strachan.  
 21 A Yes.  
 22 Q S-t-r-a-c-h-a-n. You first told Robin  
 23 Strachan, right?  
 24 A I asked her -- I didn't have to tell her. She  
 25 saw it. I asked her what this was about.

1 A Correct.  
 2 Q -- the other office is that --  
 3 A Yeah.  
 4 Q But you said you didn't have to report it  
 5 because Robin saw it happening?  
 6 A Correct.  
 7 Q But you reported it anyway?  
 8 A You said report. I'm just using your words.  
 9 MS. FOLEY: Can I just?  
 10 What was the purpose of you coming to Robin's  
 11 office?  
 12 THE WITNESS: To ask her what that was about.  
 13 MS. FOLEY: You wanted to discuss the accident?  
 14 THE WITNESS: Yes, what was that all about?  
 15 What was it -- I didn't get it. She's not my boss.  
 16 Eric's my boss. Not him.  
 17 BY MR. MAZUREK:  
 18 Q "Him" meaning Nissim?  
 19 A Yes.  
 20 Q And when you said "she," you're talking about  
 21 Robin here?  
 22 A Correct.  
 23 Q So you're --  
 24 A And Jeannie, I'm just --  
 25 Q -- going into Robin's office. I asked you

1 don't know"?  
 2 A I don't recall. I don't know what happened. I  
 3 just know that I was getting pulled in a lot of  
 4 different directions that day. And I had already had a  
 5 meeting with Eric and Jeannie about my work ethics.  
 6 Q That same day or a different day?  
 7 A I think it was a different day, a different  
 8 day. So I was -- Jeannie wanted the offices done now a  
 9 certain way. And she's the office manager, so we're  
 10 doing what Jeannie wants. So I don't really recall  
 11 after that. I just -- I don't recall what we did after  
 12 that.  
 13 I just know that my knees were really swollen  
 14 from the accident still. And it was really bad -- oh,  
 15 and she had taken me home. I think Jeannie took me home  
 16 that day because I didn't have my car yet from the  
 17 accident.  
 18 Q Jeannie took you home --  
 19 A I'm pretty sure, yes.  
 20 Q -- August 30th?  
 21 A I'm pretty sure. I think so, yes.  
 22 Q Your knees were swollen from what?  
 23 A From going -- it was from the accident still.  
 24 And then bending down like that and doing it. She could  
 25 see.

1 Q Bending down caused your knees to swell?  
 2 A **Well, it didn't help it to be down there.**  
 3 Q Well, your knees were already swollen from the  
 4 accident?  
 5 A **Yeah, they were still swollen.**  
 6 Q They were what?  
 7 A **They were still swollen, correct. It's**  
 8 **hardwood floors.**  
 9 Q Well, you got down on your knees because you  
 10 chose to do wipies to mop the floor, right?  
 11 A **For underneath, yes.**  
 12 Q Yes?  
 13 A **Under the big desk, yes.**  
 14 Q No one directed you to use wipies to --  
 15 A **I had to wipe it off.**  
 16 Q What?  
 17 A **Yes, correct.**  
 18 Q Someone told you to use --  
 19 A **No, correct. You are correct.**  
 20 Q You chose to --  
 21 A **Correct.**  
 22 Q Okay. Did you use wipies every time you washed  
 23 the floors?  
 24 A **A lot of times.**  
 25 Q Not every time?

1 A **No, that was not the first time.**  
 2 Q Okay. Sometimes you used the Wet Jet, and  
 3 sometimes you used wipies, correct?  
 4 A **Correct.**  
 5 Q All right. Now we're rolling.  
 6 And you chose, probably, whatever was  
 7 available, right?  
 8 A **Yes.**  
 9 Q So again, I'm talking about August 30th --  
 10 A **Uh-huh.**  
 11 Q -- which is what we call your specific injury  
 12 claim date. It's a claim that you had a specific injury  
 13 on 8/30/17. And your pleading says -- I realize you  
 14 didn't do this. This is what your lawyer said.  
 15 You were forced "to go on her knees." Let's  
 16 stop right there. Who forced you to go on your knees on  
 17 August 30th?  
 18 A **Nissim.**  
 19 Q How did Nissim force you to --  
 20 A **"Get down there to clean it."**  
 21 Q He said what?  
 22 A **To clean it, to take care of it.**  
 23 Q And you chose to go down on your knees?  
 24 A **I didn't want to get fired, did I?**  
 25 Q Well, you said you've done this before. You've

1 feeling the tension everywhere. And no matter what I  
 2 did, it wasn't going to be right. So I knew it. That's  
 3 why I wanted to get done and get out.  
 4 MS. FOLEY: Did you feel compelled to go on  
 5 your knees and --  
 6 THE WITNESS: I had.  
 7 BY MR. MAZUREK:  
 8 Q I mean it was a way to do it?  
 9 A **I had to.**  
 10 Q You could have used a Wet Jet. You could have  
 11 used wipies, like you did. You could have cleaned the  
 12 floor -- yeah, you could have done that. You could have  
 13 bent --  
 14 A **Used a mop.**  
 15 Q -- over and picked it up, swift it up.  
 16 So you had several alternatives. And you chose  
 17 one. Not that there was anything wrong with it. I'd  
 18 probably do the same thing. No one's accusing you of  
 19 doing a dumb thing. Okay?  
 20 I'm just going by what your lawyer tells me. I  
 21 never met you before. I never met your lawyer before.  
 22 My job is to figure out what happened. I wasn't there,  
 23 which leads me to my next question.  
 24 You said, "Applicant was" -- applicant is  
 25 you -- "forced to go on her knees" -- on your knees in

1 A **No, a swifter (sic).**  
 2 Q A what?  
 3 A **A swifter. I used a swifter.**  
 4 Q A Swiffer?  
 5 A **Swifter, a Wet Jet.**  
 6 Q Wet Jet?  
 7 A **Wet Jet.**  
 8 Q Sometimes you used a Wet Jet, sometimes you  
 9 used wipies?  
 10 A **(No response.)**  
 11 Q So August 30th, was that the first time you  
 12 used the wipies on the floor?  
 13 A **No.**  
 14 Q That's correct?  
 15 A **(No response.)**  
 16 Q See, when you say, "No," it's like that old  
 17 song, "Yes, we have no bananas." I don't know what you  
 18 mean.  
 19 So you used --  
 20 MS. FOLEY: What was the question? The  
 21 question was, what was the first time you used wipies?  
 22 Is that the question?  
 23 BY MR. MAZUREK:  
 24 Q No, the question was, that was not the first  
 25 time you used wipies on the floor?

1 gone on your knees before using wipies. You chose the  
 2 method on August 30th of going down on the floor with  
 3 wipies.  
 4 A **But I would have maybe not chose that one if I**  
 5 **was doing the office in my way when I'd be doing it**  
 6 **though.**  
 7 Q You have in the past?  
 8 A **Yes.**  
 9 Q Okay. So Nissim didn't say, "Get on your knees  
 10 and wipe that floor?"  
 11 A **Nissim did not say, "Get on your knees," no, he**  
 12 **did not.**  
 13 Q Right. He didn't tell you the method?  
 14 A **Right.**  
 15 Q You chose the method?  
 16 A **Yes. But you had to bend down to clean it up.**  
 17 Q So that part's wrong?  
 18 MS. FOLEY: Can I clarify?  
 19 You said you had to bend down. Was there any  
 20 other way to clean up that mess without going on your  
 21 knees?  
 22 THE WITNESS: I could have moved the desk out  
 23 of there and then swifited it out. I wanted to get it  
 24 done and get out of there.  
 25 And it was a bad day. And I was in -- I was

1 the middle of the parish crowd.  
 2 All right. Tell me everybody in that crowd.  
 3 A **That would be Nissim, Robin, Jeannie. That's**  
 4 **the only people that were there that day. Eric was gone**  
 5 **out of the office already.**  
 6 Q Okay, I don't want to know who was not there.  
 7 The whole congregation wasn't there. The people that  
 8 were there, the crowd, I want to know the crowd. And  
 9 you said Nissim, Robin, and Jeannie.  
 10 A **And I don't know, there was some other men**  
 11 **outside.**  
 12 Q They do say, "Two's company, and three's a  
 13 crowd."  
 14 A **Tony and a couple of the men were outside on**  
 15 **the banister area -- but not inside, outside.**  
 16 Q Right. So your definition of a crowd is three  
 17 people?  
 18 A **A crowd? I'm sorry, what?**  
 19 Q It's alleged here that you were forced to clean  
 20 in the middle of a crowd. And I said, "Okay, who was  
 21 there? Who's the crowd?"  
 22 And you said "Nissim, Robin, Jeannie."  
 23 A **They were all looking at me down the hallway,**  
 24 **you know, watching.**  
 25 Q They were watching?



1 **A Correct.**  
 2 Q Right now I'm talking about a crowd. We'll get  
 3 to the numbers next.  
 4 **A Okay.**  
 5 Q So that's all, okay.  
 6 Now, we still haven't figured out who forced  
 7 you. We haven't figured that out yet.  
 8 But anyway, you said the reason why whoever it  
 9 was that forced you to get on your knees, was so --  
 10 their motive, this person, or this -- whoever forced you  
 11 to get on your knees, their motive was, "so everyone  
 12 would laugh at her." I'm reading this. I'm not making  
 13 this up. So the reason why was so everyone would laugh  
 14 at you in order to discriminate.  
 15 Let's tear that apart. Who laughed at you?  
 16 **A Jeannie and Robin were giggling. They were**  
 17 **giggling and --**  
 18 Q Did I say, "looked"? My question was, who  
 19 laughed at you.  
 20 **A Where did you get "looked"?**  
 21 Q No one laughed at you.  
 22 **A Oh, they were laughing.**  
 23 Q Who?  
 24 **A Robin and Jeannie.**  
 25 Q When you were cleaning the floor?

1 you --  
 2 **A They seen me because they both stepped out of**  
 3 **their offices, and they're looking down the hallway.**  
 4 Q If Robin's in her office, she can't see you?  
 5 **A No, she can't. If she's sitting in her**  
 6 **office --**  
 7 Q We agree on that?  
 8 **A -- she can't. And neither can Jeannie.**  
 9 Q Let's take this piece by piece.  
 10 **A Oh, sorry.**  
 11 Q Let me ask the questions.  
 12 **A Uh-huh.**  
 13 Q Robin can't see you if she's in her office.  
 14 And ditto for -- when I say ditto, I mean the same thing  
 15 for Jeannie. She can't see you either --  
 16 **A Correct.**  
 17 Q -- inside Don's office?  
 18 Okay. So you said Robin and Jeannie laughed at  
 19 you, which means they had to come out of their office  
 20 when you saw them laughing at you?  
 21 **A Uh-huh.**  
 22 Q Don't say "uh-huh." I know you mean "yes," but  
 23 this poor court reporter --  
 24 **A Yes.**  
 25 Q -- is not allowed to say you meant "yes."

1 Q "She" is Jeannie?  
 2 **A Okay? Robin's holding some papers. And**  
 3 **they're both looking down the hallway. I'm looking up**  
 4 **at them because I'm --**  
 5 Q Wait a minute. You're down here (indicating)?  
 6 **A Correct -- no, I'm right where you put me, on**  
 7 **the dot (indicating).**  
 8 Q Oh, you're outside? Wait a minute. You're not  
 9 on your knees outside.  
 10 **A Yes. Now listen -- I'm sorry, I don't mean to**  
 11 **say it like that.**  
 12 **I'm looking at them like, "What's up? Why am I**  
 13 **doing it this way now?"**  
 14 **And they're asking -- Jeannie is the one that**  
 15 **I'm supposed to be listening to, because we have an**  
 16 **issue with someone to be -- how do you say? What's the**  
 17 **word -- telling me what I should be cleaning and what**  
 18 **not to be cleaning anymore.**  
 19 **So they wait until I get back into the office**  
 20 **part of it. Then Jeannie says, "Victoria, stop what**  
 21 **you're doing and come here, please."**  
 22 Q Where is Jeannie when she tells you --  
 23 **A Now she's back in her office.**  
 24 Q She's telling you from her office?  
 25 **A She's yelling it, yes. It echoes.**

1 **A Yeah. That was at the -- yeah.**  
 2 Q Where was Robin?  
 3 **A Down by her office.**  
 4 Q Robin was in her office --  
 5 **A Down by her office, outside of the front of her**  
 6 **door.**  
 7 Q Robin and Jeannie laughed. How do you know  
 8 they were laughing at you?  
 9 **A They were looking right at me.**  
 10 Q Okay, that's a good answer. To see you on your  
 11 knees, Robin would have to come out of her office --  
 12 **A Uh-huh.**  
 13 Q -- and down the hallway.  
 14 **A Huh-uh.**  
 15 Q And I asked you, where was Robin when Jeannie  
 16 and she were in there looking. And you said, in their  
 17 offices. But that's not possible.  
 18 **A She was right outside of her door.**  
 19 Q Oh, so she was not in her office? She was  
 20 outside of her office?  
 21 **A Yes.**  
 22 Q Okay, are you fine with that --  
 23 **A Because they go back and forth. They're in the**  
 24 **office. They're walking out. They're moving around.**  
 25 Q If they're in their office, they can't see

1 **A Yes, yes.**  
 2 Q Okay. So where was Robin when you saw her  
 3 laughing at you?  
 4 **A Just by her doorway.**  
 5 Q Here (indicating)?  
 6 **A Uh-huh.**  
 7 Q Yes?  
 8 **A Yes.**  
 9 Q Robin's outside her office doorway, okay. So  
 10 Robin's outside here (indicating). You're inside here  
 11 on your knees?  
 12 **A Not yet.**  
 13 Q Not yet?  
 14 **A When they're outside, I'm in the -- I'm over**  
 15 **out here (indicating). I'm out there and Jeannie --**  
 16 Q You're outside?  
 17 **A Correct. Put Jeannie next to Robin. And --**  
 18 Q I thought you said --  
 19 **A Sorry.**  
 20 Q No, go ahead.  
 21 **A Now, Jeannie can walk out here through this**  
 22 **doorway (indicating).**  
 23 Q What?  
 24 **A There's doorway right here (indicating). Okay?**  
 25 **And she's standing right here (indicating).**

1 Q You're inside --  
 2 **A Uh-huh.**  
 3 Q -- when she's yelling this?  
 4 **A Yes.**  
 5 Q Well, when they're laughing, you said you could  
 6 see them laughing at you. But when they're out of their  
 7 office, they're laughing at you on your knees, but  
 8 you're not on your knees outside the office.  
 9 **A Yes, I am. I'm cleaning up the rubble that**  
 10 **he's done, that he asked me to pick up, the rubble part**  
 11 **outside of the door. There's some inside and some**  
 12 **outside, because they drilled the hole through the**  
 13 **wall -- or patched a hole.**  
 14 Q But you weren't mopping the floor outside the  
 15 office, right?  
 16 **A I was cleaning it, not mopping it.**  
 17 Q By cleaning it, you mean picking up things?  
 18 **A Right.**  
 19 Q You don't have to get on your knees to --  
 20 **A To get the dust, you had to. You had to get**  
 21 **all of it.**  
 22 Q You get on your knees to pick up the dust?  
 23 **A Yes.**  
 24 Q You had to.  
 25 **A Right.**

1 Q Not because someone told you to.  
 2 A **He told me to.**  
 3 Q But you had to anyway.  
 4 A **But would I have done it that way?**  
 5 Q How else would you have done it?  
 6 A **I could have gotten the mop thing like you**  
 7 **said, or the thing when I was doing the whole office.**  
 8 **But he had to have it done right then and there,**  
 9 **persisting about it, and rude and mean. It wasn't like**  
 10 **he --**  
 11 Q What did you sweep the dust into? You had to  
 12 go get something, a broom or dust pan --  
 13 A **I grabbed the wipies right there.**  
 14 Q What?  
 15 A **I grabbed the wipies that were in the office,**  
 16 **yes.**  
 17 Q That was after you picked up the stuff off the  
 18 floor. There's drywall, you said. There's dust outside  
 19 in the hallway.  
 20 A **Uh-huh.**  
 21 Q You don't do that with wipies.  
 22 A **Well, I had to. I did it. I put it in the**  
 23 **trash can. Yes, I did.**  
 24 Q Okay, so you chose to do it by wipies.  
 25 A **Yes.**

1 Q What did you do with the drywall pieces?  
 2 A **Put that in the trash can.**  
 3 Q How did you get it in the trash can?  
 4 A **With the wipies. It wasn't that -- it's not**  
 5 **big chunks of it. It's, you know...**  
 6 Q When you say wipies, I'm thinking about these  
 7 little six by six inch --  
 8 A **Right.**  
 9 Q -- wet rags.  
 10 A **They come in a long --**  
 11 Q Yeah. And you pull them out like Kleenex?  
 12 A **Right.**  
 13 Q So you're picking up chunks --  
 14 A **I use wipies for a lot of stuff.**  
 15 Q You what?  
 16 A **I use the wipies for a lot of things, all the**  
 17 **time.**  
 18 Q Okay. So that wasn't the first time you used  
 19 wipies?  
 20 A **Right.**  
 21 Q So you got down on your knees to use the wipies  
 22 first. You testified earlier, the first thing you did  
 23 was you figured out, you got to go in the office and  
 24 start cleaning there before you went to clean the  
 25 outside.

1 MS. FOLEY: No, she's not changing her mind.  
 2 I'm listening attentively.  
 3 If you don't remember her answer, ask, please,  
 4 your reporter to read it to you. But you kept asking 10  
 5 times the same question. It's just not fair. And I  
 6 object to that.  
 7 BY MR. MAZUREK:  
 8 Q So you allege everyone laughed at you.  
 9 "Everyone would laugh at her in order to discriminate."  
 10 A **Yeah.**  
 11 Q So "everyone" is who?  
 12 A **The ones that are in the office.**  
 13 Q What?  
 14 A **The people that are in the office, the three**  
 15 **that you just wrote down.**  
 16 Q Robin, Jeannie --  
 17 A **Uh-huh.**  
 18 Q -- and Nissim?  
 19 A **Uh-huh.**  
 20 Q I wrote this down, "Robin and Nissim  
 21 laughed" -- no, "Robin and Jeannie laughed." You didn't  
 22 say Nissim.  
 23 A **No.**  
 24 Q Now you're saying Nissim --  
 25 A **No, I don't know if he laughed. He was**

1 Q And once you chose that, you got to go on your  
 2 knees. You can't stand up and do it.  
 3 A **I can't bend that well, yes.**  
 4 Q Yeah, you can't. So you chose the wipies. You  
 5 had to get the wipies from some other place you said  
 6 previously?  
 7 A **No, his office. His office had wipies in it.**  
 8 Q Don's office had wipies in it?  
 9 A **Yes.**  
 10 Q I thought you testified that you went to get  
 11 the wipies and something else?  
 12 A **(Witness shakes head.)**  
 13 Q No? The wipies were in Don's office?  
 14 A **I'm sure there was, yes.**  
 15 Q What?  
 16 A **Yes.**  
 17 Q How could you tell they were --  
 18 A **I don't know how they got there.**  
 19 Q Maybe the day before you --  
 20 A **No --**  
 21 Q Okay.  
 22 A -- **I don't how they got there.**  
 23 Q But they were there?  
 24 A **They were there. I had them in my hand. I**  
 25 **don't recall how --**

1 A **Okay. And then he said to come do this.**  
 2 Q What?  
 3 A **I'm sorry. And then he said, "Come over here**  
 4 **and do this. Do it," to wipe it out.**  
 5 Q When you say "it," you mean outside?  
 6 A **The mess, the mess, yes, the mess.**  
 7 Q Well, there's the mess inside too.  
 8 A **Yes.**  
 9 Q So we're talking about the mess -- the first  
 10 thing you cleaned -- no, actually, you started cleaning  
 11 the inside first, you said?  
 12 A **Yes.**  
 13 Q You said, "This is crazy. I got to clean the  
 14 inside first," which makes sense. So you started  
 15 cleaning the inside first. And then what? Nissim comes  
 16 to your doorway?  
 17 A **He's standing there waiting.**  
 18 Q Standing there waiting for you to finish?  
 19 A **For me to do it -- no, for me to clean it.**  
 20 Q To clean the outside?  
 21 A **Right, to get it done.**  
 22 MS. FOLEY: Counsel, I really object to the way  
 23 how you're questioning my client. You repeat every  
 24 question 10,000 times.  
 25 MR. MAZUREK: Because she's changing --

1 **standing behind me. I'm not saying he laughed.**  
 2 MR. MAZUREK: would you read that back again so  
 3 counsel don't get ticked off again. What did she say?  
 4 (Record read.)  
 5 BY MR. MAZUREK:  
 6 Q Yes, and I wrote down "Robin, Nissim, and  
 7 Jeannie." Now you're telling me Nissim did not --  
 8 A **I didn't see that he was laughing. He was**  
 9 **behind me. I don't know. All I know is that it was**  
 10 **awkward. It was not --**  
 11 Q So you don't know?  
 12 A **Okay. The whole situation wasn't right,**  
 13 **normal.**  
 14 Q Okay, so it's not me. So I'm going to cross  
 15 off "Nissim."  
 16 A **Okay.**  
 17 Q All right. Let's go back to the pleadings.  
 18 "Would laugh at her in order to" -- they laughed at you  
 19 in order to discriminate. What do you mean? How did  
 20 they discriminate against you?  
 21 A **The tension inside the office that day was --**  
 22 Q I didn't hear that first word.  
 23 A **The tension --**  
 24 Q Tension or attention?  
 25 A **Like a tension --**

1 Q Oh, like uptight?  
 2 A Okay, right.  
 3 Q Okay, tension, not attention.  
 4 A I'm sorry, not their attention. The tension,  
 5 like you said, was already -- however you want to say  
 6 it -- awkward and weird and not right.  
 7 It wasn't -- you could tell that they were kind  
 8 of ignoring me. It wasn't themselves -- they wasn't  
 9 themselves. Everything was a little weird. I can't  
 10 explain it any other way, but it wasn't right.  
 11 Now, this is what -- I was in the second  
 12 office, which is, what, James's, James's office, right?  
 13 Yes. Jeff's office, excuse me.  
 14 Q Where's Jeff's office?  
 15 A (Witness indicating.)  
 16 MR. MAZUREK: We'll make this an exhibit.  
 17 You'll get a copy.  
 18 MS. FOLEY: Yes, because I won't remember.  
 19 (Defendants' Exhibit No. 1  
 20 was marked for identification.)  
 21 THE WITNESS: I couldn't clean Robin's office  
 22 at first because she was in there, okay, getting her  
 23 work done. So to go to Jeff's office would be the next  
 24 office.  
 25 As I'm cleaning Jeff's office, and I can hear

1 or something, but that's it.  
 2 So I thought, "Hmm, okay." Then that's when it  
 3 just gets weird. So I'm walking down --  
 4 Q Next room is youth pastors --  
 5 A Right. So I go into there. I spend 10 minutes  
 6 in there. Then Jeannie says -- Jeannie tells me, "Okay,  
 7 that's enough time in there, Victoria."  
 8 "Okay."  
 9 Q Where's Jeannie when she --  
 10 A Jeannie's still in this reception area right  
 11 here (indicating).  
 12 Q The next room you're in is the youth pastors  
 13 room?  
 14 A Uh-huh.  
 15 Q Yes?  
 16 A Yes.  
 17 Q While you're in the youth pastor room, Jeannie  
 18 comes to your doorway in the youth pastors --  
 19 A I don't know if she came to the doorway or not.  
 20 I know she can stand up from right here (indicating),  
 21 and you can see right in there. You can see --  
 22 Q From the reception area --  
 23 A You can see --  
 24 Q Wait, you've got to let me finish so I can get  
 25 this on the record --

1 Q You're in there about 10 minutes, you think,  
 2 you said?  
 3 A About that. Not very long at all. Not like I  
 4 would spend usually.  
 5 Q "That's enough time in there, move on,"  
 6 something like that?  
 7 A Something like that.  
 8 Q And when you moved on, the next one is Don's --  
 9 A I think I put that stuff back.  
 10 Q What stuff?  
 11 A The stuff that I had to do the floors with, for  
 12 his office. Whatever I brought in to clean with, I  
 13 think I put it back -- to go back into the closet. I  
 14 don't --  
 15 Q We're not at that part yet, because you go in  
 16 here (indicating). Let's start from the office back  
 17 here (indicating).  
 18 You're done with the youth pastor. She tells  
 19 you, "Okay, that's enough time in there." Next, you go  
 20 to Don's office, right?  
 21 A Not yet.  
 22 Q Not yet?  
 23 A No.  
 24 Q Where did you go?  
 25 A Not until Nissim tells me to clean it up.

1 Robin through the wall. Okay? And she's talking to a  
 2 cleaning service, right? And that she would call them  
 3 back.  
 4 And then I come out to say to her, "Oh, you're  
 5 going to use a cleaning service?"  
 6 And she said, "It was a wrong number."  
 7 That's where it gets weird through the day, or  
 8 that the tension gets weird.  
 9 BY MR. MAZUREK:  
 10 Q When did this happen, the cleaning service  
 11 conversation?  
 12 A Whenever the phone rang, and she was -- I could  
 13 hear her. The walls are very thin, and you can hear her  
 14 talking.  
 15 Q So you had already started cleaning this --  
 16 A I was about -- yes.  
 17 Q -- this section?  
 18 A Yes.  
 19 Q And so did you clean anything when the  
 20 conversation occurred?  
 21 A No. It didn't really need anything. I just  
 22 went in there to check. He has a brand new office with  
 23 his things inside there already. So he didn't need  
 24 anything to be done. He just moved in, and everything  
 25 was pretty clean. Maybe just the trash to be taken out

1 A Okay.  
 2 Q -- to make a clear record.  
 3 Jeannie's in the reception -- in her room, her  
 4 office. And she says, from her office down to the youth  
 5 pastors office, what you say she can see into --  
 6 A Correct.  
 7 Q -- while you're in the youth pastors office --  
 8 A I'm sorry, can we just -- one second. Can we  
 9 ask the lady for the ice pack, please? I have an ice  
 10 pack that I brought, and it's starting to tighten up  
 11 really bad.  
 12 Q Okay.  
 13 A You can keep going --  
 14 Q No, I don't want to. Let's go off the record.  
 15 (Short recess taken.)  
 16 MR. MAZUREK: Okay, back on the record.  
 17 Q You're still under oath, you understand?  
 18 A Yes.  
 19 Q Okay. So if Jeannie comes -- if Jeannie's in  
 20 her office when she says to you -- and you think she can  
 21 see into the youth pastor room where you're at --  
 22 A Right.  
 23 Q -- she says what?  
 24 A "That's enough time in there," which I don't  
 25 get.

1 Q When Jeannie says, "That's enough time in  
 2 there" --  
 3 A Uh-huh.  
 4 Q Yes?  
 5 A Yes, sorry.  
 6 Q And "there" is the youth pastors room, then  
 7 what did you do?  
 8 A As I recall, I go back to put my stuff back  
 9 into the closet because I can't leave anything out.  
 10 They've written me up already if I leave anything out.  
 11 So I'm putting everything away, to make sure  
 12 everything's put away.  
 13 Q Oh, you interpreted that to mean, you're done  
 14 for the night?  
 15 A No.  
 16 Q Why would you put it back if you have more --  
 17 A Exactly. Because that's what I was told to do,  
 18 to make sure that -- I can't leave anything out.  
 19 Q Wait a minute. This is the first time you're  
 20 saying someone told you to do this.  
 21 A No.  
 22 Q Who told you to put the stuff back in the  
 23 closet? This is the first time I'm hearing this.  
 24 A It's written down, if you'd like to see it.  
 25 Q I'm not going through this whole record, so

1 let's --  
 2 **A Okay. I'm just trying to make Jeannie happy.**  
 3 Q Let me ask the questions. The way we play this  
 4 game is I ask the questions, and you give the answers.  
 5 And then we're done. Okay?  
 6 **A Okay, sorry.**  
 7 Q Jeannie says, "That's enough. You're done.  
 8 That's enough time in there," meaning the youth pastors  
 9 room. So you leave the youth pastors room. And you're  
 10 supposed to go to Don's. But before you go to Don's,  
 11 you go to the closet --  
 12 **A Not necessarily.**  
 13 Q Okay.  
 14 **A He's working in his office, right?**  
 15 Q Who's "he"?  
 16 **A Nissim. So if he's down in the office --**  
 17 Q His office?  
 18 **A In Don's office.**  
 19 Q Where's Nissim's office?  
 20 **A He doesn't work there.**  
 21 Q When you're saying "his," you're referring to  
 22 Don's --  
 23 **A Yes.**  
 24 Q -- that Nissim's working in Don's office?  
 25 **A Yes.**

1 **A Jimmy's office.**  
 2 Q Jimmy's --  
 3 **A Jeff has carpet.**  
 4 Q But then Robin stopped you -- I mean Jeannie  
 5 stopped you. And you said she said, "You spent enough  
 6 time in there." She didn't tell you what to do next?  
 7 What you chose to do next was to return stuff to the  
 8 closet, right?  
 9 **A Yes.**  
 10 Q Why would you do that if you had to clean Don's  
 11 next?  
 12 **A I don't -- he's in there. Nissim is inside the**  
 13 **office. I'm sure I had other things to do, like I could**  
 14 **have went to Eric's office. I could have went to the**  
 15 **bathroom. I could have went to where we had our staff**  
 16 **meetings.**  
 17 **There's three different places I could have**  
 18 **gone to. I don't know. Okay? But I know that he was**  
 19 **in there working in that one. And the guys were**  
 20 **working.**  
 21 Q Okay.  
 22 **A Also in Eric's office too. I think they were**  
 23 **putting up a shelf thing -- a desk thing.**  
 24 Q So in other words, you're afraid to go in Don's  
 25 office because things were tense. So you decided to go

1 says, "That's enough time in there?"  
 2 **A Probably put my stuff back into the closet.**  
 3 **Okay?**  
 4 Q Okay.  
 5 **A The wax stuff or the stuff for the wooden**  
 6 **floors, the special things we had to use for the wooden**  
 7 **floors, like a wax thing on it, or whatever, to shine.**  
 8 **Okay?**  
 9 Q Were you asked to wax Jimmy's floor?  
 10 **A Was I asked?**  
 11 Q Yes.  
 12 **A I don't recall if I was being asked or not.**  
 13 **Jimmy, he just got his stuff all done. And I told him**  
 14 **that I think I was going to do that probably a time**  
 15 **before that.**  
 16 Q All right. So you went back -- again, for the  
 17 last time --  
 18 **A Okay.**  
 19 Q -- you went back and put stuff in the closet.  
 20 Then what did you do?  
 21 **A (No response.)**  
 22 Q We're still not where you're getting down on  
 23 your knees in Don's office. We're not there yet?  
 24 **A So I think I'm going back up to Jeannie now at**  
 25 **this point to ask --**

1 Q I thought you meant Nissim's office.  
 2 **A I understand, okay.**  
 3 Q Nissim is working inside Don's office?  
 4 **A Doing something, yes.**  
 5 Q Doing something. You leave the youth pastors  
 6 room. And then what do you do?  
 7 **A I assume I'm putting my stuff back into the**  
 8 **closet.**  
 9 Q Don't assume.  
 10 **A I'm putting my stuff back into the closet.**  
 11 Q So you pass up Don's room, and you're putting  
 12 stuff in the closet?  
 13 **A Uh-huh.**  
 14 Q Right?  
 15 **A Correct.**  
 16 Q Which was the wipes --  
 17 **A No.**  
 18 Q -- I think you said. What did you put in the  
 19 closet?  
 20 **A Probably the wax stuff to wax the floors. I**  
 21 **wanted to do his floors because he was ready to have his**  
 22 **floors done next.**  
 23 Q Don was?  
 24 **A No, Jim's ---**  
 25 Q Jeff?

1 to the closet?  
 2 **A No.**  
 3 Q No? All right, let's go back.  
 4 When Jeannie says to you, while you were in the  
 5 youth pastors office, "That's enough time in there" --  
 6 right?  
 7 **A Right.**  
 8 Q (Continuing) -- you took that to mean, what,  
 9 move on to the next office, or drop the whole thing and  
 10 go home?  
 11 **A No, not go home.**  
 12 Q What did you think -- normally, you would have  
 13 gone to Don's office next, right, but you didn't because  
 14 Nissim is in there?  
 15 **A They're redoing offices. They're doing**  
 16 **construction in the offices. They're re --**  
 17 **Q Right.**  
 18 **A Okay? So it was different times for different**  
 19 **things for the offices. Certain things were getting**  
 20 **done in certain offices -- rearranging, redoing it. I**  
 21 **don't know what we were all doing, exactly what office**  
 22 **and what time. Michelle got new things. Eric was**  
 23 **getting new things. Everybody was getting new stuff.**  
 24 **That was the thing, you know?**  
 25 Q Okay. So what did you do next when Jeannie

1 Q Going back to Jeannie's office?  
 2 **A Yes, to ask what she wanted me to do. I have**  
 3 **to ask Jeannie what she wants me to do. She's my boss**  
 4 **now. So whatever she wants me to do, and how she wants**  
 5 **me to do it, that's what I do.**  
 6 Q So you go to Jeannie's office or what?  
 7 **A I guess -- yes. I mean, yes, that's it.**  
 8 Q All right. You go to Jeannie's office, so  
 9 what's next? I'm paraphrasing you.  
 10 **A Yes. I don't know who was next, because they**  
 11 **had me go in so many different directions that day.**  
 12 Q No, I'm saying you went to ask Jeannie, "What  
 13 do you want me to do next," because everything's  
 14 changed.  
 15 **A Yeah, on my way up there, and then to turn**  
 16 **around to have him tell me to clean that part.**  
 17 Q What?  
 18 **A Jeannie didn't say not to do it or anything**  
 19 **either, so...**  
 20 Q So then what happened after you asked Jeannie?  
 21 **A (No response.)**  
 22 Q What did Jeannie say?  
 23 **A No, I didn't get that far, I don't think. I**  
 24 **didn't get that far.**  
 25 Q You didn't get that far because why?

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1 A See, Nissim tells me to come down there to do  
2 it. And I said, "I'll get to it after I'm going to go  
3 see what" --  
4 Q Wait, wait. Nissim's in Don's office. He sees  
5 you and says what?  
6 A I'm probably walking back towards the office --  
7 Q Yeah.  
8 A -- okay?  
9 Q And Nissim is in Don's office?  
10 A Yes. He was standing outside of it at this  
11 point.  
12 Q Okay. And then what?  
13 A I think Robin's asking me for a phone number or  
14 something too at the same time -- or something is going  
15 on, too. But when I get half way to the -- when I get  
16 to around like right here (indicating) --  
17 Q Where?  
18 A -- this area (indicating).  
19 Q This area in the hallway?  
20 A Yeah, like right down there (indicating), then  
21 he --  
22 Q Wait, wait. I got to describe it. I got to  
23 describe it for the record.  
24 A Okay.  
25 Q Nobody sees this except me.

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1 A In the middle.  
2 Q In the hallway (indicating)?  
3 A Go up.  
4 Q (Counsel indicating.)  
5 A Keep going (indicating).  
6 Q Oh, you're already past Don's office?  
7 A Yes.  
8 Q Okay.  
9 A I remember looking down the hall at him.  
10 Q You looked behind you?  
11 A Uh-huh.  
12 Q Yes?  
13 A Yes, when he asked me to clean it, yes, I'm  
14 right there (indicating).  
15 Q So you looked behind you, and Nissim says,  
16 "Now," or something like that?  
17 A (Witness nods head.)  
18 Q So you go back there, right?  
19 A After the second time, yes.  
20 Q What was the second time?  
21 A After he said it twice, yes.  
22 Q Okay, we made it that far.  
23 A Uh-huh.  
24 Q So we've already gone through what you did in  
25 Don's office. We went through that.

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1 A I don't -- just when Jeannie called me out of  
2 the office, before I was done doing the floors and  
3 stuff. So I probably went over to Jeannie to see what I  
4 would do next.  
5 Because now I'm so confused about what's going  
6 on with everything. It's like I'm here. I'm over  
7 there. I'm back here. They want me back there. I mean  
8 I'm not doing my normal routine or, you know, what I do.  
9 Q Reading between the lines -- I'm reading your  
10 pleadings -- if I'm not reading it wrong, it says all  
11 that misconduct, laughing at you and everything, was  
12 done in order to discriminate.  
13 Do you know what discriminate means?  
14 A To make fun of?  
15 Q Is that what you think it means?  
16 A Uh-huh, discriminate, to take -- to put  
17 somebody out of the group, discriminate. You know, like  
18 can I use it --  
19 Q It doesn't matter whether you're right or  
20 wrong -- you can't be wrong.  
21 A Oh, okay.  
22 Q I just want to know what your definition is.  
23 A Okay.  
24 Q It means different things to different people.  
25 A Yes, or pick you out of the group.

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1 A Oh, okay.  
2 MR. MAZUREK: She's pointing to the area  
3 between Jeff's office and the bathroom.  
4 Q Right?  
5 A Yes.  
6 Q Okay. In the hallway, between Jeff's office  
7 and the bathroom, you're there. Then what happened?  
8 A That's when he asked me or tells me -- asked me  
9 to do that.  
10 Q Who, Nissim?  
11 A Nissim.  
12 Q Nissim asked you to go to Don's office?  
13 A To come clean this.  
14 Q To come clean Don's office?  
15 A He points down, yes.  
16 Q That's outside the door?  
17 A Right.  
18 Q Okay. You go there?  
19 A No, not at first. He had to say it twice. I  
20 told him I would do it. After I got my stuff done, I  
21 would get to it.  
22 And he said, "No, now. It needs to be done."  
23 Q Nissim says, "No, it needs to be done now."  
24 And Nissim's here (indicating), right outside Don's door  
25 when he says that. And you're where?

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1 A Yeah, right.  
2 Q Okay.  
3 A But...  
4 Q But what?  
5 A Are we starting over again to do it?  
6 Q No, no. That's why I said that, because I'm  
7 not going to do that again. I think that's pretty clear  
8 in everybody's mind what happened.  
9 A Okay.  
10 Q After you're done with Don's office, then what  
11 did you do?  
12 A Go to Robin's office.  
13 Q Why did you do that?  
14 A Because I wanted to ask her, "What's up? What  
15 was that all about?"  
16 Q So you did that; you went inside Robin's  
17 office?  
18 A Yes.  
19 Q Okay. When you said, "What's that all about,"  
20 the "that" is --  
21 A She just kind of shrugged it off like, "I don't  
22 know" and ignored me a little bit.  
23 Q So you're here now (indicating). Robin says,  
24 "I don't know what that's all about."  
25 Then what did you do?

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1 Q Take them out of the group?  
2 A Discriminate.  
3 Q That's what you said?  
4 A Yeah.  
5 Q Okay, partially, yeah. That's partially my  
6 definition.  
7 So the people that discriminated are Robin and  
8 Jeannie? Robin wasn't your supervisor, right?  
9 A No, she -- no.  
10 Q The only one in your mind that has authority to  
11 tell you what to do on August 30th, that was there, was  
12 Jeannie?  
13 A Correct.  
14 Q So on August 30th when this happened, Eric  
15 didn't do anything regarding discrimination? He wasn't  
16 even there, right?  
17 A Correct.  
18 Q Okay. Now, using your definition, Jeannie  
19 picked you out of the group to wash the floor? What did  
20 Jeannie pick you out of the group to do? How did she  
21 discriminate?  
22 A I'm sorry, read the sentence? I don't know  
23 what you're saying.  
24 Q The only one that could discriminate against  
25 you that night --

1 A **That day.**  
 2 Q Yeah, that day, between noon and six, pretty  
 3 much we agreed on, was Jeannie.  
 4 What did Jeannie do to pick on you?  
 5 A **I don't understand what you mean. If it's only**  
 6 **Jeannie --**  
 7 Q Well, who --  
 8 A **Where do you get that?**  
 9 Q Who else picked you out of the group to  
 10 discriminate, to pick on you, so to speak, like you  
 11 said?  
 12 A **Who did? I don't understand what you're**  
 13 **saying.**  
 14 Q Who picked on you? Who discriminated against  
 15 you?  
 16 A **Okay, they were putting me in different**  
 17 **directions that day. Okay?**  
 18 Q You said "they," that means more than one.  
 19 A **Robin, Jeannie. And then Nissim asked me to do**  
 20 **this. I was going every which way, okay? And I was**  
 21 **getting fragile and scared at the same time.**  
 22 I was getting very -- I didn't want to get  
 23 anybody upset. And anything that I could do to deal  
 24 with what they were telling me to do, I'm doing it.  
 25 Q Okay.

1 A **Nissim.**  
 2 Q -- discriminated against you. They just said  
 3 you were forced to do this. And I'm looking for a "by  
 4 whom." So now I'm looking for --  
 5 A **Nissim.**  
 6 Q -- who sexually harassed you on August 30th --  
 7 A **No.**  
 8 Q -- if anyone. If no one, that's okay, too.  
 9 A **There's no one on that day, on that incident**  
 10 **that's happening when we're cleaning the floor.**  
 11 Q Okay.  
 12 A **Okay?**  
 13 Q Well, I'm not making this up. It says here,  
 14 "sexually harassed."  
 15 MS. FOLEY: She already answered. If I can  
 16 help you, I'll help clarify the issue.  
 17 MR. MAZUREK: Help me?  
 18 MS. FOLEY: Did you feel harassed?  
 19 THE WITNESS: Yes.  
 20 MR. MAZUREK: Sexually harassed?  
 21 THE WITNESS: Not sexually.  
 22 MS. FOLEY: Do you feel that that harassment  
 23 came after you disclosed sexual harassment to the  
 24 police?  
 25 THE WITNESS: The pastor.

1 BY MR. MAZUREK:  
 2 Q Bottom line is, Pastor Leigh wasn't even there  
 3 on August 30, correct?  
 4 A **Correct.**  
 5 Q Okay.  
 6 MS. FOLEY: But mistreatment was there.  
 7 BY MR. MAZUREK:  
 8 Q Obviously, if Pastor Leigh wasn't there on  
 9 August 30th, he could not have mistreated her --  
 10 MS. FOLEY: He couldn't have mistreated her,  
 11 but the rest of the staff and the church mistreated her.  
 12 MR. MAZUREK: You chose to --  
 13 MS. FOLEY: I'm not arguing with you. You can  
 14 continue your line of --  
 15 THE REPORTER: Excuse me --  
 16 MR. MAZUREK: You're accusing people of  
 17 sexually harassing her --  
 18 MS. FOLEY: I'm not accusing people. I'm  
 19 referring to her statement --  
 20 MR. MAZUREK: It's right here --  
 21 THE REPORTER: I'm not getting either of you --  
 22 MS. FOLEY: I'm referring to her state of mind,  
 23 how she received that.  
 24 MR. MAZUREK: I asked her --  
 25 Q On August 30th, the events on that day, did you

1 A **Do you see what I'm saying?**  
 2 Q Yeah.  
 3 A **So I don't --**  
 4 Q Who sexually harassed you on that day? Were  
 5 you sexually harassed on that day? August 30th, I'm  
 6 talking about.  
 7 A **I wasn't -- I don't know what you're talking**  
 8 **about, no. What do you mean?**  
 9 Q Well, this claim here -- you've got three  
 10 claims.  
 11 A **Right.**  
 12 Q Two, what we call continuing trauma injuries,  
 13 discrimination, sexual harassment, occurred over a  
 14 period of time. That's what we call a continuing  
 15 trauma. Why there's two of them, I don't know. And  
 16 that's not what we're talking about here.  
 17 The third claim you have is what we call a  
 18 specific injury, on one specific day.  
 19 A **Uh-huh.**  
 20 Q Yes, right? These people forced you to do all  
 21 this stuff. On August 30th, you were forced -- to use  
 22 the passive voice, because we don't know who did this --  
 23 they didn't use any names. They didn't say, "Robin"  
 24 whatever her name is, and "Jeannie" so and so, and the  
 25 other fella --

1 MR. MAZUREK: Police?  
 2 MS. FOLEY: Pastor. Would you say that this  
 3 harassment that you've been experiencing was  
 4 continuation of your disclosure related to sexual  
 5 harassment by the pastor?  
 6 THE WITNESS: Yes.  
 7 BY MR. MAZUREK:  
 8 Q Which pastor?  
 9 MS. FOLEY: That would be Leigh.  
 10 BY MR. MAZUREK:  
 11 Q Pastor Leigh?  
 12 A **Yes.**  
 13 MS. FOLEY: Yes.  
 14 MR. MAZUREK: Okay.  
 15 MS. FOLEY: Have you been treated, as you've  
 16 been treated on that day, before you disclosed your  
 17 sexual harassment situation?  
 18 THE WITNESS: No.  
 19 MS. FOLEY: So your mistreatment, as you  
 20 described it, happened after you disclosed what  
 21 happened?  
 22 THE WITNESS: Yes.  
 23 MR. MAZUREK: What happened when? On  
 24 August 30th?  
 25 MS. FOLEY: No.

1 feel sexually harassed by anyone on that day?  
 2 A **Not sexually harassed, no. I'm wondering if**  
 3 **Jeannie had said something maybe about my clothing.**  
 4 **Maybe that's what that was about, I don't know.**  
 5 Q Let's say Jeannie said something about your  
 6 clothing --  
 7 A **Right.**  
 8 Q -- but you don't know if she did, right?  
 9 A **I can't remember if it was that day or not.**  
 10 **I'm sorry, I apologize. That's the only thing that I**  
 11 **can think of.**  
 12 Q Even if Jeannie said something about your  
 13 clothing --  
 14 A **Uh-huh.**  
 15 Q -- how is that sex harassment?  
 16 A **Well, it's hot out. And it's September. And I**  
 17 **probably wore shorts. And if I'm bending over, it's not**  
 18 **very proper -- you see what I'm saying? So maybe --**  
 19 **that's the only thing that I can think of that would be.**  
 20 Q Did that happen on August 30th?  
 21 A **Well, September, it's hot. And I'm just**  
 22 **assuming --**  
 23 Q It's not September. It's August 30th.  
 24 A **August, September, it's hot. I don't know.**  
 25 **It's the only thing I can think of is what I'm saying.**

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1 Q So it would be sex harassment if you were  
2 wearing shorts? You don't know what you were wearing  
3 that day, right?  
4 A **I don't recall.**  
5 Q And you don't even know if you were sexually  
6 harassed on that day, right?  
7 A **Correct.**  
8 Q You don't think you were?  
9 A **No.**  
10 Q You don't remember --  
11 A **No.**  
12 Q You remember a lot of things in detail for  
13 August 30th, but you don't remember what you were  
14 wearing, or who, if anybody, sexually harassed you,  
15 right?  
16 A **Correct, or what I was wearing.**  
17 Q Next, it says "Caused applicant severe stress."  
18 So the events of August -- and other things too, but  
19 events of August 30 is what we're focusing on today.  
20 That caused you stress, right?  
21 A **Yes, it did.**  
22 Q And that event, August 30th, that date,  
23 August 30th, you already had psychological stress going  
24 on from your auto accident, right?  
25 A **I've been going through that, way before the**

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1 Q Okay. You had stress from the auto accident  
2 from 6/17, two months earlier. That's going on --  
3 A **Stress.**  
4 Q The stress is going on --  
5 A **Trying to get --**  
6 Q -- when August 30th happens, which is more  
7 stress, right?  
8 A **It was stressful at the auto accident, I guess,**  
9 **is what you're saying?**  
10 Q Right.  
11 A **It didn't help, correct.**  
12 Q Right.  
13 A **Uh-huh.**  
14 Q Okay. Depression, you already were depressed  
15 from the auto accident of 6/17, right?  
16 A **For the auto accident -- before the auto**  
17 **accident.**  
18 Q Yes, for the auto accident. You're  
19 apportioning --  
20 MS. FOLEY: She said she was depressed before  
21 the auto accident.  
22 THE WITNESS: Anxiety.  
23 BY MR. MAZUREK:  
24 Q Before the auto accident?  
25 A **Yes.**

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1 MS. FOLEY: Yes.  
2 BY MR. MAZUREK:  
3 Q Before August 30th, 2017, weren't you counseled  
4 about poor work performance?  
5 A **Yes.**  
6 Q And who counseled you about poor work  
7 performance?  
8 A **Counseled or spoke to, Eric did. First time,**  
9 **Eric was there.**  
10 Q Eric Wayman?  
11 A **Yes.**  
12 Q The gentleman in the room here?  
13 A **Yes.**  
14 Q And Mr. Wayman counseled you about poor work  
15 performance, attendance?  
16 A **Uh-huh.**  
17 Q Anything else?  
18 A **About the hours that I would be working.**  
19 Q This happened in 2017, right?  
20 A **I don't have the paper with me. I don't know**  
21 **which time you're talking about. It happened four**  
22 **different times that they wrote me up.**  
23 Q Four different times?  
24 A **Uh-huh.**  
25 Q When you say "they," was all four -- was Eric

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1 **auto accident.**  
2 Q That's August 30th. We're talking about the  
3 specific. We'll get to the CTs. I know this is work  
4 comp terminology, but we'll get to those other two  
5 claims that happened over a period of time later. But  
6 today, I want to focus on the specific injury. And  
7 we're doing a good job. We're almost there.  
8 So the events of -- you admitted that you were  
9 already having stress from your auto accident before  
10 August 30th, correct?  
11 A **I admitted what?**  
12 Q You had stress, psychological stress from your  
13 auto accident before August 30th. Isn't that what you  
14 told the doctors?  
15 A **Okay, one more time. That I had the stress**  
16 **before?**  
17 Q You had psychological stress as a result of the  
18 6/17/17 auto accident, which was before August 30th. So  
19 when this event happened, you were already undergoing  
20 stress.  
21 A **Which event? This event or the auto accident?**  
22 Q Yes, first comes the auto accident --  
23 A **The auto accident --**  
24 Q -- and then August 30th --  
25 A **Right.**

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1 Q Is that what you said? That's what your  
2 counsel said you said.  
3 A **Yes, before.**  
4 Q Okay. From the continuing trauma activities is  
5 what you're saying?  
6 A **No. I don't understand what you mean.**  
7 Q I'm on August 30th. We do what we call  
8 apportionment here.  
9 On August 30th, you had depression from three  
10 things; the events of August 30th, the auto accident,  
11 and the events of the continuing trauma from your  
12 incidents at work before August 30th.  
13 A **The treatment at work, you mean?**  
14 Q Yes.  
15 A **Correct. From certain people, yes.**  
16 Q All right.  
17 MS. FOLEY: I apologize, Counsel, but there was  
18 a mistake. It's not "sleep depression." It's "sleep  
19 deprivation."  
20 MR. MAZUREK: There's no comma there.  
21 MS. FOLEY: No. It's sleep deprivation. And  
22 we'll file to amend the application. We'll correct  
23 that.  
24 MR. MAZUREK: When you say, "the application,"  
25 the 8/30 date of injury application, right?

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1 Wayman involved in all four write-ups?  
2 A **Well, he had to be, yes.**  
3 Q What?  
4 A **Yes.**  
5 Q Did you feel that these write-ups were fair?  
6 A **No.**  
7 Q Did you think any of them were fair?  
8 A **Yes --**  
9 Q So which --  
10 A **-- the last one.**  
11 Q So speaking of fair, is it fair to say you  
12 didn't think all of them were unfair?  
13 A **The last one, I understood.**  
14 Q The last one was fair, out of the four?  
15 A **I understood.**  
16 Q You understood?  
17 A **I understood.**  
18 Q My question is, was it fair. You understood  
19 why they were doing it, because it was a fair criticism?  
20 A **I don't like the word "fair."**  
21 Q Well, I get to choose the word here.  
22 A **Okay.**  
23 Q If you don't think it's fair, then say so.  
24 It's okay.  
25 Were all four write-ups fair in your mind?

1 A No.  
2 Q Were any of them fair, in your mind, the  
3 write-ups?  
4 A No, in my mind.  
5 Q Okay. Your attorney filed a new application  
6 alleging, on a continuing trauma basis, the brain and  
7 nervous system. In other words, your attorney says  
8 you're saying that misconduct by the church -- or  
9 something by the church members, not the whole church --  
10 caused injury to your brain.  
11 I know you're not a mind reader, and you didn't  
12 write this, your counsel did, but do you feel your brain  
13 was injured by what you think is misconduct?  
14 A I think I went through something.  
15 Q So when you say "brain," you're not talking  
16 about the physical part of the brain; you're talking  
17 about the psyche, the psych -- kind of like another word  
18 for psych?  
19 A Yes.  
20 Q Okay.  
21 A Yes, psych.  
22 Q You're not alleging that your --  
23 MS. FOLEY: Hit her head, no.  
24 BY MR. MAZUREK:  
25 Q See when I saw concussion from the auto

1 the auto accident. That's because she didn't say  
2 anything.  
3 THE WITNESS: Excuse me --  
4 MR. WAYMAN: It was not the auto accident.  
5 THE WITNESS: Uh-huh.  
6 MR. MAZUREK: Okay. You know what, just in  
7 case we don't have time, if you want, we can continue,  
8 but I don't want you to not have any time. And me just  
9 saying, "Bye."  
10 So if you want to ask some questions, I'll  
11 defer to you at this time, just in case we have to get  
12 out of this place.  
13 MS. FOLEY: Yeah, I do have some questions, but  
14 I don't want to --  
15 MR. MAZUREK: Oh, you want me to finish first?  
16 MS. FOLEY: I don't know when you feel that you  
17 are done.  
18 MR. MAZUREK: You better go ahead, because I  
19 don't think we're going to finish today.  
20 Off the record.  
21 (Discussion held off the record.)  
22  
23 EXAMINATION  
24 BY MS. FOLEY:  
25 Q We already established that you saw Dr. Shah in

1 Q How would you describe that feeling?  
2 A I was slow. Words would not come to me right  
3 away. I mean I could -- I couldn't even think of the  
4 word "cake," for instance. I'm just saying things  
5 weren't coming out right. And it wasn't getting better.  
6 So I was -- yeah.  
7 Q And you started noticing that specifically  
8 after the auto accident?  
9 A Yes.  
10 Q Okay. Do you remember your first appointment  
11 with Dr. Shah?  
12 A A little bit; not so much.  
13 Q Do you remember how much -- how long  
14 face-to-face time, approximately, did you have at that  
15 time?  
16 A The first time, I don't remember. Truthfully,  
17 I don't remember. I remember like he checked the body  
18 parts. And I couldn't answer a lot of the questions.  
19 Q Was it 10 minutes, 30 minutes?  
20 A I'm going to say, I recall about 15 minutes.  
21 Q The first appointment?  
22 A Maybe, yes.  
23 Q And the second appointment, if you remember?  
24 A Then it was quick. He seemed to be very busy;  
25 in and out.

1 accident, that's why I thought, "Well, maybe that's what  
2 she's talking about, the brain," because a concussion  
3 kind of involves the brain.  
4 MS. FOLEY: If I may, my suspicion was there  
5 might be some neurological issue. And that referred to  
6 the brain, not the physical injury. But that's for her  
7 doctor to determine.  
8 MR. MAZUREK: Right. And this Dr. Shah is a  
9 neurologist.  
10 MS. FOLEY: No.  
11 MR. MAZUREK: I'm pretty sure.  
12 THE WITNESS: Yes.  
13 BY MR. MAZUREK:  
14 Q Your lawyer's saying "no," but his title was --  
15 A He is.  
16 MS. FOLEY: He is a neurologist?  
17 THE WITNESS: Yes.  
18 BY MR. MAZUREK:  
19 Q I don't know what his exams of you are, but the  
20 initial neurological consultation --  
21 MS. FOLEY: Okay.  
22 MR. MAZUREK: And he comes up with neurological  
23 diagnosis and psych, post concussion syndrome,  
24 concussion, severe depression, posttraumatic stress  
25 disorder. But these are all -- he doesn't even mention

1 the beginning of September; is that correct, last year?  
2 A Yes.  
3 Q And the reason why you wanted to have the  
4 consultation was the result of the accident; is that  
5 accurate?  
6 A Correct.  
7 MR. MAZUREK: The auto accident?  
8 MS. FOLEY: The auto accident, yes. Thank you;  
9 for clarifying.  
10 MR. MAZUREK: See, I'm not the only one.  
11 BY MS. FOLEY:  
12 Q What was your main concern related to that auto  
13 accident?  
14 A My main concern? It was my head and my -- what  
15 was going on.  
16 Q Would you describe that as a foggy state of  
17 mind?  
18 A Yes.  
19 Q Would it be accurate to state that foggy state  
20 of mind was your main concern at that time when you saw  
21 Dr. Shah?  
22 A Yes -- more than foggy. I thought something  
23 was wrong.  
24 Q What would it be, more than foggy?  
25 A I don't know.

1 Q More than 10 minutes or less?  
2 A I will say about maybe 10 minutes or so. I  
3 can't --  
4 Q Five minutes?  
5 A No, more than five minutes.  
6 Q So in between five and 10 minutes?  
7 A Yes, yes.  
8 Q How many times did you see Dr. Shah, totally?  
9 A Twice.  
10 Q In person?  
11 A Right.  
12 Q And did you answer all his questions?  
13 A Did he answer all my questions?  
14 Q Did you answer all his questions?  
15 A Yes.  
16 Q Did you answer those questions truthfully?  
17 A One more time?  
18 Q Did you answer his questions truthfully --  
19 A Yes.  
20 Q -- to the extent you understood them, at that  
21 time?  
22 A Yes.  
23 Q Did you have an opportunity to volunteer some  
24 information?  
25 A Did I what, I'm sorry?



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1 Q What was the content of your meeting? Was it  
2 like a dialogue, or he was asking questions, and you  
3 were responding?  
4 **A Him asking questions, and me responding.**  
5 Q Did you have an opportunity at that time to  
6 discuss everything you wanted to discuss?  
7 **A No.**  
8 Q Because it was short, or for other reasons?  
9 **A Because it was short.**  
10 Q Did you have an idea at that time that you  
11 wanted to discuss with him your work situation?  
12 **A Yes. I didn't have time to do that or to bring**  
13 **that up.**  
14 Q Did you believe that a neuro specialist is the  
15 proper specialist to address your psychological issues  
16 at work?  
17 **A No.**  
18 MR. MAZUREK: That's outside her expertise,  
19 objection.  
20 MS. FOLEY: Noted.  
21 Q Please answer to the extent you understand.  
22 I'm not asking about your medical expertise. Your  
23 expectations from doctor of that specialty.  
24 **A What I expect from him?**  
25 **Q Yes.**

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1 **A Did I feel any memory problems from today?**  
2 Q Did you have any problems -- did you feel that  
3 you're having memory problems today?  
4 **A I did the best that I could with -- I did the**  
5 **best that I could. I don't -- the times and dates are**  
6 **hard for me.**  
7 Q How about the issue with the prescription of  
8 certain drugs? Do you remember clearly who  
9 prescribed --  
10 **A Yes.**  
11 Q -- something?  
12 **A Yes.**  
13 Q Can you be mistaken about it?  
14 **A Yes.**  
15 Q Tell me, please, during that accident -- now  
16 I'm referring to the day, 8/30 of 2017, which we  
17 discussed today, right? That accident that happened  
18 when you had to go on your knees and clean up the mess.  
19 Now, I'm referring to that accident, not to the auto  
20 accident.  
21 **A Okay.**  
22 Q You mentioned that you felt embarrassed during  
23 that situation. What caused that embarrassment feeling  
24 for you?  
25 **A How everyone was belittling -- I don't know if**

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1 you had back pain?  
2 THE WITNESS: I don't know what he knew.  
3 MR. MAZUREK: You don't know, right?  
4 THE WITNESS: I don't know if he knew about the  
5 accident or anything. I don't know.  
6 MR. MAZUREK: Right, so you don't know.  
7 BY MS. FOLEY:  
8 Q How many people in church knew that you have  
9 back pain?  
10 **A A lot of people.**  
11 Q Can you give us some idea?  
12 **A Well, everyone in the office.**  
13 MR. MAZUREK: Back pain from what? The  
14 accident, you mean?  
15 THE WITNESS: No.  
16 MR. MAZUREK: Just back pain?  
17 THE WITNESS: Yeah.  
18 BY MS. FOLEY:  
19 Q Did you complain about your back pain before to  
20 anyone?  
21 **A Complain? I went to the doctor.**  
22 Q No, at work. I'm talking about your work  
23 environment.  
24 **A Yeah, they knew about my --**  
25 Q When you are saying "they," you're referring to

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1 **A Answers, that I didn't understand what was**  
2 **going on with me. And no one was listening.**  
3 Q So at that time, your main concern was what  
4 happened with your reaction and processing word  
5 information after that auto accident?  
6 **A Yes.**  
7 Q Would you say that your memory was affected?  
8 **A Yes.**  
9 Q Was it affected before that auto accident or  
10 after?  
11 **A I was a dingbat before. But afterwards, it**  
12 **was -- I can notice it now.**  
13 Q How do you notice that? What would be the  
14 manifestation of your memory issues?  
15 **A A lot of things. A lot of things. Forgetting**  
16 **to pick up my daughter from school -- a lot of things.**  
17 **Things that time would just -- a lot of things. I can't**  
18 **even -- it's not just that. It was the inside of -- the**  
19 **anxiety, the weird depression things that I never felt**  
20 **that bad before, where you wanted to stay in the house**  
21 **and not even leave the house because you get scared,**  
22 **weird, but you don't want to tell anybody because you're**  
23 **embarrassed.**  
24 Q Okay. Did you feel any problems with your  
25 memory during today's deposition, for example?

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1 **that's the right word to use, but the way everyone was**  
2 **acting towards me. It just didn't -- it felt**  
3 **belittling.**  
4 Q Did you feel diminished?  
5 **A I don't know what that word means.**  
6 Q It's another word for probably belittle.  
7 Was it offensive to you?  
8 **A Yes.**  
9 Q Was it something that you always experienced at  
10 your work for the church, or that was something  
11 extraordinary?  
12 **A It's extraordinary, yes.**  
13 Q You said that you had pain in your lower back  
14 on that day.  
15 **A And my knees, yes.**  
16 Q And when Nissim wanted you to clean up that  
17 mess on the floor, could you really bend, or working on  
18 your knees was the only way --  
19 **A It hurt. It hurt really bad.**  
20 Q So you had a choice between bending, which  
21 caused you severe pain, or going on your knees, which  
22 was less painful?  
23 **A The knees were -- going on my knees would hurt,**  
24 **is what made it swell up worse that night.**  
25 MR. MAZUREK: That day, did Nissim know that

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1 whom specifically?  
2 **A Cheryl knew. Everyone knew. They saw me with**  
3 **ice packs.**  
4 Q Robin would know about it?  
5 **A Yes.**  
6 Q Jeannie?  
7 **A Yes.**  
8 Q But you are not sure if Nissim knew or not?  
9 **A He had to have known, because Marge is his**  
10 **wife. And Marge is who I moved the chairs a lot of**  
11 **times for.**  
12 MR. MAZUREK: So that automatically means he  
13 knows, right?  
14 THE WITNESS: Well --  
15 MR. MAZUREK: Did you ever keep anything from  
16 your husband? Of course, you did, right?  
17 THE WITNESS: A lot, yes.  
18 MR. MAZUREK: Okay.  
19 BY MS. FOLEY:  
20 Q So in your mind, when he wanted you to clean up  
21 that mess, he did it on purpose for you to go on your  
22 knee?  
23 **A I don't know if he did that on purpose. I**  
24 **don't know what he --**  
25 Q In your mind. I'm not asking what is in his

1 mind.  
 2 **A In my mind, yes, yes.**  
 3 Q That's how you perceived it?  
 4 **A Correct, right, yes.**  
 5 Q So going on your knees was not a choice; it was  
 6 a necessity for you?  
 7 **A To clean it, yes.**  
 8 MR. MAZUREK: Objection, misstates the  
 9 evidence. Nissim did not tell her to go on her knees.  
 10 She chose to go on her knees.  
 11 BY MS. FOLEY:  
 12 Q It wasn't a choice -- with the meaning of  
 13 Mr. Mazurek, it was the only way how you could perform  
 14 the task that you had been assigned to, right?  
 15 MR. MAZUREK: I agree with that. She had no  
 16 other choice. I agree with that.  
 17 You had no other choice. It wasn't Nissim's  
 18 choice. It was her choice.  
 19 MS. FOLEY: It was not her choice. It was the  
 20 only opportunity to perform.  
 21 MR. MAZUREK: Right, which means a choice.  
 22 What else could she do? What else could I do? What  
 23 else could you do?  
 24 You got a bad back. You got to work. You got  
 25 a bad back, and you still work. I do --

1 **know -- yes.**  
 2 Q But going on your knees was the only way to  
 3 perform the task?  
 4 **A Yes.**  
 5 Q Okay. Did you feel differently than other  
 6 people in the church?  
 7 **A Yes.**  
 8 Q Since when?  
 9 **A Since I had came back and was doing meetings**  
 10 **and stuff with them. They were just ignoring -- they**  
 11 **were like they were looking right over me, like I wasn't**  
 12 **there.**  
 13 Q For how long did you work for church?  
 14 **A Nine years, nine to 10 years almost.**  
 15 Q And during that time, you've been always  
 16 treated like that or no?  
 17 **A No.**  
 18 Q My question is, since when you started feeling  
 19 different treatment?  
 20 **A When they started to write me up. And I was**  
 21 **the only one getting written up for things that half of**  
 22 **the things weren't discussed between me and you**  
 23 **(indicating) -- me and Eric. But other people, what**  
 24 **they said -- and I'm not throwing people under the bus.**  
 25 Q Would you say that that started happening after

1 treating doctor. You're treating with a Dr. Iseke,  
 2 I-s-e-k-e?  
 3 **A Yes.**  
 4 Q And you're not treating with Dr. Iseke for your  
 5 auto accident, right?  
 6 **A No.**  
 7 Q And you have a future appointment with  
 8 Dr. Iseke, don't you?  
 9 **A I don't believe so.**  
 10 Q Did he release you?  
 11 **A I can't -- he didn't release me, no, but I**  
 12 **don't know if I can get there or not. I can't drive**  
 13 **that far. I'm getting panic attacks now driving even.**  
 14 **So I had someone take me here today.**  
 15 Q Okay. So there's Dr. Iseke. Any other doctor  
 16 that you're treating with just for work comp?  
 17 **A No.**  
 18 Q And not currently, but in the past, have you  
 19 treated with any other doctor for these three work comp  
 20 cases?  
 21 **A No.**  
 22 Q Okay. I think you talked about Hoag Hospital,  
 23 which is for psych, but it's not for the work camp  
 24 claim --  
 25 MS. FOLEY: No.

1 MS. FOLEY: You're saying choice. The choice  
 2 is clean it up or being fired. That's the choice.  
 3 MR. MAZUREK: No, just work. We all have  
 4 choices.  
 5 MS. FOLEY: It's a philosophical issue. I  
 6 refer that --  
 7 MR. MAZUREK: Between stimulus and response,  
 8 there's a gray area called choice. And it's in that  
 9 gray area that when you have no other choice, that's  
 10 your choice.  
 11 MS. FOLEY: So if I understood you --  
 12 MR. MAZUREK: What would you do?  
 13 MS. FOLEY: -- it's to perform or not to  
 14 perform --  
 15 MR. MAZUREK: Yes.  
 16 MS. FOLEY: -- that was the choice?  
 17 And if she did not perform --  
 18 THE WITNESS: They'll write me up again.  
 19 BY MS. FOLEY:  
 20 Q If you would not perform, in your mind, you  
 21 would be fired, right?  
 22 **A I'm sorry, what?**  
 23 Q If you would not be performing the task, you  
 24 risk being fired right there?  
 25 **A Or written up probably again, yes. I don't**

1 you disclosed your sexual harassment complaint?  
 2 **A Yes.**  
 3 Q So would you say that that treatment was in  
 4 retaliation for complaining?  
 5 **A Yes, but -- yes.**  
 6 MS. FOLEY: Counsel, my question to you,  
 7 because you didn't touch other issues, I don't want to  
 8 go over those right now.  
 9 MR. MAZUREK: Okay.  
 10 MS. FOLEY: So as of today, I have no further  
 11 questions.  
 12 MR. MAZUREK: Okay.  
 13 MS. FOLEY: Unless you want to ask some more.  
 14 MR. MAZUREK: Just a couple more.  
 15 But first, let's go over, you and me, let's go  
 16 over and make sure we both have the same records and  
 17 reports -- off the record.  
 18 (Discussion held off the record.)  
 19  
 20 FURTHER EXAMINATION  
 21 BY MR. MAZUREK:  
 22 Q I want to go over doctors you've seen in  
 23 connection with the work comp claim and the P.I. claim.  
 24 So let's go over the ones we know.  
 25 First of all, we haven't talked about your

1 BY MR. MAZUREK:  
 2 Q -- but it's for a work comp injury, alleged?  
 3 You went to Hoag Hospital?  
 4 **A By Hoag Hospital.**  
 5 Q A branch of Hoag Hospital?  
 6 **A It's a counseling thing. It's by Hoag**  
 7 **Hospital, SOS.**  
 8 Q SOS, that's what it is. I subpoenaed records  
 9 from there, and they sent me to Hoag Hospital. I'm  
 10 waiting for those.  
 11 The auto accident, you treated with Dr. Shah,  
 12 Dr. Shahbazian, and one more. Who else did you see,  
 13 Dr. Shah, Dr. Shahbazian, and --  
 14 MS. FOLEY: Dr. Khan.  
 15 BY MR. MAZUREK:  
 16 Q Dr. Khan. Are you treating with any other  
 17 doctors or seeing any other doctors for the auto  
 18 accident?  
 19 **A There was a Dr. Oak, Oakgreen or Greenoak.**  
 20 Q Yeah, Greenoak is the name of the facility, not  
 21 the doctor, right?  
 22 **A No, that was the doctor, the chiropractor.**  
 23 Q That was for your car accident, right?  
 24 **A Yes. I only saw him a couple of times.**  
 25 Q And Dr. Iseke, your treating doctor, he also

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1 doesn't know anything about your auto accident?  
 2 **A I don't know. I don't remember. I don't know**  
 3 **if he does.**  
 4 Q You didn't tell him, right?  
 5 **A I don't know if I did or not. I don't recall**  
 6 **if I told him or not. By the time I got there, I was**  
 7 **panicking.**  
 8 MR. MAZUREK: I think that's all I have. Let's  
 9 see --  
 10 MS. FOLEY: I don't know if you have  
 11 Dr. Iseke's reports? I think there's three reports.  
 12 MR. MAZUREK: I think I do.  
 13 That's all I have. Do you have anything else?  
 14 MS. FOLEY: Yes.  
 15 MR. MAZUREK: Other doctors?  
 16 MS. FOLEY: Oh, other doctors, no.  
 17 MR. MAZUREK: Okay. Did you want to ask  
 18 anything?  
 19 MS. FOLEY: Yes.  
 20 MR. MAZUREK: Okay.  
 21  
 22 FURTHER EXAMINATION  
 23 BY MS. FOLEY:  
 24 Q When you've been hired by the church, do you  
 25 remember signing any papers?

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1 **A Last year sometime.**  
 2 Q So that's how you learned about workers'  
 3 compensation?  
 4 **A Well, that's when I heard about it. I didn't**  
 5 **learn it. I heard she had it.**  
 6 Q So would it be accurate to say that you didn't  
 7 know your rights about workers' comp?  
 8 **A Correct.**  
 9 Q Did you ever report your injuries at work?  
 10 **A What do you mean, "report it"?**  
 11 Q Complain about pain related to your work.  
 12 **A That I told them about my pain? They knew,**  
 13 **yes.**  
 14 Q Did they ever file any form or gave you some  
 15 paperwork to complete regarding that pain?  
 16 MR. MAZUREK: Objection as to who "they" is.  
 17 BY MS. FOLEY:  
 18 Q The administration of the church.  
 19 **A No.**  
 20 MS. FOLEY: Okay, that's it.  
 21 MR. MAZUREK: Okay. The parties agree --  
 22 counsel and I agree to adjourn for hopefully the last  
 23 one, number three, at a mutually convenient -- is this  
 24 okay with you, this place?  
 25 MS. FOLEY: So stipulated.

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1 seem to be that concerned about, if we go to trial --  
 2 probably when we go to trial -- she's got to come all  
 3 the way up to L.A. for an MSC.  
 4 MS. FOLEY: You can always ask for a change of  
 5 venue.  
 6 MR. MAZUREK: I did already.  
 7 Anyway, counsel and I agree to adjourn to a  
 8 mutually convenient date, time, and place.  
 9 That any changes will be made under penalty of  
 10 perjury. And if I don't receive any changes within  
 11 60 days of receipt of the transcript, it will be deemed  
 12 signed with no changes.  
 13 An unsigned, certified copy can be used with  
 14 the same force and effect as a signed original if a  
 15 signed original is not available for any hearing in this  
 16 matter.  
 17 MS. FOLEY: So stipulated.  
 18  
 19 (Whereupon, the deposition  
 20 was adjourned at 2:50 P.M.)  
 21  
 22  
 23  
 24  
 25

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1 **A W-forms? I don't know.**  
 2 Q Do you remember signing any policies or any  
 3 kind of --  
 4 **A No.**  
 5 Q Do you remember anyone explaining to you how to  
 6 report your injuries?  
 7 **A No.**  
 8 Q Did you have any idea, during your work at  
 9 church, what is workers' compensation?  
 10 **A What it is?**  
 11 Q Yes.  
 12 **A No, not until Michelle, no.**  
 13 Q Did you --  
 14 MR. MAZUREK: Who's Michelle?  
 15 BY MS. FOLEY:  
 16 Q Did you know your rights regarding workers'  
 17 compensation?  
 18 **A No.**  
 19 Q Who is Michelle?  
 20 **A She works with us. She does the youth**  
 21 **ministry.**  
 22 Q How is workers' compensation related to her?  
 23 **A She got workmen's compensation when she hurt**  
 24 **her ankle.**  
 25 Q When was it, if you remember?

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1 Yes, this place is fine.  
 2 MR. MAZUREK: And at the same place or a  
 3 mutually convenient different place.  
 4 MS. FOLEY: Maybe we can choose something  
 5 closer to her.  
 6 MR. MAZUREK: We can if you don't charge 500  
 7 bucks an hour, 400 bucks an hour for travel time. I'm  
 8 not going to pay that. Even I don't make that.  
 9 MS. FOLEY: You're not paying. The insurance  
 10 is paying, right?  
 11 MR. MAZUREK: Let's see, how can we work this  
 12 out? The ones that I'm working with -- attorneys that  
 13 don't charge \$400 an hour, \$300 an hour, even \$200 an  
 14 hour for travel time --  
 15 MS. FOLEY: It's usual practice in our  
 16 industry. You know that.  
 17 MR. MAZUREK: Not for travel time. For your  
 18 depo fees --  
 19 MS. FOLEY: For travel time, we can negotiate  
 20 that differently.  
 21 MR. MAZUREK: Yes.  
 22 MS. FOLEY: And maybe we can get something  
 23 closer.  
 24 MR. MAZUREK: I'm surprised you're asking that.  
 25 You keep filing these applications in L.A. you don't

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1 STATE OF CALIFORNIA } ss.  
 2 COUNTY OF LOS ANGELES )  
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 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  
 22  
 23  
 24  
 25

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 WITNESS  
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1 STATE OF CALIFORNIA } ss.  
2 COUNTY OF LOS ANGELES )  
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 May, 2018.

22 Certified Shorthand Reporter <sup>4211</sup> C.S.R. Number  
23  
24  
25