

DEPOSITION OF
MICKEY KASPARIAN
VASQUEZ V. KASPARIAN
TAKEN ON
AUGUST 24, 2017



PHONE 855.525.3860 | 323.938.8750

1 SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
(Central Division)

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3
4 ISABEL VASQUEZ,)
)
5 Plaintiff,) CASE NO.:
) 37-2016-00044511-CU-OE-CTL
6)
7 v.)
)
8 MICKEY KASPARIAN; UNITED)
9 FOOD & COMMERCIAL WORKERS)
10 LOCAL 135, a labor union)
11 charter; and DOES 1)
12 through 20,)
13 Defendants.)
14 _____)

15 VIDEOTAPED DEPOSITION OF
16 MICKEY KASPARIAN
17 SAN DIEGO, CALIFORNIA
18 AUGUST 24, 2017

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24 Reported By:
ERIN E. CATES
CSR No. 14096
25 JOB No. 17-54716

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19 Videographer: TOMIYUKI HWANG
20
21
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15 Videotaped deposition of MICKEY KASPARIAN, taken
16 on behalf of the Plaintiff at 17140 Bernardo Center
17 Drive, Suite 358, San Diego, California 92128,
18 beginning at 9:00 a.m. and ending at 11:35 a.m., on
19 August 24, 2017, before ERIN E. CATES, Certified
20 Shorthand Reporter No. 14096.
21
22
23
24
25

1 I-N-D-E-X
2 WITNESS: EXAMINATION
3 MICKEY KASPARIAN
4 BY MR. CORRALES 7
5
6 E-X-H-I-B-I-T-S
7 PLAINTIFF'S PAGE
8 Exhibit 1 Excerpt of the Videotaped 38
deposition of Isabel Vasquez,
9 Vol. II, dated 02/23/17; 3 pages
10 Exhibit 2 Evaluation Form for Isabel 46
Vasquez dated 1/15/13; Bates
11 stamp DEFENDANTS' RESPONSE TO
VASQUEZ'S RPD 000022 - 000024
12
13 Exhibit 3 Evaluation Form for Isabel 48
Vasquez dated 2/9/12; Bates
14 stamp DEFENDANTS' RESPONSE TO
VASQUEZ'S RPD 000027 - 000029
15 Exhibit 4 Evaluation Form for Isabel 49
Vasquez dated 1/13/11; Bates
16 stamp DEFENDANTS' RESPONSE TO
VASQUEZ'S RPD 000035 - 000037
17
18 Exhibit 5 Letter to Whom It May Concern 81
from John S. Bartholow, Ph.D.,
19 dated 12/11/07; Letter from
Mickey Kasparian to Isabel
20 Vasquez dated 12/12/07; Bates
stamp DEFENDANTS' RESPONSE TO
21 VASQUEZ'S RPD 000055 - 000056
22
23 Exhibit 6 Letter to Whom It May Concern 82
from John S. Bartholow, Ph.D.,
24 dated 01/07/08; Letter from
Mickey Kasparian to Isabel
25 Vasquez dated 01/11/08; Bates
stamp DEFENDANTS' RESPONSE TO
VASQUEZ'S RPD 000057 - 000058

Page 5

1 E-X-H-I-B-I-T-S (CONTINUED)

2 PLAINTIFF'S PAGE

3 Exhibit 7 Letter to Whom It May Concern 84
from John S. Bartholow, Ph.D.,
4 dated 01/16/08; Letter from
Mickey Kasparian to Isabel
5 Vasquez dated 01/17/08; Bates
stamp DEFENDANTS' RESPONSE TO
6 VASQUEZ'S RPD 000060 - 000061

7 Exhibit 8 Letter to Whom It May Concern 84
from John S. Bartholow, Ph.D.,
8 dated 11/29/07; Letter from
Mickey Kasparian to Isabel
9 Vasquez dated 11/30/07; Bates
stamp DEFENDANTS' RESPONSE TO
10 VASQUEZ'S RPD 000219 - 000220

11

12 INSTRUCTED NOT TO ANSWER

13 PAGE LINE

14 74 4

15 86 2

16 87 14

17 90 10

18 117 7

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1 SAN DIEGO, CALIFORNIA, AUGUST 24, 2017

2 9:00 a.m.

3

4 THE VIDEOGRAPHER: Good morning. Here

5 begins Media No. I of the deposition of

6 Mickey Kasparian, Volume I, in the matter of Vasquez

7 versus Kasparian. This case is in the Superior Court

8 of California, County of San Diego, Central Division.

9 And the case number is 37-2016-00044511-CU-OE-CTL.

10 Today's date is August 24, 2017, and the

11 time is 9:00 a.m. This deposition is taking place at

12 17140 Bernardo Center Drive, Suite 358, in San Diego,

13 California 92128. The videographer is Tomiyuki Hwang

14 appearing on behalf of the Sullivan Group of Court

15 Reporters.

16 Will counsel please identify yourselves and

17 state whom you represent.

18 MR. CORRALES: Manuel Corrales. I represent

19 Plaintiff Isabel Vasquez.

20 MR. FEINBERG: Michael Feinberg of Schwartz,

21 Steinsapir, Dohrmann & Sommers.

22 MR. FOUR: Michael Four of Schwartz,

23 Steinsapir, Dohrmann & Sommers.

24 MR. FEINBERG: Both on behalf of the

25 Defendants.

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1 THE VIDEOGRAPHER: Thank you. The reporter

2 today is Erin Cates with the Sullivan Group of Court

3 Reporters.

4 Will the reporter please swear in the

5 witness.

6

7 MICKEY KASPARIAN,

8 having been administered an oath, was examined and

9 testified as follows:

10

11 EXAMINATION

12 BY MR. CORRALES:

13 Q. Good morning, Mr. Kasparian. Could you give

14 us your full name?

15 A. Sure. It's Mickey Kasparian.

16 Q. Okay. No middle name, sir?

17 A. Anthony.

18 Q. Anthony. Okay. Mr. Kasparian, I know you

19 were at the depositions of Ms. Vasquez before, correct?

20 A. Correct.

21 Q. And you were at the deposition of

22 Ms. Naranjo, correct?

23 A. Correct.

24 Q. All right. So you have some idea about how a

25 deposition proceeds, correct?

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1 A. I do.

2 Q. And as I take it, during the deposition of

3 Ms. Vasquez, you were there throughout the deposition,

4 correct?

5 A. That's correct.

6 Q. All right. Just so that we're clear, you

7 understand that the deposition that we're taking today

8 is under what we call "penalties of perjury."

9 Do you understand that, sir?

10 A. I do.

11 Q. And that means that if you do not tell the

12 truth in today's deposition, that it's a crime. Do you

13 understand that, sir?

14 A. I do.

15 Q. Do you understand that if you do not tell the

16 truth in today's deposition that you can be prosecuted

17 for perjury.

18 Do you understand that, sir?

19 A. I do.

20 Q. Okay. I want to go over the ground rules of

21 the deposition so that we're clear. Even though we

22 have a videographer who is recording the deposition for

23 videotape, the court reporter still has an obligation

24 to take down what is said in the room, mechanically.

25 In today's parlance it means electronically, because

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1 everything is electronic. So at the same time she has
2 an obligation to make sure that we have a clear record.
3 And the deposition will be transcribed by her, and it
4 will be put in a booklet form that we call a deposition
5 transcript.
6 Do you understand that, sir?
7 A. I do.
8 Q. Have you ever seen a deposition transcript?
9 A. I have.
10 Q. Okay. You'll recall that the deposition
11 transcript has question, answer, question, answer; and
12 it's not a book that you can read and has Chapter 1,
13 Chapter 2, and stuff in between. It's a question,
14 answer, question, answer format.
15 Do you understand that, sir?
16 A. I do.
17 Q. And between sometimes those questions and
18 answers there will be objections or comments by lawyers
19 or other people. Sometimes the court reporter will say
20 "Stop it. I can't take down what you're saying, and
21 please stop." People will make comments. But for the
22 most part is the question, answer format. In order for
23 us to proceed with that format, we have to make sure
24 that only one person talks and -- no people talk at the
25 same time.

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1 Do you understand that?
2 A. I do.
3 Q. Okay. So if were to ask you a question, I
4 will wait until you finish your question before I ask
5 you the next question. Okay, sir?
6 A. Yes.
7 Q. And I will expect you to do the same thing
8 for me. Wait for my question to finish, and then --
9 I'm sorry, I messed that up. I'll wait until you
10 finish your answer before I ask the next question.
11 Okay?
12 A. Okay.
13 Q. All right. Now, if your attorney makes an
14 objection, listen to the objection and then respond. I
15 mean, he has a right to make an objection on the
16 record. And if there is a time or an occasion for you
17 to take a break or want to talk to your lawyer, let me
18 know, and we'll accommodate you.
19 The rules of depositions in California are
20 such that you have to wait until the question -- you
21 have to answer the question if you want to take a
22 break before you take a break. You can't listen to
23 the question and say, "I'm going to go ask my lawyer
24 about this." Unless your lawyer feels that there is
25 some sort of privilege that's involved -- you can do

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1 that, you can take a break before you answer the
2 question. But for the most part, please answer the
3 question before you take a break. Okay, sir?
4 A. Okay.
5 Q. All right. Are you under the influence of
6 alcohol today?
7 A. I'm not.
8 Q. Taking any form of medication that you
9 believe might impact your deposition testimony?
10 A. No.
11 Q. Okay. All right. I'm not going to ask you
12 to speculate. If I do, tell me. But what I am
13 entitled to is your best recollection of events. If
14 you have just a general recollection of things that
15 occurred, I'm entitled to that. Tell me. For example,
16 if you go to a baseball game and you watch the entire
17 game but you go home and try and tell your family, you
18 know, what the game was about, you don't remember every
19 single play, but you can maybe say, "I know that the
20 Padres won. And I know they played good, and I saw a
21 couple of good plays." But for the most part, that's
22 your best recollection of what happened.
23 Do you understand that, sir?
24 A. I understand.
25 Q. Do you understand the difference between that

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1 and, specifically, play by play what happened?
2 A. I understand.
3 Q. Okay. So if you come to a question that you
4 don't specifically remember the details of the
5 conversation, I'm entitled to at least your general
6 recollection of what the substance of that conversation
7 was.
8 Do you understand, sir?
9 A. I understand.
10 Q. All right. Let's talk about speculation. I
11 don't want you to speculate on things. A lot of times
12 people will ask you what people think, what other
13 people thought, whether the people had it on their mind
14 at the time the things happened. But it's almost
15 impossible to tell what people were thinking. If
16 you're asked about a question -- if you're asked about
17 something that happened that -- when you weren't there
18 when it happened, then that might be speculation,
19 unless you heard secondhand that somebody said, "This
20 is what happened. You weren't there, but let me tell
21 you what happened."
22 Even though that might be hearsay, even
23 though you weren't there, in a deposition, I'm
24 entitled to know what you might know thirdhand,
25 secondhand, fourth-hand, whatever from another person.

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1 But if nobody told you what happened, you have no idea
2 what happened, other than just guessing about what
3 might have happened when you weren't there, then that
4 would be speculation. Okay, sir?
5 A. I understand.
6 Q. Okay. All right. Is there any reason why we
7 can't go forward with your deposition today?
8 A. No reason.
9 Q. All right. Mr. Kasparian, are you presently
10 employed?
11 A. I am.
12 Q. What is the nature of your employment?
13 A. I'm the president of the United Food &
14 Commercial Workers Union Local 135.
15 Q. Okay. How long have you been a president
16 of -- can we just call it "Local 135" --
17 A. Sure.
18 Q. -- for the deposition today? How long have
19 you been president of Local 135?
20 A. Since 2003.
21 Q. And before that were you employed by the
22 union at all?
23 A. I was.
24 Q. What was the nature of your employment with
25 the union?

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1 A. I began with the union in 1997.
2 Q. Okay. And 1997 when you say you "began with
3 the union," was that a full-time job with the union?
4 A. Full-time job.
5 Q. Okay. So in 1997, what was your position
6 with the union?
7 A. I was an organizer.
8 Q. Okay. Now, was that Local 135?
9 A. That's correct.
10 Q. And what was your next position with the
11 union after being an organizer?
12 A. Organizing director.
13 Q. Okay. And when did that happen?
14 A. 1998.
15 Q. Okay. All right. And then how long were you
16 the organizing director?
17 A. For three years.
18 Q. Then what happened?
19 A. I became the secretary-treasurer in 2001.
20 Q. 2001. And this is all Local 135?
21 A. Correct.
22 Q. All right. And then how long were you the
23 secretary-treasurer?
24 A. For approximately two years.
25 Q. And then what was your position after that?

Page 15

1 A. President.
2 Q. President in 2003?
3 A. Correct.
4 Q. All right. Now, before you became a union
5 organizer in 1997, what was your background? Were you
6 some sort of a -- were you, like, in the grocery
7 business?
8 A. Yes.
9 Q. What was your background?
10 A. I was a meat cutter.
11 Q. When you say a "meat cutter," is that like a
12 butcher?
13 A. Correct.
14 Q. Do they call them "butchers" now or no?
15 A. No.
16 Q. Okay. All right. And did you have to go
17 through some sort of apprenticeship to become a meat
18 cutter? Like a journeyman, that sort of thing?
19 A. Yes.
20 Q. Okay. And when did you become an apprentice
21 meat cutter?
22 A. 1987.
23 Q. And was it on-the-job training, or did you
24 have to go to school for that?
25 A. Both.

Page 16

1 Q. Okay. What school did you go to?
2 A. San Diego City College.
3 Q. All right. How long was the school?
4 A. Two years.
5 Q. Did you get a certificate?
6 A. I did.
7 Q. What was it?
8 A. Just completion of the apprenticeship
9 program.
10 Q. All right. And upon completion did you
11 secure employment, or were you already employed?
12 A. I was already employed.
13 Q. As an apprentice?
14 A. Correct.
15 Q. What store?
16 A. I was at Vons.
17 Q. Vons where, sir?
18 A. On College and El Cajon Boulevard.
19 Q. Okay. How long were you an apprentice?
20 A. Two years.
21 Q. When you got your certificate, did you become
22 a journeyman automatically?
23 A. That is correct.
24 Q. Okay. Was that a requirement?
25 A. Yes.

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1 Q. All right. How long were you a journeyman --
2 journeyman meat cutter?
3 A. For an additional eight years.
4 Q. Okay. And as a journeyman meat cutter, did
5 you also have to -- well, let me rephrase the question.
6 When you became an apprentice meat cutter,
7 did you have to join the union?
8 A. Yes.
9 Q. What would happen if you didn't?
10 MR. FEINBERG: Objection. Irrelevant.
11 But you can answer.
12 THE WITNESS: It's a condition of
13 employment.
14 BY MR. CORRALES:
15 Q. Okay. So they wouldn't employ you if you
16 didn't join the union?
17 A. That's correct.
18 Q. Okay. All right. And which union did you
19 join when you became an apprentice?
20 A. UFCW Local 135.
21 Q. U-F- --
22 A. F-, like "Frank."
23 Q. -C-W --
24 A. Local 135.
25 Q. Okay. So the Local 135 union covers more

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1 than just grocery stores; is that correct?
2 A. That is correct.
3 Q. So what other stores does it embrace?
4 A. It covers drugstores.
5 Q. Okay.
6 A. It covers processing plants.
7 Q. Okay.
8 A. We represent a casino.
9 Q. Is that the Barona Casino?
10 A. Viejas.
11 Q. Villas?
12 A. Viejas.
13 Q. Viejas. Viejas.
14 A. Yes.
15 Q. Okay.
16 A. Pharmacies, like, for instance, in Kaiser.
17 Q. Okay. Okay. Mom and pop? You got
18 mom-and-pop stores?
19 A. Not really. We represent a sugar plant in
20 Imperial County called "Spreckels."
21 Q. Sugar plant.
22 A. Yeah. Which is kind of part of processing.
23 Q. All right. And what others?
24 A. And dental offices.
25 Q. Now, how does the dental office -- how does

Page 19

1 that fit into a union that basically represents grocery
2 stores?
3 A. We just don't represent groceries stores.
4 Q. Or, you know, grocery stores and --
5 A. We represent --
6 Q. -- processing plants?
7 A. Sorry.
8 Q. How does a dental office fit into that?
9 A. It's part of health-care workers that we
10 represent, just like pharmacists. Just like pharmacy
11 technicians.
12 Q. Okay. All right. In being an organizer --
13 you said that you were a union organizer in 1997. Did
14 you have to get trained to become a union organizer?
15 A. Yes.
16 Q. How did that happen? What was the process of
17 being trained?
18 A. There was an organizing director at the
19 Local.
20 Q. Right.
21 A. So I worked under her.
22 Q. What was her name?
23 A. Gloria Miranda.
24 Q. All right.
25 A. And then I also did some training with a

Page 20

1 sister local, Local 167.
2 Q. Okay.
3 A. Which is out of San Bernardino, Riverside.
4 Q. All right. And as a union organizer, your
5 job was to do what, sir?
6 A. It's a multitude of things. It would be to
7 organize the unorganized.
8 Q. People that don't belong to unions?
9 A. People that don't belong to a union, yes.
10 Also, what we could call to be "market share
11 protection," which would be to protect current union
12 members from the likes of potentially nonunion
13 employees who may be trying to undercut our members.
14 Q. Okay.
15 A. And then there's also the world of politics.
16 Q. Politics?
17 A. Yes.
18 Q. How is it that politics fit into this?
19 A. It just fits into the nature of representing
20 our members.
21 Q. Okay. So if a member has a certain political
22 bent, is it up to the organizer to persuade that person
23 to go a different direction?
24 A. I'm not understanding the question.
25 Q. Well, say you go -- politics and membership.

Page 21

1 If a member is a Republican, does a union organizer try
2 to persuade them to become Democrats, for example?
3 A. No. We talk to our members about supporting
4 elected officials and politicians who support our
5 issues, working families' issues.
6 Q. Okay. So if there is an issue involving the
7 union and your -- some of these drugstores' members'
8 rights that is either on the ballot or it's in the news
9 and there's a public official that's advocating for the
10 members or that issue, then you're saying that the
11 union organizer wants to advocate that and educate the
12 members or others about this politician who is
13 supporting that issue. Is that what you're saying?
14 A. I would agree with that, yes. And that would
15 not only be the role of the union organizer, it would
16 be the role of the union representative as well.
17 Q. Okay. So what's the difference between a
18 union rep and a union organizer?
19 A. A union representative, they are the
20 individuals who actually service the locations that we
21 represent.
22 Q. Okay. So once the union organizer has done
23 his or her job of getting people to join the union,
24 then the union representative is there to service them
25 for health benefits to make sure things are doing well

Page 22

1 for that store or whatever, and be there for -- what
2 kind of services?
3 A. Reinforcing the contract.
4 Q. Enforcing the contract?
5 A. Yes.
6 Q. To make sure that management doesn't overstep
7 its bounds?
8 A. Correct.
9 Q. Okay. All right. Now, before you became a
10 union organizer in 1997, what did you do? What was
11 your -- I mean, you told me you were a meat cutter, but
12 did you -- okay. So you were a meat cutter -- let me
13 rephrase.
14 Before you became a meat cutter in 1987,
15 what was the nature of your employment?
16 A. So I had recently moved out to California.
17 Q. You had in 1987?
18 A. I had recently -- I moved out to California
19 in 1985.
20 Q. Okay.
21 A. So in those couple of -- in those two-year
22 intervals, I actually was managing an apartment
23 complex.
24 Q. Okay. Where at?
25 A. In La Mesa.

Page 23

1 Q. La Mesa?
2 A. Yes.
3 Q. Okay. Before you came out to California,
4 what was the nature of your employment?
5 A. I worked in the grocery industry.
6 Q. Doing what, sir?
7 A. I worked between the service deli and meat
8 department.
9 Q. At a supermarket?
10 A. Uh-huh. Yes.
11 Q. And in the meat department. Okay. Were you
12 a meat cutter?
13 A. I was not.
14 Q. Okay. Now, did you graduate from high
15 school?
16 A. I did.
17 Q. When?
18 A. 1976.
19 Q. Where at?
20 A. In the Bronx, New York.
21 Q. Is that where you're from, sir?
22 A. Yes, sir.
23 Q. All right. Did you attend college?
24 A. I did.
25 Q. Which college?

Page 24

1 A. Mercy College.
2 Q. Mercy?
3 A. Yeah. M-E-R-C-Y.
4 Q. Okay. Where is that located?
5 A. In Dobbs Ferry, New York.
6 Q. Dobbs Ferry.
7 A. Yes.
8 Q. All right. And did you graduate?
9 A. I did not.
10 Q. How many years did you attend?
11 A. I attended two years.
12 Q. What did you study?
13 A. Just general studies.
14 Q. Were you ever in the military?
15 A. I was not.
16 Q. Any other education that you received other
17 than some college, two years of college, and high
18 school?
19 A. No.
20 Q. And that's excluding the -- what was it --
21 the two-year completion for the meat cutter certificate
22 at the City college?
23 A. The apprenticeship.
24 Q. Apprenticeship. Okay. Did you study
25 anything else other than being a meat cutter when you

Page 25

1 took that course at the San Diego City College?
2 A. No.
3 Q. Okay. Just focused on meat cutting?
4 A. It was just a two-day college.
5 Q. Oh. I put down "two years."
6 A. It was two years, but it was two days a week.
7 Q. Oh, I see. Okay.
8 A. Yes.
9 Q. All right. And you took that while you were
10 working; is that right?
11 A. It was mandatory.
12 Q. Okay. All right.
13 MR. FEINBERG: Your question about --
14 clarification.
15 MR. CORRALES: Uh-huh.
16 MR. FEINBERG: Your question about his
17 educational background, are you also asking about
18 training he would have received during the course of
19 his employment with the union? He mentioned some of
20 it.
21 MR. CORRALES: No. No. Formal education.
22 MR. FEINBERG: Formal education.
23 BY MR. CORRALES:
24 Q. Okay. I take it that during the time that
25 you were a meat cutter and during the time that you

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1 were a union representative that you attended various
2 seminars for on-the-job training?
3 A. Multitude.
4 Q. Okay.
5 A. Yes.
6 Q. All right. I want to ask you -- I'll ask you
7 later -- I guess I can ask it now. When you became a
8 union organizer in 1997, up through the present time
9 working for Local 135 --
10 A. Correct.
11 Q. -- did you receive any training in sexual
12 harassment?
13 A. I did.
14 Q. When was that?
15 A. I don't recall the years. It was certainly
16 after I became president.
17 Q. So not before you became president?
18 A. That is correct.
19 Q. Any reason why you didn't receive sexual
20 harassment training before you became president while
21 you were at 135?
22 A. I wasn't the president of the Local at the
23 time. So I didn't make those determinations.
24 (Mr. Jones enters room.)
25 ///

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1 BY MR. CORRALES:
2 Q. Okay. That's not my question.
3 A. Okay.
4 Q. I just want to know if you know why.
5 A. I don't.
6 Q. Okay. It could be that they offered it but
7 you refused it, or it could be that they didn't offer
8 it and you didn't know why and you didn't really know
9 that there was a requirement until you became
10 president -- I don't know.
11 A. It wasn't offered.
12 Q. Okay. It wasn't offered?
13 A. I can tell you that.
14 Q. You know that?
15 A. I know that factually.
16 Q. Okay. And when you say you became president,
17 it was offered. Is that what you're saying?
18 A. At some point after that.
19 Q. Okay. And it was after you became president
20 that you received training in sexual harassment?
21 A. The staff did.
22 Q. Okay. Did you?
23 A. All of us did, including me, yes.
24 Q. Okay. And what did that training consist of?
25 A. It was a course online that we took, and we

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1 signed a certificate upon completion.
2 Q. Okay.
3 A. And it just trained you on what actual
4 harassment was, and how to report it.
5 Q. Okay. And how many times did you take this
6 online course, you personally?
7 A. I believe twice.
8 Q. When was that?
9 A. I don't recall right now.
10 Q. When it was first offered?
11 A. Oh, yeah. The first year that it was
12 offered.
13 Q. First year it was offered. So that was in
14 2000- -- what?
15 A. I'm not -- no, not 2001.
16 Q. So when you immediately became president, it
17 was sometime after that that this online sexual
18 harassment was offered?
19 A. I can't say -- I mean, we -- I had the
20 secretary-treasurer, who at that time was
21 Rosalyn Hackworth, who looked into putting on the
22 program and then she -- I just can't recall the year.
23 But then she went ahead and organized the class, the
24 online class -- call it what you want.
25 Q. Okay. And the staff took it. And when the

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1 staff took it, you took it; is that right?
2 A. That's correct.
3 Q. All right. And you took it only twice?
4 A. That's correct.
5 Q. When was the last time you took it?
6 A. I believe -- I can't recall the exact year.
7 It would have probably been -- I don't recall the exact
8 year.
9 Q. All right. Was it before or after
10 Ms. Vasquez left 135?
11 A. It was before.
12 Q. Okay. And the two times it was before?
13 A. That's correct.
14 Q. All right. When you became president and you
15 asked Rosalyn -- is her name -- Hackworth to look into
16 this sexual harassment training, why did you do that?
17 What prompted you to do that?
18 A. I just thought it was necessary that -- I
19 think a lot of people didn't really know what, you
20 know, harassment was and whether it was sexual or
21 otherwise. And I thought it would have been good to
22 educate the staff, including all of us.
23 Q. Okay. All right. Did something happen that
24 prompted you to have training for 135 on sexual
25 harassment?

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1 A. Absolutely not.
2 Q. Okay. Did you look into why sexual
3 harassment training wasn't provided before you became
4 president, when you became president?
5 A. I did not.
6 Q. So you had no idea why it wasn't offered?
7 A. That is correct.
8 Q. Now, when you became president of Local 135,
9 was Isabel Vasquez working for the union?
10 A. Yes.
11 Q. What was her position when you became
12 president?
13 A. She was an insurance clerk.
14 Q. Do you know who hired her?
15 A. That's a good question. I'm not exactly
16 sure.
17 Q. Okay. When she became an insurance -- well,
18 when she was the insurance clerk, where was she
19 working?
20 A. She was working in the insurance -- the
21 clerical department.
22 Q. And in the building that you worked in?
23 A. That is correct.
24 Q. And how often would you see her when she was
25 the insurance clerk?

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1 A. Rarely.
2 Q. Did you say "rarely"?
3 A. Yes.
4 Q. Okay. And when you did see her, what were
5 the occasions that you did see her?
6 A. Passing through the building, potentially.
7 We were on different sides of the building.
8 Q. Okay.
9 A. Complete opposite sides.
10 Q. Okay. Okay. When she became a union rep,
11 when was that?
12 A. You mean --
13 Q. Or union organizer? What was the first thing
14 she became?
15 A. She was a union representative -- which is
16 somewhere in the middle of the year of 2005.
17 Q. Okay. And when she became a union rep, did
18 you work with her more?
19 A. She would be at staff meetings where the
20 clerical department wouldn't be at staff meetings. But
21 she had a supervisor, which was the
22 secretary-treasurer -- my office was now upstairs, and
23 the secretary-treasurer's office was in the
24 representatives' area, so --
25 Q. Okay. When you were the secretary-treasurer,

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1 did you know Isabel Vasquez?
2 A. I did.
3 Q. How did you know her?
4 A. She worked, when I was secretary-treasurer,
5 in the clerical department.
6 Q. Insurance clerk?
7 A. Uh-huh, yes.
8 Q. Okay. So did you work with her at all when
9 you were the secretary-treasurer?
10 A. I did not.
11 Q. Did you see her at all?
12 A. In the same manner that I saw her the entire
13 time she worked as the insurance clerk. We may pass
14 through each other, but that was it.
15 Q. Okay. So you would use the same word,
16 "rarely"?
17 A. That's correct.
18 Q. Okay. When she became a union rep, did she
19 have to apply for that?
20 A. She did.
21 Q. And to your knowledge who acted on that
22 application?
23 A. There was an interview process that either
24 people at the Local who wanted to get promoted went
25 through or, actually, outside people, even like

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1 members. And they went through a process. And the
2 first time Isabel applied was in 2004.
3 Q. Okay. And when she applied in 2004, was she
4 accepted?
5 A. She was not.
6 Q. Do you know why?
7 A. She just wasn't the chosen candidate.
8 Someone else was chosen.
9 Q. Okay. Was there just one slot open?
10 A. There may have been. I can't recall. There
11 may have been one or two slots, at that point in time,
12 open.
13 Q. All right. And then ultimately did she
14 become a union rep somehow?
15 A. Yes.
16 Q. And was that through the same process: She
17 applied, and then she was interviewed?
18 A. I don't recall.
19 Q. Okay. Were you involved with --
20 MR. FEINBERG: The question is compound. So
21 be clear.
22 MR. CORRALES: Okay.
23 MR. FEINBERG: There's an application and
24 then an interview --
25 MR. CORRALES: Right.

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1 MR. FEINBERG: -- that you're talking about.
2 MR. CORRALES: Let me ask a different
3 question.
4 BY MR. CORRALES:
5 Q. Were you involved at all in reviewing the
6 application when she was accepted?
7 A. That's correct.
8 Q. And how did that happen? You just fill out
9 paperwork?
10 A. Well, the process that we had at the Local
11 was we had a committee interview potential candidates,
12 and then what they did was they actually presented to
13 myself and the secretary-treasurer the finalists. And
14 then we interviewed the finalists.
15 Q. Okay.
16 A. And then made a decision from there.
17 Q. All right. And when did she become a union
18 rep, to your knowledge -- 2005, I think you said?
19 A. Yeah. In the middle of the year of 2005.
20 Q. So it was --
21 A. Correct.
22 Q. So was it the second application?
23 A. It was -- I'm not sure what you mean by "the
24 second application."
25 Q. Well, was it -- I mean, she applied the

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1 second time and got it?
2 A. That would be correct.
3 Q. Okay. All right. When you interviewed
4 her -- well, by the way, did you interview her the
5 first time?
6 A. Yes.
7 Q. So you got to know her a little bit the first
8 time and the second time, correct? Is that a "yes"?
9 A. Yes.
10 Q. Okay. And after she became a union
11 representative, did you get to know her a little bit
12 more?
13 A. Describe what that means.
14 Q. That means, did you see her more rather than
15 just passing her in the hallway?
16 A. A little more. But, again, my office is in a
17 different location too.
18 Q. Okay.
19 A. So I would see her at staff meetings a little
20 more, potentially a membership meeting. The answer is
21 "yes."
22 Q. Did you talk to her?
23 A. Sure.
24 Q. When you say "staff meetings," who attended
25 the staff meetings when you saw her at staff meetings?

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1 A. Usually it was all the salaried employees.
2 Q. And who would that be?
3 A. That would be the president, the
4 secretary-treasurer, the department heads.
5 Q. Okay.
6 A. The directors.
7 Q. Right.
8 A. The controller.
9 Q. Okay.
10 A. The union representatives.
11 Q. All right.
12 A. And the organizers.
13 Q. All right. And where were these staff
14 meetings held?
15 A. They were in our boardroom.
16 Q. And how big is the boardroom?
17 MR. FEINBERG: How many can it seat?
18 BY MR. CORRALES:
19 Q. Yeah. How many can it seat?
20 A. We could seat in that boardroom about 20.
21 Q. 20. Okay.
22 A. Yes.
23 Q. And was it usually full when you had these
24 staff meetings?
25 A. For the most part. I mean, people were on

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1 vacation and things like that. But for the most part,
2 they were.
3 Q. I mean, did you have to speak with a
4 microphone?
5 A. No. No. No.
6 Q. Okay. So when you spoke, it was a little bit
7 more close quarters with people? I mean, would you
8 walk around and talk to people, or were you, like,
9 distance, you know, "Can anybody hear me back there?"
10 A. I sat at the head of the table, and it was a
11 circular table. And my voice would carry anyway, so --
12 Q. Okay. All right.
13 A. So I didn't need a microphone.
14 Q. Okay. All right.
15 A. They all heard me.
16 Q. So it wasn't very formal where you were
17 behind a podium, on a stage, or anything like that?
18 A. Oh, no.
19 Q. Okay. So during the time that Isabel was
20 working at 135 as a union representative up until the
21 time that she left, did you see her, like, at
22 restaurants, you know, employee get-togethers? That
23 sort of thing from time to time?
24 A. No.
25 Q. Never did. Okay. And did you ever have

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1 Isabel Vasquez perform oral sex on you?
2 A. Absolutely not.
3 Q. Okay. Did you ever ask her to do that?
4 A. Absolutely not.
5 Q. And I don't mean personally, but in the
6 office? Did you ever do that in the office, ask her to
7 perform oral sex on you?
8 A. Absolutely not.
9 MR. CORRALES: All right. I'm going to show
10 you what I'll have marked as Exhibit No. 1.
11 (Exhibit 1 was marked for identification.)
12 BY MR. CORRALES:
13 Q. And this purports to be portions of Volume II
14 to Isabel's deposition. And you were there, correct,
15 at her deposition?
16 A. I was.
17 Q. And on page 335, your attorney is asking her
18 questions these times where she says that you did have
19 oral sex with her.
20 And she says: "Okay. All right.
21 Mr. Kasparian" -- this is line 9 -- "has a very
22 noticeable mole on his penis, okay? He has -- it --
23 it sticks out about a quarter of an inch. It's flesh
24 colored. And he also has a another mole, he did,
25 right here on this side that sticks out even further.

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1 He also has a couple of them on his back. Unless he's
2 had those removed and I know his wife will know I'm
3 not lying, that's my evidence. That's it. That's
4 it."
5 And then Mr. Feinberg says: "So..."
6 And then the answer is: "So I can tell you
7 I stared at that a lot."
8 And then Mr. Feinberg says: "What's 'a
9 lot?'"
10 And then she says: "Like 10, 15 times."
11 Later, on the next page, 390. Mr. Feinberg
12 is asking questions about your penis again. He says:
13 "Q Okay. Earlier you described a -- you
14 described Mr. Kasparian's penis.
15 "A Yes.
16 "Q And you mentioned a mole on it,
17 correct?
18 "A Yes.
19 "Q To your knowledge, in your observation,
20 were there any other distinguishing marks on
21 Mr. Kasparian's genitals?
22 "A No."
23 BY MR. CORRALES:
24 Q. Okay. So when you were there and you heard
25 Ms. Vasquez say this in her deposition, did you agree

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1 with her about the mole on your penis?
2 A. I did.
3 Q. You did agree with her?
4 A. Yes.
5 Q. Okay. And how was it that -- to your
6 knowledge -- she knows about the mole on your penis?
7 MR. FEINBERG: Objection. Calls for
8 speculation.
9 BY MR. CORRALES:
10 Q. You can answer.
11 A. Not from me.
12 Q. Okay. So do you have any reason to believe
13 that she, maybe, talked to your wife or somebody else
14 that may have seen the mole on your penis?
15 A. I believe she talked to somebody else.
16 Q. But do you know who that person might have
17 been?
18 A. Potentially, yes.
19 Q. Who is that?
20 A. Terry Hunt.
21 Q. Terry Hunt. Okay. And what is it that you
22 believe -- well, let me rephrase the question.
23 How do you think that Terry Hunt knows about
24 the mole on your penis?
25 A. Several years ago I had a cancer scare. I

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1 was -- that I developed this mole, describing it very
2 vividly as Ms. Vasquez described it. And I made
3 mention of that to Terry and another person in the
4 union representatives area and that I was scared that I
5 thought it was cancer. And I was going to go to the
6 doctor to see what the status of that was.
7 Q. Okay. And so when you said that you told
8 Terry about it, did you describe it to Terry?
9 A. I remember saying that it was a mole, you
10 know, or a cyst or something on my penis. I can't
11 remember the exact terminology, but, you know, kind
12 of -- I described it. I mean --
13 Q. How did you describe it?
14 A. I described it as a cyst or a mole that was
15 on my penis that was sticking out. And I was nervous
16 that -- I was wondering if it was, potentially, cancer.
17 Q. Did you tell him on what side of your penis
18 it was sticking out?
19 A. I don't recall.
20 Q. Did you show it to him?
21 A. No.
22 Q. You said you told Terry and another person.
23 Who is this other person?
24 A. John Hotaling.
25 Q. John who?

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1 A. Hotaling, H-O-T-A-L-I-N-G.
2 Q. And did you show John Hotaling your penis?
3 A. I did not.
4 Q. And what did you tell John Hotaling?
5 A. I told them together.
6 Q. You told them together what -- oh. With --
7 A. Yes.
8 Q. -- Mr. Hunt?
9 A. They were both -- yeah.
10 Q. Okay. And when did this happen?
11 A. I don't recall.
12 Q. Okay. Did you tell Terry about the moles on
13 your back?
14 A. I don't have moles on my back.
15 Q. Okay. So in that regard, are you saying that
16 Ms. Vasquez is mistaken about the moles she saw on your
17 back?
18 A. That is correct.
19 Q. Okay. And did you ever tell --
20 MR. FEINBERG: That she said she saw on his
21 back.
22 BY MR. CORRALES:
23 Q. Right. And did you tell John Hotaling that
24 you had moles on your back?
25 A. No.

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1 Q. Okay. So other than that, is there any other
2 reason that you believe that Ms. Vasquez would have
3 said that about your penis?
4 A. Other than -- rephrase the question for me.
5 Q. Other than the source of Terry Hunt and
6 possibly John Hotaling, is there any other reason that
7 you believe that she might have said this about your
8 penis?
9 A. No.
10 Q. Okay. And who is Terry Hunt in relationship
11 to Ms. Vasquez?
12 A. I believe that's her husband right now.
13 Q. Okay. So at the time that you told Mr. Hunt,
14 to your knowledge, was there a relationship between
15 Mr. Hunt and Ms. Vasquez?
16 A. I don't believe so.
17 Q. So you're guessing, I suppose, that Mr. Hunt
18 told Ms. Vasquez about what you said about your penis,
19 correct?
20 A. That's what I feel.
21 Q. Okay. Anything else that you can tell us
22 about how Ms. Vasquez was able to identify this mole on
23 your penis when she testified about it in her
24 deposition?
25 A. No, sir.

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1 Q. Okay. Now, are you saying that Ms. Vasquez
2 is mistaken or she is being dishonest?
3 MR. FEINBERG: About what?
4 MR. CORRALES: About his penis.
5 THE WITNESS: I'm saying that she didn't see
6 it.
7 BY MR. CORRALES:
8 Q. Okay. She didn't see it. All right.
9 Now, did you ever see Ms. Vasquez's
10 personnel file? Did you ever review it?
11 A. I did.
12 Q. Okay. To your knowledge, is there anything
13 documented in her personnel file about her being
14 dishonest in any way in connection with her job duties?
15 A. Not that I recall.
16 Q. Okay. And if she was dishonest -- and that
17 can be a variety of things, correct?
18 A. Correct.
19 Q. That would be documented in her personnel
20 file, correct?
21 A. I don't know with --
22 MR. FEINBERG: Objection.
23 THE WITNESS: Yeah. I don't know --
24 MR. FEINBERG: Assumes facts not in
25 evidence -- that assumes, for example, that the union

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1 knew about her dishonesty.
2 MR. CORRALES: Okay. That's not the
3 question.
4 BY MR. CORRALES:
5 Q. But if a person was dishonest, an employee,
6 at the union, would that be something that would be
7 documented in that person's personnel file?
8 MR. FEINBERG: Objection. Assumes facts not
9 in evidence that the union was aware of the
10 dishonesty.
11 BY MR. CORRALES:
12 Q. Okay. We'll give you that. All right. If
13 the union was aware of it, would that be documented in
14 the person's personnel file?
15 A. It's an ambiguous question, because
16 dishonesty is broad. And if someone said that they
17 were on their way to the Local but didn't tell us they
18 stopped at 7-Eleven and that's why they were five
19 minutes late, that wouldn't be in their personnel file.
20 So it's an ambiguous question with dishonesty -- means
21 it's so broad.
22 Q. Well, what if the person had a habit of lying
23 about where they were and they documented that on their
24 route sheet, would that be dishonesty that would be
25 documented in the file?

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1 A. I would say "yes."
2 MR. CORRALES: Okay. Now I want to show you
3 what I'll have marked next in order, which is
4 Exhibit No. 2.
5 (Exhibit 2 was marked for identification.)
6 BY MR. CORRALES:
7 Q. And this purports to be an evaluation form on
8 Ms. Vasquez. And it's dated January 15th, 2013. And
9 have you seen this type of form before, sir?
10 A. I have.
11 Q. Okay. And what is this form used for?
12 A. It's for -- this particular form is for a
13 union rep's evaluation.
14 Q. Okay. And Ms. Vasquez was -- at the time was
15 a union rep and was being evaluated on the date
16 indicated, "January 15th, 2013," correct?
17 A. That is correct.
18 Q. And you signed this document, correct.
19 A. That is correct.
20 Q. She signed it on the last page?
21 A. That is correct.
22 Q. And then the last page it has "Final
23 Evaluation/Comments." Do you see that, sir?
24 A. I do.
25 Q. I'll read this. "Isabel is a dedicated and

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1 caring union representative. She is always there for
2 the best interest of our members. She needs to improve
3 on her messaging at the workplace and focus more time
4 on member activation on organizing." Do you see that,
5 sir?
6 A. I do.
7 Q. All right. So on the -- did I read that
8 correctly, though?
9 A. You did.
10 Q. All right. Where it says -- in this section
11 it's kind of -- like, kind of a, say, "comment,"
12 whatever it is you want to say here. But it says she's
13 "dedicated and caring." Now, dedicated -- being
14 dedicated and being caring is a characteristic,
15 correct, of an employee?
16 A. I agree.
17 Q. All right. And honesty is a characteristic
18 of an employee, correct?
19 A. Sure.
20 Q. All right. And if Ms. Vasquez had a habit of
21 being dishonest, would that be something that would be
22 noted in this section?
23 A. I'm sure.
24 Q. Okay. But it's not, right?
25 A. Correct.

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1 MR. CORRALES: All right. And then the next
2 document I want to show you is Exhibit No. 3.
3 (Exhibit 3 was marked for identification.)
4 BY MR. CORRALES:
5 Q. And this is another evaluation form, dated
6 February 9th, 2012. And it's on Elizabeth Vasquez.
7 Same form. And you signed this one as well, correct,
8 February 9th, 2012?
9 A. That is correct.
10 Q. And then on the last page it says -- and I'm
11 reading from the comment Section: "Isabel has the
12 knack to 'turn a root around.' Isabel is definitely a
13 self-starter and knows what it takes to get the job
14 done. She is compassionate, yet a strong advocate.
15 Isabel exemplifies tremendous loyalty to this Local and
16 her members."
17 Do you see that, sir? Did I read that
18 correctly?
19 A. You did.
20 Q. And would you agree that the terms
21 "compassionate" and loyal or having "loyalty" is a
22 characteristic?
23 A. Yes.
24 Q. Okay. And, again, there's nothing mentioned
25 here in this section or anywhere in this form that she

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1 was dishonest, correct?
2 A. Correct.
3 MR. CORRALES: All right. Exhibit next in
4 order is No. 4.
5 (Exhibit 4 was marked for identification.)
6 BY MR. CORRALES:
7 Q. And this is an evaluation form, again,
8 dated -- did I just give you the same one -- no --
9 January 13th, 2011.
10 MR. FEINBERG: You're working backwards.
11 MR. CORRALES: I guess so.
12 You got it?
13 MR. FOUR: Yes.
14 BY MR. CORRALES:
15 Q. All Right. And it's an evaluation form for
16 Elizabeth Vasquez, and you signed this on January 13th,
17 2011. Do you see that, sir?
18 A. Yes, I did.
19 Q. All right. And, again, there's this comment
20 section on the last page, and I'll read it. And it
21 says:
22 "Elizabeth has a great compassion for her
23 members and/or union. She is conscientious and a hard
24 worker. She is a strong advocate for her members and
25 the labor movement. Isabel should improve on some of

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1 her organizational skills, responsiveness, and
2 punctuality. Despite being a strong communicator,
3 Isabel must improve on her messaging to our members to
4 recruit activists so we may preserve the future of our
5 union. Store visits and member contact should be more
6 well-rounded. Issues like politics, organizing, union
7 values, local union issues, and activism all fall
8 under the umbrella of the union representative duties
9 and must be part of the everyday communication and
10 representative activities."
11 Did I read that correctly?
12 A. You did.
13 Q. You mentioned that she has "great passion,"
14 "is conscientious," and she's "a hard worker." Again,
15 those are characteristics of an employee, correct?
16 A. Yes.
17 Q. And, again, there's no mention in this
18 document whatsoever that she was dishonest in any way,
19 correct?
20 A. That is correct.
21 Q. All right. Let me ask you a question here
22 about Ms. Vasquez's claims against you. She mentioned
23 in her deposition that you met her at a restaurant with
24 some other people at the Grossmont Shopping Center
25 after hours. Do you remember meeting with her and some

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1 others at the Grossmont Shopping Center at a
2 restaurant?
3 A. I do not recall.
4 Q. Okay. She says that present were Tina Brown,
5 Odette Kauffman, and Al. Do you know who Al is?
6 A. We had a person working at the Local named
7 "Al." I'm not sure if it was the same one.
8 Q. Okay. All right. And do you recall showing
9 up afterwards when everybody met at the restaurant?
10 A. I don't recall.
11 Q. Okay. She says that after some time,
12 everybody left, but you asked her to go and sit in your
13 truck with her. You had a small truck at the time.
14 Did you have a small truck at the time, by the way?
15 MR. FEINBERG: Objection. Lack of
16 foundation as to the time. Assumes that -- when you
17 say "time" --
18 BY MR. CORRALES:
19 Q. Well, when you were the president --
20 MR. FEINBERG: Oh. Okay.
21 BY MR. CORRALES:
22 Q. -- did you have a small truck?
23 A. I had a truck at the time, yes.
24 Q. Okay. Was it small? What kind of truck was
25 it?

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1 A. It was a Ford Ranger.
2 Q. Ford Ranger. Okay. Ford Ranger is not an
3 F-150?
4 A. No, it's a not an F-150. It's small.
5 Q. A smaller --
6 A. Yes.
7 Q. Okay. She said that you asked her to go with
8 you and sit in your truck. Did you ever do that, sir?
9 A. Absolutely not.
10 Q. She says that she went with you to your truck
11 and that you kissed each other. Do you remember that
12 happening?
13 A. It didn't happen.
14 Q. Okay. And then she says that you asked her
15 if you could "taste her." Did you ever say that to
16 her, sir?
17 A. Absolutely not.
18 Q. She also says that you drove her home, and
19 that she was kind of drunk. Did you ever drive her
20 home from a restaurant, sir?
21 A. Never.
22 Q. Did you ever drive her home at all in your
23 truck?
24 A. Never.
25 Q. Okay. By the way when you were the president

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1 of 135, you said that you initiated this sexual
2 harassment training online, correct?
3 A. Correct.
4 Q. Was there a designated human resource person
5 at 135 when you became president?
6 A. Do you mean actually with a title --
7 Q. Right. Right.
8 A. -- "human resources"? No.
9 Q. Okay. Why not?
10 A. Because we're not set up like a company. We
11 have human resources. I mean, human resources always
12 went through our secretary-treasurer.
13 Q. Okay. At the time that you became president,
14 how many employees were -- how many employees were
15 there at 135?
16 A. Probably, about 25.
17 Q. Okay.
18 A. Just -- that's approximate.
19 Q. Okay. And with the 25 employees, was there a
20 designated person that would handle payroll?
21 A. Correct.
22 Q. Who is that?
23 A. That would be our controller.
24 Q. Oh. What was his name?
25 A. Brian Kelly.

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1 Q. Okay. So the employees received W-2s, I take
2 it?
3 A. That's correct.
4 Q. All right. And did they have, like,
5 benefits, health benefits?
6 A. Correct.
7 Q. Dental, maybe?
8 A. Correct.
9 Q. All right. And they were given certain
10 days -- sick pay or sick days off, vacation as well,
11 correct?
12 A. The staff had a collective bargaining
13 agreement, yes.
14 Q. Okay. So when they had an issue concerning
15 their health benefits or when they were sick and they
16 had to report in, who was in charge of that?
17 A. It would depend on what your job class was.
18 For instance, if you were a union representative, your
19 supervisor was the secretary-treasurer -- who was
20 Ms. Hackworth -- and if you were sick, you would just
21 call into the front desk, Ms. Hackworth's assistant.
22 Q. What if an employee had a question about his
23 or her paycheck?
24 A. They would probably go to our controller.
25 Q. Okay. And what if an employee had a question

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1 about whether or not there has been sexual harassment
2 in the workplace, who would that person go to -- when
3 you were president?
4 A. They would go to our secretary-treasurer.
5 Q. And that would be?
6 A. Rosalyn Hackworth.
7 Q. Okay. And even though you didn't have an HR
8 person, why would she be the one that they would go to?
9 A. She was their direct supervisor, number one.
10 And number two, is she always had an open door. The
11 staff was very open, including Ms. Vasquez, to talk to
12 her about issues, sometimes not even related to work.
13 They were very comfortable with her, and they knew that
14 she would take care of business.
15 Q. To your knowledge was Rosalyn Hackworth
16 trained as an HR person?
17 A. I don't know what that means.
18 Q. Did she go to a seminar or receive any
19 training on how to be a human resource person?
20 MR. FEINBERG: Objection. Irrelevant.
21 But you can answer it.
22 THE WITNESS: I can't answer it, because I
23 don't really know what an HR person -- what training
24 would involve. So I don't know that.
25 ///

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1 BY MR. CORRALES:
2 Q. Okay. All right. To your knowledge did
3 Rosalyn Hackworth know how to conduct an investigation
4 if there was a complaint for sexual harassment?
5 A. Ms. Hackworth knew how to conduct an
6 investigation on a multitude of issues.
7 Q. To your knowledge did she ever initiate an
8 investigation into sexual harassment in the workplace?
9 A. She did not.
10 Q. To your knowledge did she ever hire outside
11 investigators to conduct an investigation for sexual
12 harassment in the workplace?
13 MR. FEINBERG: Objection. Assumes facts not
14 in evidence that there was ever a complaint of sexual
15 harassment --
16 BY MR. CORRALES:
17 Q. You can answer.
18 MR. FEINBERG: -- during her
19 secretary-treasurership.
20 But you can answer the question.
21 THE WITNESS: The answer is "no."
22 BY MR. CORRALES:
23 Q. Okay. To your knowledge did she ever hire
24 any investigator to conduct any type of investigation
25 concerning harassment in the workplace?

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1 MR. FEINBERG: Same objection.
2 THE WITNESS: No.
3 BY MR. CORRALES:
4 Q. Okay. To your knowledge did she know how to
5 do that?
6 A. I'm not sure.
7 Q. To your knowledge was there anybody, like, an
8 outside investigator that was on call, on retainer, or
9 had been previously used by Local 135 to conduct sexual
10 harassment complaints?
11 A. No.
12 Q. Okay. When the online services for sexual
13 harassment were offered to employees, was there
14 anything else that was offered?
15 A. Can you be a little bit more specific?
16 Q. Like, booklets, memos, literature on what is
17 sexual harassment?
18 A. Not that I recall.
19 Q. Do you know -- was there a time when
20 Local 135 had a meeting, not staff meetings, but a
21 meeting where everybody got together and you talked
22 about sexual harassment?
23 A. I don't recall.
24 Q. Did you make any decisions concerning human
25 resource matters?

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1 MR. FEINBERG: Objection. Vague and
2 ambiguous.
3 THE WITNESS: Can you --
4 BY MR. CORRALES:
5 Q. Well, you said Rosalyn Hackworth, you know,
6 was kind of like the human resource person, even though
7 she wasn't a human resource person. You asked her to
8 look into online sexual harassment. Did you, for
9 example, say "Whatever it is you do, Rosalyn, I'm the
10 ultimate decision-maker. Run it past me"?
11 A. Well, I'm the president, so I'm the ultimate
12 decision-maker.
13 Q. Okay.
14 A. So Rosalyn and I worked as a team. So there
15 were many decisions she made that she did not have to
16 come to me with. And there would if we had -- for
17 instance, if there was a specific issue with an
18 employee that was kind of -- you know, whether they
19 weren't doing their route or something like that, then
20 we would discuss it. So it's a little bit of a
21 difficult question to answer.
22 Q. Okay. Did you ever tell her, for example,
23 that she was to act independently, without your input,
24 on sexual harassment complaints?
25 A. What I've told Rosalyn is that any issues

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1 that females had regarding complaints about males -- I
2 didn't specify it to sexual harassment -- but
3 absolutely the staff should feel comfortable to go to
4 her and talk to her about it.
5 Q. Okay. That wasn't the question, but I
6 appreciate that.
7 A. Okay.
8 Q. Did you ever tell her that she was to act
9 independently of you in investigating claims of
10 harassment in the workplace and that she was not to
11 talk to you about it but to keep it confidential?
12 MR. FEINBERG: Objection. Question is
13 woefully compound.
14 BY MR. CORRALES:
15 Q. Your answer?
16 A. I don't recall.
17 Q. Okay. Did you designate Rosalyn Hackworth to
18 be your special assistant?
19 A. No.
20 Q. What was her title?
21 A. Secretary-treasurer.
22 Q. All right. Is that the title that you had
23 before you became president?
24 A. That is correct.
25 Q. And is there a position between

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1 secretary-treasurer and president at 135?
2 A. There is not.
3 Q. So she would be second --
4 A. That's correct.
5 Q. -- in command? Got to wait until I finish.
6 A. Oh, I'm sorry.
7 Q. Ms. Vasquez talked, in her deposition, about
8 a letter that she gave you in which she said that she
9 felt guilty for your wife. And she wrote the letter
10 and gave it to you in person about what you did to her.
11 Did you ever receive that letter?
12 A. She never gave me that letter.
13 Q. Okay. That's not the question.
14 A. Okay.
15 Q. Did you ever receive the letter that she says
16 she gave you?
17 A. No.
18 Q. Okay. And do you know what she's talking
19 about?
20 A. I don't have any idea.
21 Q. Okay. Now, do you recall going to Las Vegas
22 for a drug and food council?
23 A. I went to several.
24 Q. How about in 2005?
25 A. I did.

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1 Q. Okay. And who went with you? I don't mean,
2 you know, physically with you, but who went with you
3 and the group, if anybody?
4 A. We had some of our staff members go.
5 Q. Okay. Who went?
6 A. I can't be specific.
7 Q. But you went, correct?
8 A. I did.
9 Q. Did you go by yourself?
10 A. In 2005, I did.
11 Q. Okay. And did Ms. Vasquez go?
12 A. She did not go.
13 Q. Okay. She was a rep in 2005?
14 A. She had just became a rep.
15 Q. Okay. Now, did you go to Caesars -- stay at
16 Caesars Palace at the time?
17 A. Are we still at 2005?
18 Q. Yes.
19 A. Yes.
20 Q. All right. And it lasted between, what,
21 Thursday to Sunday?
22 A. It lasted about four days. I can't be
23 specific on the days.
24 Q. Okay. And you're positive that Ms. Vasquez
25 wasn't there?

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1 A. That is correct.
2 Q. She says she was. You heard her in her
3 deposition.
4 A. Uh-huh.
5 Q. And she said that you showed up -- that she
6 went to her room, and you called her and asked to come
7 to her room. Do you remember that happening?
8 A. No.
9 Q. Okay.
10 A. As I said, she wasn't there in 2005.
11 Q. All right. I still need to ask you these
12 these questions.
13 MR. FEINBERG: She'll -- what happened.
14 THE WITNESS: Right.
15 MR. CORRALES: I understand.
16 BY MR. CORRALES:
17 Q. Now, she says that she had her pajamas on and
18 you knocked on her door -- when she opened the door and
19 she had her pajamas on. Do you recall that happening?
20 A. No, it didn't happen.
21 Q. Okay. And she said she was wearing boxer
22 shorts and a T-shirt. Do you recall that ever
23 happening?
24 A. No, didn't happen.
25 Q. And then she says that she was very drunk,

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1 but that you had sex with her. Do you recall that
2 happening?
3 A. Absolutely not.
4 Q. She says --
5 MR. FEINBERG: So it didn't happen?
6 BY MR. CORRALES:
7 Q. She says you were wearing Jockey underwear at
8 the time, long, tight on your legs?
9 A. Didn't happen.
10 Q. Is that true? When you were in Las Vegas,
11 did you wear long and tight Jockey underwear?
12 A. You're asking me what I was wearing --
13 Q. Yes.
14 A. And the answer is "no."
15 Q. Okay. Do you recall her telling you that she
16 felt bad because you were married?
17 A. No. She never said it, because it never
18 happened.
19 Q. Did you ever tell her in response to her
20 saying that she felt bad about you having sex with her,
21 that it was "okay" and "don't worry about it" -- words
22 to that effect?
23 A. The answer is "no."
24 Q. Okay.
25 A. Never happened.

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1 Q. Okay. All right. Now, do you recall going
2 to a Nation or National Beef negotiations in 2013?
3 A. Yes.
4 Q. And was Ms. Vasquez there?
5 A. She was one of the people there, yes.
6 Q. Okay. When she was there, did you ask her to
7 come to your room?
8 A. I did not.
9 Q. Okay. And where was this Nation Beef
10 negotiation? Was that in Brawley?
11 A. It was actually in El Ciento.
12 Q. Okay. All right. Did you have sex with her
13 at that time?
14 A. I did not.
15 Q. Did you ever have sex with Ms. Vasquez in
16 your truck?
17 A. Never.
18 Q. Did you ever ask her to perform oral sex on
19 you in your truck?
20 A. Never.
21 Q. Do you recall there being a meeting with Solo
22 Cup sometime -- let's see -- in 2003?
23 A. We organized Solo Cup in 2003.
24 Q. Did you ever go to a hotel near your house
25 off of the 8 freeway in Fletcher Parkway during this

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1 Solo Cup meeting?
2 A. We negotiated our contract at a place in
3 La Mesa.
4 Q. Okay.
5 A. Yes.
6 Q. And did you ever call Ms. Vasquez during the
7 time that you were at a hotel in La Mesa, during the
8 Solo Cup negotiation, and ask her to come see you at
9 the hotel?
10 A. No.
11 Q. And did you -- let me rephrase the question.
12 Did Ms. Vasquez come to your hotel in
13 La Mesa at this time and perform oral sex on you?
14 A. Absolutely not.
15 MR. CORRALES: Okay. Is this a good time to
16 take a break?
17 MR. FEINBERG: Sure.
18 THE WITNESS: Sure.
19 THE VIDEOGRAPHER: We're going off the
20 record. The time is 10:04 a.m.
21 (Recess was taken.)
22 THE VIDEOGRAPHER: We are on the record.
23 The time is 10:18 a.m.
24 BY MR. CORRALES:
25 Q. Okay. Mr. Kasparian, we took a break, and I

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1 just want to remind you that we're still under oath.
2 A. Yes.
3 Q. Okay. All right. Do you recall ever meeting
4 with Ms. Vasquez in your car in a parking lot of the
5 Claim Jumpers in La Mesa?
6 A. Ms. Vasquez was never in my car.
7 Q. In -- how about your truck?
8 A. Never in my truck.
9 Q. Okay. And do you recall ever having her give
10 you oral sex in your car in the parking lot of
11 Claim Jumper in La Mesa?
12 A. It didn't happen.
13 Q. Okay. Now, do you remember there being a
14 Christmas party in December 2015?
15 A. I do.
16 Q. And at this Christmas party, was this at the
17 Local 135 building, or where was it?
18 A. 2015, it would have been at Baci restaurant.
19 Q. Okay. And do you recall if Ms. Vasquez was
20 present?
21 A. She was.
22 Q. And do you recall making an announcement that
23 you wanted her to be on the executive board at that
24 time?
25 A. I don't recall that.

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1 Q. Did you ever announce to anyone that you
2 wanted her to be on the executive board?
3 A. I know I told Ms. Hackworth that.
4 Q. Okay. But is it possible that you said this
5 at this Christmas party, but you just don't remember?
6 MR. FEINBERG: Objection. Calls for
7 speculation.
8 THE WITNESS: I don't recall.
9 BY MR. CORRALES:
10 Q. Okay. What did you tell Ms. Hackworth about
11 that?
12 A. That we were looking to add an e-board
13 position because Terry Hunt, who was on the e-board,
14 was going to retire. And we wanted to be able to try
15 to fill that position with diversity -- we were trying
16 to have a diverse board -- and I was certainly
17 considering Ms. Vasquez, her timetable for -- you know,
18 how long she was going to be at the Local, whether she
19 was going to -- you don't want to put somebody on the
20 executive board and six months later they retire. So
21 that was kind of entered into the equation. But she
22 was definitely in the mix for that.
23 Q. Was she ever placed on the board?
24 A. She was not.
25 Q. Okay. And why not?

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1 A. Because she was going to retire --
2 Q. Okay.
3 A. And her and I talked.
4 Q. What -- you said you and her talked.
5 A. Yes.
6 Q. And so you talked to her about her not being
7 on the board because she was going to retire?
8 A. She had come to me earlier in '15 and talked
9 about retiring.
10 Q. Okay.
11 A. And then she decided not to at that point in
12 time.
13 Q. Okay. Now, if --
14 MR. FEINBERG: Excuse me.
15 Were you finished with your answer?
16 THE WITNESS: Yes.
17 BY MR. CORRALES:
18 Q. These board meetings, these executive board
19 meetings, when are they held?
20 A. Once a month.
21 Q. Where at?
22 A. At the Local.
23 Q. What time?
24 A. Usually at 4:00 o'clock.
25 Q. So after hours?

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1 A. No. During hours.
2 Q. 4:00 o'clock until when?
3 A. Usually, they last until 5:00 o'clock.
4 Q. Okay. Do they ever last longer than that?
5 A. Rarely. They can. But we just had one the
6 other time -- night, and it ended a little before 5:00.
7 Q. Okay.
8 A. Usually, they last an hour or a little less.
9 Q. When the executive board meeting ends, are
10 people still working in the building?
11 THE WITNESS: Sorry. What am I doing here?
12 Thank you.
13 Okay. Sorry.
14 BY MR. CORRALES:
15 Q. Okay. Do you remember the question?
16 A. I think you asked -- well, why don't you
17 repeat it.
18 Q. Okay. When the executive board ends,
19 normally, are there still people working in the
20 building?
21 A. Usually, yes.
22 Q. Okay. Ms. Vasquez says that these executive
23 board meetings usually go until 6:00 o'clock at night.
24 Does that refresh your recollection about when the
25 board meetings end?

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1 A. No.
2 Q. Okay. So you think she's mistaken?
3 A. She's not on the executive board, so I'm not
4 sure how she would know when it ends.
5 Q. Okay. Now, Ms. Vasquez in her deposition
6 talked about an incident where you called her and had
7 her come up to your office and perform oral sex on her.
8 Do you recall that happening, sir?
9 A. Ms. Vasquez never performed oral sex in my
10 office.
11 Q. She said that on one particular occasion that
12 you did this that Francine opened the door at the time
13 that this occurred. Do you recall Francine ever
14 walking into your office during the time that you were
15 having Ms. Vasquez perform oral sex on you?
16 MR. FEINBERG: Objection. Compound and
17 assumes facts not in evidence.
18 But you can answer.
19 BY MR. CORRALES:
20 Q. Do you recall Francine ever opening the door
21 to your office while you were alone with Ms. Vasquez?
22 A. Never happened.
23 Q. So is it your testimony that Ms. Vasquez was
24 never alone in your office with you at any time?
25 A. She was up in my office -- that I can

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1 recall -- probably on two occasions. Both times at her
2 request.
3 Q. Okay. But what was the two occasions? Let's
4 take the first time when she was in your office. What
5 was that for?
6 A. She was -- out of order, in order.
7 Q. Okay. Doesn't matter.
8 A. She talked to me about complaining about a
9 gentleman by the name of Rudy Medina, who was an HR
10 person for National Beef at the time. And she was
11 having trouble getting things done with him, and she
12 was asking for my intervention.
13 Q. Okay. And then the next time.
14 A. The second time she actually complained about
15 German Ramirez.
16 Q. Okay.
17 A. Because she kind of felt that he was sexist
18 and a bit of a bully. So she wanted to talk to me
19 about that.
20 Q. Okay. All right. Did you -- did Francine
21 ever walk into any of these meetings that she had with
22 you?
23 A. No.
24 Q. -- when -- as you described them?
25 A. No.

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1 Q. Okay. So is it your testimony that Francine
2 never opened the door and came into your office while
3 you were alone with Ms. Vasquez?
4 A. That's my testimony.
5 Q. Did you ever run into the restroom when
6 Ms. -- when Francine came into the office when you were
7 alone with Ms. Vasquez?
8 A. Absolutely not.
9 Q. Did you ever have -- let me phrase the
10 question.
11 What conversations did you have with
12 Ms. Francine -- I can't remember her last name --
13 MS. VASQUEZ: Woods.
14 BY MR. CORRALES:
15 Q. Woods. What conversation did you have with
16 Francine Woods about you being alone with Ms. Vasquez
17 in your office?
18 A. I'm not sure what you mean by that.
19 Q. Did you ever have any conversations with
20 Francine Woods about you being alone with Ms. Vasquez
21 in your office?
22 MR. FEINBERG: Objection. Invades
23 attorney-client privilege. If you're asking him what
24 conversations that he may have had with her with
25 counsel present.

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1 MR. CORRALES: Excluding that, obviously.
 2 MR. FEINBERG: I want to be sure it's
 3 excluded.
 4 THE WITNESS: So the answer is "no."
 5 BY MR. CORRALES:
 6 Q. Okay. And did Francine ever tell you, for
 7 example, that she opened the door while you were alone
 8 with Ms. Vasquez in your office?
 9 A. No.
 10 Q. Did you ever tell Francine not to say
 11 anything about what she observed when she walked into
 12 your office when you were alone with Ms. Vasquez?
 13 MR. FEINBERG: Objection. Assumes facts not
 14 evidence.
 15 But you can answer.
 16 THE WITNESS: Absolutely not.
 17 BY MR. CORRALES:
 18 Q. Okay. And who is Francine Woods?
 19 A. She's my assistant.
 20 Q. If Francine Woods were to say that she saw
 21 you alone with Ms. Vasquez in your office after you had
 22 oral sex with her, would you fire her?
 23 MR. FEINBERG: Objection. Wow. Compound.
 24 Calls for speculation. And assumes facts not in
 25 evidence.

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1 But you can answer that.
 2 THE WITNESS: She would be lying.
 3 BY MR. CORRALES:
 4 Q. Okay. So if you did do that and she saw you
 5 in a situation like that, would you fire her?
 6 MR. FEINBERG: I'm going to object and
 7 direct him not to answer. It's so speculative and has
 8 no basis in fact whatsoever. I'm going to direct him
 9 not to answer the question.
 10 MR. CORRALES: All right. We'll have that
 11 marked.
 12 BY MR. CORRALES:
 13 Q. Would it be your custom and practice to fire
 14 an employee for reporting sexual harassment?
 15 A. Absolutely not.
 16 Q. Would it be your custom and practice to fire
 17 an employee for confronting you when seeing you engage
 18 in sexual harassment?
 19 A. Absolutely not.
 20 Q. Did you ever say --
 21 MR. FEINBERG: For the record there cannot
 22 be a custom and practice when something has never
 23 occurred.
 24 BY MR. CORRALES:
 25 Q. All right. Did you ever say words to the

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1 effect to Ms. Vasquez, "Don't worry. Nothing will
 2 happen. It will be okay. Francine won't say
 3 anything," after Francine walked into the office and --
 4 with you alone with Ms. Vasquez?
 5 MR. FEINBERG: Objection. Compound.
 6 Assumes facts not in evidence.
 7 But you can answer.
 8 THE WITNESS: Francine didn't walk into the
 9 office, so we didn't have a conversation.
 10 BY MR. CORRALES:
 11 Q. So you never said words to the effect to
 12 Ms. Vasquez, "Don't worry. It will be okay. Francine
 13 won't say anything"?
 14 MR. FEINBERG: Objection. Asked and
 15 answered.
 16 But you can answer one more time.
 17 THE WITNESS: I did not.
 18 BY MR. CORRALES:
 19 Q. Okay. All right. Now, Ms. Vasquez testified
 20 that she attended your son's wedding in February of
 21 2015. Do you recall that happening?
 22 A. I do.
 23 Q. All right. And do you recall her helping
 24 your mother get home safely?
 25 A. I do.

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1 Q. And do you recall calling her or saying to
 2 her, words to the effect, "I love you"?
 3 A. Absolutely not.
 4 Q. Okay. Did you ever thank her for that?
 5 A. I did thank her for that.
 6 Q. And when you thanked her for that, did you
 7 say, "I really love you"?
 8 A. I did not.
 9 Q. Okay. Now, you told us that you had a
 10 conversation with Ms. Vasquez about her retiring at
 11 some point, correct?
 12 A. That's correct.
 13 Q. And did you -- when you had this conversation
 14 with her before she left, did you say words to the
 15 effect, "You're going to be here as long as I am,
 16 because Tom" -- referring to her boyfriend, I
 17 suppose -- "is not going to take care of you. He can't
 18 afford it." Did you say anything like that to her?
 19 A. What I said to her was -- she's always had
 20 financial problems and always complained about Tom --
 21 you know, the gentleman that she was with never, you
 22 know, taking care of her and her having to kind of be
 23 on her own. So I reminded her that her pension with
 24 the International, which is the major source of her
 25 income, doesn't kick in until she's 60. And she is

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1 going to have financial problems if she does retire.
2 So I didn't say she's going to be here as
3 long as -- but I did say she should think it through a
4 little, because, you know, we wouldn't want to see her
5 retire and be in financial straits. Because she's had
6 a financial problem most of her life.
7 Q. Okay. And you knew that?
8 A. Yes.
9 Q. And how is it that you knew that she had
10 financial problems?
11 A. Isabel was an open book. She told everybody
12 at the Local -- everybody at the Local knew about her
13 financial problems. So it wasn't like she told me
14 directly, she told anybody within an earshot.
15 Q. So how did you find out about it?
16 A. I don't recall. She may have said something,
17 you know, to someone else and came back to me. I don't
18 recall.
19 Q. Okay. So do you recall having a specific
20 conversation with her where you discussed her having
21 financial problems?
22 A. No.
23 Q. But at least you did say to her that she
24 couldn't afford to retire, right?
25 A. I thought she was taking a risk. I didn't

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1 say she couldn't afford to. I thought she was taking a
2 risk.
3 Q. Okay. So why would you say she was taking a
4 risk if you didn't know if she had financial problems?
5 A. You asked me if she had a specific
6 conversation with me about the financial problems, and
7 I said I didn't recall, but I knew of her financial
8 problems. So that's -- so I knew.
9 Q. Okay.
10 A. But you asked me if there was a specific
11 conversation; and that, I don't recall.
12 Q. Do you normally discuss a person's financial
13 problems without them being, you know, on a friendship
14 type of basis with you?
15 A. Anybody that works at the Local Union is part
16 of our family. So if they come to me and they are
17 looking for questions, advice, I will be happy to
18 interact with them to the best of my ability.
19 Q. Okay. So did you think that it was in
20 Ms. Vasquez's best interest to stay with the union in
21 light of her having financial difficulties?
22 A. So the answer to that is, that was her
23 decision. I would have liked Ms. Vasquez to stay at
24 the union, because she had been a good union
25 representative. And in regards to her financial,

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1 again, that was her risk. It was just -- you know, she
2 came to me, and it was my advice. But I don't -- that
3 wasn't my decision, it was hers. I actually told her,
4 you know, "Let me know at some point. It's your
5 decision, but let me know what you want to do." And
6 then she never brought it up again, which told me she
7 was staying.
8 Q. Okay. Did you ever have a conversation with
9 Ms. Vasquez where she complained about the way in which
10 you were treating her?
11 A. Never.
12 Q. Did you think that Ms. Vasquez had some
13 emotional issues that prevented her from opening up and
14 talking to you about her perceptions of the way in
15 which you treated her?
16 MR. FEINBERG: Objection. Assumes fact not
17 in evidence that Mr. Kasparian was even aware that
18 there were any issues about how she was treated --
19 allegedly was treating her.
20 BY MR. CORRALES:
21 Q. Your answer.
22 A. No.
23 Q. Okay. Did you ever become aware that she had
24 emotional issues while she was working?
25 A. It's an ambiguous question. I don't know

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1 what that means.
2 Q. Did you ever think that she had psychological
3 issues that she was dealing with when she was working
4 at the union?
5 MR. FEINBERG: Concerning her relationship
6 with Mr. Kasparian or anybody else?
7 MR. CORRALES: Any kind of psychological
8 issue.
9 MR. FEINBERG: Anything at all then.
10 THE WITNESS: She told people that she was
11 seeing a therapist. That's as far as I knew her --
12 BY MR. CORRALES:
13 Q. Did you know directly that she was having
14 psychological issues?
15 A. She never said that to me.
16 Q. So you never knew?
17 A. I think I testified a few seconds ago that
18 she was an open book and told everybody her problems.
19 And so you're asking me -- I'm not sure if you're
20 asking me if I knew from her or I knew from others. So
21 if you can specify that, it will be helpful.
22 Q. Okay. I'm not asking about what you heard,
23 rumors --
24 A. Okay.
25 Q. -- through the grapevine.

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1 A. Okay.
2 Q. I'm asking if you have any -- during the time
3 that she was working there, did you come into any
4 direct knowledge that she was having psychological --
5 A. No.
6 Q. -- issues?
7 A. No.
8 Q. You sure?
9 A. I'm positive.
10 MR. FEINBERG: Did she ever take a leave?
11 MR. CORRALES: No coaching the witness.
12 THE WITNESS: She may have. I don't
13 remember.
14 MR. CORRALES: Let's have you look at
15 Exhibit No. 5, which is the document next in order.
16 (Exhibit 5 was marked for identification.)
17 BY MR. CORRALES:
18 Q. It purports to be a document from
19 John Bartholow, Ph.D., dated January 14th, 2008. And
20 attached to that is a letter of December 12, 2007. I
21 don't know why the dates -- look at the December 12th,
22 2007. Do you see that letter?
23 A. I do.
24 Q. Is that your handwriting?
25 A. It's my signature.

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1 Q. And it says: "Dear Isabel, I have received
2 your disability request extending your leave of absence
3 from work through and including January 14th, 2008" --
4 and so forth. Do you remember sending her this?
5 A. I don't.
6 Q. You don't. Okay. And this is attached to
7 this note from Dr. Bartholow, Ph.D.. He dates it
8 December 11, 2007. And it says: "Isabel Vasquez is
9 currently under my care for psychological stress,
10 unrelated to work conditions, and has been placed on
11 leave of absence for this reason." Now, did you ever
12 see this before, sir?
13 A. I don't recall.
14 Q. But that is your signature on the letter?
15 A. My signature is on the --
16 Q. Letter?
17 A. -- disability letter, correct.
18 Q. Okay.
19 A. It's actually my stamp.
20 MR. CORRALES: Okay. Next in order is
21 Exhibit No. 6.
22 (Exhibit 6 was marked for identification.)
23 BY MR. CORRALES:
24 Q. And this purports to be another note from
25 Dr. Bartholow is it? Bartholow.

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1 MR. CORRALES: Did I give you one?
2 MR. FEINBERG: Not yet.
3 BY MR. CORRALES:
4 Q. And it's dated January 7th, 2008. And
5 attached to that is a letter from you dated
6 January 11th, 2008, to Ms. Vasquez. Is that your
7 signature, sir?
8 A. That is my signature.
9 Q. And it's the same thing. It says: "I have
10 received your disability request extending your leave
11 of absence from work through and including January 20,
12 2008, and returning to work on January 21st, 2008."
13 Now, have you ever seen this note from
14 Dr. Bartholow before?
15 A. I don't recall if I've seen that letter from
16 Dr. Bartholow.
17 Q. But it is your --
18 A. My signature --
19 Q. This is your signature?
20 A. My signature is on the disability, which is
21 prepared by my assistant.
22 Q. All right. Now, when you -- the disability
23 request relates to her being treated for psychological
24 stress by Dr. Bartholow, correct?
25 A. According to the letter, that's correct.

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1 MR. CORRALES: Okay. Next in order is
2 Exhibit No. 7.
3 MR. FEINBERG: Be sure you don't take it out
4 of context, Counsel, because it says "unrelated to
5 work conditions."
6 MR. CORRALES: Yeah. This is Exhibit No. 7.
7 (Exhibit 7 was marked for identification.)
8 BY MR. CORRALES:
9 Q. And this purports to be a another note from
10 Dr. Bartholow, dated January 16th, 2007. And there's
11 another letter from you dated January 17th, 2008 -- did
12 I say 2007 -- January 16th, 2008. And your letter is
13 dated January 17th, 2008. Is that your handwriting,
14 sir -- signature?
15 A. That is my stamped signature, yes.
16 Q. Okay. And you read this letter before it was
17 sent out, right?
18 A. I may or may have not.
19 Q. Okay. All right. And this letter -- note
20 from Dr. Bartholow is, again, the same note concerning
21 her being treated for psychological stress, correct?
22 A. According to the doctor's note, yes.
23 MR. CORRALES: Okay. Next in order is
24 Exhibit No. 8.
25 (Exhibit 8 was marked for identification.)

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1 BY MR. CORRALES:
2 Q. And this, again, is a note from
3 Dr. Bartholow, dated November 29th, 2007, and a letter
4 dated November 30th, 2007. Is that your signature,
5 sir?
6 A. That is my stamped signature, yes.
7 Q. All right. Did you authorize this letter to
8 be sent?
9 A. If my stamped signature is on it, then I
10 would have authorized it. My assistant would have
11 probably said that one of our employees is requesting a
12 leave of absence and can we sign granting them the
13 leave.
14 Q. Okay.
15 A. So it wouldn't have went out without me at
16 least knowing that somebody was on a leave.
17 Q. All right. Okay. And, again, this doctor's
18 note refers to Ms. Vasquez being treated for
19 psychological stress, correct?
20 A. According to the doctor's note, yes.
21 Q. During the time that Ms. Vasquez was working
22 as a union representative, did you feel the need to
23 treat her with care because of her psychological
24 condition?
25 A. She was treated the same as every other union

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1 representative.
2 Q. But, I mean, you know, some employees, they
3 have certain issues, you know, medical issues, and they
4 go to work but the employer has to be careful not to
5 offend them, not to, you know, make their situation
6 worse, and that sort of thing. As her supervisor, as
7 president of 135, did you think that it was important
8 for you to be careful about how you treated Ms. Vasquez
9 in light of her psychological condition?
10 MR. FEINBERG: Are you asking whether he
11 felt it necessary to give her an accommodation?
12 MR. CORRALES: No. The question is the
13 question.
14 BY MR. CORRALES:
15 Q. Do you understand the question, sir?
16 MR. FEINBERG: I'm going to object to this
17 question as being irrelevant; outside the scope of his
18 litigation. Certainly outside the scope of your
19 insistence that emotional distress damages be not
20 subject to discovery. So I'm going to direct him not
21 to answer the question.
22 MR. CORRALES: Okay. We'll have that marked
23 as well.
24 BY MR. CORRALES:
25 Q. Now you understood, based upon what you told

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1 us, that -- well, based upon these documents, that
2 Ms. Vasquez was being treated for psychological stress,
3 correct?
4 A. At the time you asked me the question, I
5 wasn't sure if she was.
6 Q. Okay. All right.
7 A. I knew she had been on disability, but --
8 Q. These documents show that she was, correct?
9 A. I understand that.
10 Q. All right. Now --
11 MR. FEINBERG: The documents show that
12 that's what the doctor said.
13 BY MR. CORRALES:
14 Q. Now, is it true that if she is suffering from
15 psychological stress that you had an obligation as an
16 employer not to mistreat her, correct?
17 MR. FEINBERG: Objection. Assumes facts not
18 in evidence. Calls for a legal conclusion. Outside
19 the scope of this litigation. And direct him not to
20 answer the question.
21 MR. CORRALES: Okay. You may mark that as
22 well.
23 BY MR. CORRALES:
24 Q. Do you understand, sir, that if Ms. Vasquez
25 is saying that you sexually harassed her that it would

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1 be wrong for you to take advantage of her psychological
2 condition, if, in fact, that's true? Would you agree
3 with that, sir?
4 MR. FEINBERG: Objection. Assumes facts not
5 in evidence that Mr. Kasparian was ever informed
6 during her employment that she had any claim for
7 sexual harassment.
8 But he can answer that question.
9 THE WITNESS: I wouldn't mistreat any
10 employee.
11 BY MR. CORRALES:
12 Q. Okay.
13 A. Ms. Vasquez or anybody else included.
14 Q. Okay. And do you believe that you have an
15 obligation not to mistreat an employee who has a
16 specific condition that you know about?
17 MR. FEINBERG: Objection. Outside the scope
18 of this litigation. Outside the scope of the
19 complaint. You do not have a claim for disability
20 discrimination here or anything like that. So I just
21 don't understand the purpose of this question.
22 MR. CORRALES: Well, just for -- just to
23 accommodate you, Counsel, because these are improper
24 objections.
25 MR. FEINBERG: They're improper questions.

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1 MR. CORRALES: There is no issue here that
2 we have withdrawn emotional -- a garden variety of
3 emotional distress. So your claim that it's outside
4 the scope is wrong. We've stipulated to the other
5 negligent infliction and so forth -- emotional
6 distress -- but we did not stipulate to garden variety
7 emotional distress. So my question, I think, is
8 proper.
9 BY MR. CORRALES:
10 Q. My question to you, sir, is, Do you believe
11 that you have an obligation as an employer or
12 supervisor not to mistreat employees with known mental
13 or psychological problems?
14 MR. FEINBERG: Objection. Assumes facts not
15 in evidence. Outside the scope of the litigation.
16 Calls for a legal conclusion.
17 You can answer it, if you know.
18 THE WITNESS: I have an obligation not to
19 mistreat any employees.
20 BY MR. CORRALES:
21 Q. Okay. All right.
22 A. Period.
23 Q. Okay. Now, so is it correct, sir, that you
24 knew that Ms. Vasquez had psychological issues that she
25 was dealing with, and you took advantage of that and

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1 directed her to have sex with you?
2 MR. FEINBERG: Objection.
3 BY MR. CORRALES:
4 Q. Isn't that true?
5 MR. FEINBERG: Compound question. There are
6 literally three questions in one.
7 BY MR. CORRALES:
8 Q. Isn't that true, sir?
9 A. Absolutely not.
10 Q. And isn't it true that you thought it would
11 be easy for you to victimize her because she was having
12 psychological issues?
13 MR. FEINBERG: Objection. Question is
14 argumentative. Calls for a legal conclusion. It is
15 compound. Direct the witness not to answer the
16 question.
17 BY MR. CORRALES:
18 Q. Isn't it true that you took advantage of her
19 psychological condition in order to gratify your sexual
20 urges?
21 MR. FEINBERG: Objection. Argumentative.
22 But I'll let you answer that question.
23 THE WITNESS: Absolutely not.
24 BY MR. CORRALES:
25 Q. I want to ask you a question about your

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1 office. Now at 135, you had a desk, correct?
2 A. Are you talking about my specific office?
3 Q. Yes, your office.
4 MR. FEINBERG: As president?
5 THE WITNESS: As president?
6 BY MR. CORRALES:
7 Q. Yes. And did you have, like, a credenza or
8 anything associated with your desk?
9 A. Just a -- it's an extension is what it is.
10 Q. Okay.
11 A. Yeah.
12 Q. Did you have pictures on your desk of
13 different people?
14 A. Several.
15 Q. Several. And did any -- at any time, did any
16 of those pictures on your desk include a picture of
17 Ms. Vasquez?
18 A. There was a picture with my daughter and
19 Ms. Vasquez and Lindsey Bensinger and then one of our
20 IT people -- the four of them at a golf tournament.
21 Q. Okay. One of the IT -- you don't remember
22 the name of the IT --
23 A. Corey -- I can't think of his last name. His
24 name was Corey.
25 Q. Corey. Okay.

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1 A. I don't know what his last name was.
2 Q. All right. And to your knowledge, did
3 Ms. Vasquez ever see that picture on your desk?
4 A. To my knowledge, I would not know that.
5 Q. Okay. She said that she -- in her
6 deposition -- that she saw -- when she was in your
7 office, that picture that you just described, and asked
8 you to take it down because it was very cold, in the
9 picture, and you could see her nipples in the picture.
10 Do you recall that --
11 A. She never asked me --
12 Q. -- conversation?
13 A. -- to take that picture down. Sorry. I
14 didn't let you finish.
15 Q. Okay. All right. How would she know that
16 that picture was on your desk if she was never in your
17 office behind the desk?
18 A. I don't understand your question.
19 Q. How would she know that that picture was on
20 your desk?
21 A. The picture -- the pictures are behind my
22 desk.
23 Q. Okay.
24 A. If I was meeting with you right now, and you
25 were sitting there, the pictures would be here

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1 (indicating).
2 Q. Okay. And so are you saying that she may
3 have seen those pictures the two times that you
4 mentioned that she was in your office?
5 A. She might have seen them from me; she might
6 have seen them from others. Those were my pictures.
7 Q. Okay. And you don't recall her ever asking
8 you to take those down?
9 A. She definitely didn't do that.
10 Q. Are they still on your desk?
11 A. No.
12 Q. Why did you take them down?
13 A. Quite frankly, I don't have pictures of --
14 I'm not going to have -- certainly -- pictures of
15 anybody on my desk that's filed false charges against
16 me.
17 Q. I see. Okay. Isn't it true that you took
18 the picture down because Ms. Vasquez said she was
19 embarrassed by the picture that you had of her showing
20 her nipples, on your desk?
21 A. I think I testified to that, no. She never
22 said that to me.
23 Q. She says that she was in your office on one
24 occasion and performed oral sex on you in an area
25 behind your desk. Did that ever happen?

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1 A. It never happened.
2 Q. Ms. Vasquez also said that she was afraid to
3 tell anybody about what you did to her because of the
4 power and the influence that you had the at Local 135.
5 She testified about that in her deposition.
6 A. Uh-huh.
7 Q. But she said she still made asterisks on some
8 of her route sheets for a few months to indicate when
9 the sexual encounters occurred between you and her. Do
10 you remember that testimony? Do you remember she
11 testified about that in her deposition?
12 A. I recall something similar to that.
13 Q. Okay.
14 A. Not exactly the way you've outlined it,
15 but --
16 Q. Okay. All right. Did you ever research or
17 look at any of her route sheets to see if she had
18 asterisks on her -- on those sheets for any reason?
19 A. I did not.
20 Q. Do you know if her route sheets still exist?
21 A. We only go back two years on any route
22 sheets.
23 Q. Okay. Two years. So you're saying they've
24 been destroyed?
25 A. Usually, they're destroyed after two years.

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1 Q. Okay. After two years. So she filed her
2 lawsuit in 2016. So '15, '14. So she retired in
3 2000- -- let's see -- July 2016?
4 A. Correct.
5 Q. Okay. So two years from that -- '15, '14.
6 You're saying that at the time she filed her lawsuit,
7 that all of her route sheets were destroyed?
8 A. I'm not sure.
9 Q. After she filed her lawsuit, did you, to your
10 knowledge, or anyone at Local 135, destroy her route
11 sheets?
12 A. Your question is ambiguous.
13 Q. I'll rephrase it.
14 A. Please.
15 Q. At any time after you became aware that she
16 filed her lawsuit, and I think it was December of 2016,
17 did you or anyone at Local 135 destroy her route
18 sheets?
19 A. I did not, and I can't answer if somebody
20 did. They're kept for two years.
21 Q. You've said that.
22 A. Yes.
23 Q. But I'm asking if you destroyed her route
24 sheets?
25 A. Absolutely not.

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1 MR. FEINBERG: It wouldn't matter, Counsel,
2 because she testified --
3 MR. CORRALES: Just a minute.
4 MR. FEINBERG: -- that there was no sexual
5 contact after 2013.
6 MR. CORRALES: Can you just let me ask the
7 questions. You can get on your soap box in court, if
8 you want. But it's not the time for you to make
9 comments.
10 BY MR. CORRALES:
11 Q. All right. Now -- I think I asked you about
12 that. Okay. During the time that you were working
13 with Ms. Vasquez, did you ever catch her in a lie?
14 A. Not that I recall.
15 Q. You understand the term "to catch somebody in
16 a lie"?
17 A. Yeah. I mean --
18 Q. Okay.
19 A. Not that I recall.
20 Q. Okay. All right. You said that -- something
21 to the effect of, you don't put up pictures in your
22 office of people who file false charges against you.
23 So do you believe that Ms. Vasquez has filed false
24 charges against you?
25 A. Yes.

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1 Q. Do you believe she's lying?
2 A. Yes.
3 Q. Okay. During the time that Ms. Vasquez was
4 employed at 135, did you ever say -- did you ever
5 comment on a person by the name of -- well, let me ask
6 you this question: Do you know a Connie Leyva?
7 A. I do.
8 Q. Who is she?
9 A. She's a state senator.
10 Q. Okay. Did you ever make comments at 135
11 while Ms. Vasquez was still employed about Connie Leyva
12 with words to the effect that she was "only appointed
13 because she had tits."
14 A. Absolutely not.
15 Q. Would you have said something like that?
16 A. Never.
17 Q. Had you ever used the word "tits" in
18 referring to female women in front of your staff
19 members at 135?
20 A. I would never have done that.
21 Q. Okay. And would you ever -- did you ever say
22 anything about women, either in politics or elsewhere,
23 being successful because of their tits or words to that
24 effect?
25 A. Never.

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1 Q. Do you know a Stephanie Buschae?
2 A. Stephanie Buschae.
3 Q. Uh-huh.
4 A. No.
5 Q. All right.
6 MS. VASQUEZ: Buschae. Albertsons
7 Albertsons negotiator.
8 BY MR. CORRALES:
9 Q. Is there an Albertsons' negotiator by the
10 name of Stephanie Buschae that you --
11 A. Buschae, I don't know.
12 MR. CORRALES: Buschae?
13 MS. VASQUEZ: Similar to that.
14 BY MR. CORRALES:
15 Q. Okay. Did you ever say words to the effect
16 about a person by the name of Stephanie, that she
17 looked like a "crack whore" in front of people at 135?
18 A. I don't recall saying that. That was
19 something that another leader had missaid. I never
20 said that.
21 Q. Okay. Did you ever repeat it?
22 A. I highly doubt that I did.
23 Q. Did you use the F-word at board meetings in
24 front of Local 135?
25 MR. FEINBERG: I'm going to object to this

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1 line of questioning. Counsel, your claim, in this
2 case, the Vasquez case, for sexual harassment is not
3 based on anything -- anything other than
4 Mr. Kasparian's alleged treatment of the plaintiff.
5 This is not -- we are not here in the Naranjo case,
6 where those allegations are made.
7 MR. CORRALES: Okay. I disagree.
8 BY MR. CORRALES:
9 Q. Did you ever use the F-word in front of
10 employees at 135?
11 MR. FEINBERG: Objection. Irrelevant.
12 You can answer.
13 BY MR. CORRALES:
14 Q. Your answer.
15 A. I'm a union leader, right? I'm from the
16 Bronx, New York.
17 Q. Yes.
18 A. If you've asking me if I've ever used the
19 F-word, I probably have. Probably like everybody else
20 on my staff, including, Ms. Vasquez has.
21 Q. Okay. So your answer is "yes"?
22 A. The answer is "yes."
23 Q. Okay. When Ms. Vasquez made these claims
24 against you, did you conduct, you or anyone at 135,
25 conduct an investigation through an investigator, like,

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1 an HR investigator?
2 A. No.
3 Q. Prior to Ms. Vasquez leaving 135, what, if
4 anything, did you or 135 do to make sure that sexual
5 harassment did not occur in the workplace -- other than
6 these online seminars or online -- what do they call --
7 online courses?
8 A. Online courses, right.
9 Q. What did you do?
10 A. The same thing that we continue to do is have
11 the online courses. There were no sexual harassment
12 cases filed, so we kept on with the same process.
13 Q. Okay. All right. To your knowledge were you
14 ever accused at 135 of sexually harassing anyone else
15 other than Ms. Vasquez before she left?
16 A. Was -- can you repeat that? I'm sorry.
17 Q. Were you ever accused of sexual harassment
18 against any other female person before Ms. Vasquez
19 left --
20 A. No one --
21 Q. -- at 135?
22 A. No one ever made a claim of sexual
23 harassment.
24 Q. Did anyone make an informal complaint to
25 Ms. Hackworth or you about the way in which that person

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1 was treated sexually before Ms. Vasquez left?
2 A. I never had any knowledge of that.
3 Q. Okay. All right. Do you know a Ms. Miner
4 that used to work at the --
5 A. Roseanne Gil Miner.
6 Q. Yes. And who is she?
7 A. She was hired as a department -- excuse me --
8 as an insurance clerk.
9 Q. Did she work with Ms. Vasquez, to your
10 knowledge?
11 A. When Ms. Miner was hired, it was after
12 Ms. Vasquez had become a union representative.
13 Q. Okay. But she still worked in the same
14 building?
15 A. Oh, yeah.
16 Q. Okay. And did you, for example, try to have
17 sex with Ms. Miner?
18 A. Never.
19 Q. Did you ever take her out to lunch?
20 A. We went out to one lunch, yes.
21 Q. For what purpose?
22 A. Well, first of all, she was the department
23 head. You didn't ask me that, but I'll just volunteer
24 that.
25 Q. Okay.

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1 A. And it wasn't, you know, uncommon for, you
2 know, myself and Ms. Hackworth to talk to department
3 heads or take them out to lunch. But Ms. Miner had
4 approached me and talked to me about future
5 opportunities at the Local, both her and
6 Ms. Bensinger -- Lindsey, the other one.
7 Q. Lindsey.
8 A. Lindsey, yeah. So we had went out to lunch
9 down the street from the Local.
10 Q. Okay. Any reason why you just didn't meet
11 with her at the building?
12 A. Usually when people are meeting with me in an
13 office or come up to my office, it's, like, big news.
14 Something is wrong, right. If anybody would have to
15 walk up the stairs to my office, the automatic
16 impression is "They're in trouble" or "What's going
17 on?" right. And same thing if you meet in someone
18 else's office. So if you were going to have a bit of a
19 lengthy conversation, you know, potentially, doing it
20 off site, you know, it was kind of common and natural.
21 Q. Okay. Any reason why you didn't take
22 Ms. Hackworth with you?
23 A. No.
24 Q. You know, for example, that doctors -- male
25 doctors, they always have a nurse with him --

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1 A. Uh-huh.
2 Q. -- when they examine a female --
3 A. Uh-huh.
4 Q. -- in order to prevent people from accusing
5 them of inappropriate touching?
6 MR. FEINBERG: Objection. Assumes facts not
7 in evidence.
8 BY MR. CORRALES:
9 Q. Do you understand that, or did you ever hear
10 that, sir? Did you ever hear that?
11 A. No, actually, I didn't.
12 Q. So did you think it would be a good idea --
13 did it ever cross your mind that if you were going to
14 take this Rose Miner out to lunch and talk business,
15 that you should have another person with you?
16 MR. FEINBERG: Objection. Irrelevant.
17 THE WITNESS: Do you know how many lunches
18 that I actually have with coworkers outside of the
19 labor movement, inside of the labor movement, elected
20 officials -- that doesn't cross my mind.
21 BY MR. CORRALES:
22 Q. Okay. Female?
23 A. It does now.
24 Q. Female workers?
25 A. Male and female.

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1 Q. Alone? So Ms. Miner was not the only person
2 that you took out alone for lunch or dinner?
3 A. Meetings -- you're making it seem like it's
4 social, okay. And there's a difference to social, and
5 there's a difference to having a business lunch. So if
6 the question is, Have I ever been out to lunch with a
7 male or female for business? The answer is yes.
8 Alone, yes.
9 Q. Let's limit it to female. Alone with a
10 female for lunch or dinner?
11 A. Are you asking me the question business or
12 socially?
13 Q. Either?
14 A. Business, yes.
15 Q. Okay. And did -- was there any reason why
16 you didn't take Ms. Hackworth with you when you went to
17 lunch with Ms. Miner?
18 MR. FEINBERG: Objection. Asked and
19 answered.
20 MR. CORRALES: But he didn't answer it.
21 MR. FEINBERG: He did.
22 BY MR. CORRALES:
23 Q. Any reason why you didn't?
24 A. There's no reason.
25 Q. No reason, okay.

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1 A. Can't think of one.
2 Q. Okay. Now, during this lunch with Ms. Miner,
3 it's been reported that you asked her to have sex with
4 you. Do you deny that, sir?
5 A. Absolutely.
6 Q. And it's also been reported that her husband
7 discovered that you wanted to have sex with her and
8 punched you in the nose. Did that happen?
9 MR. FEINBERG: Objection. Question is
10 compound. Do you want to know whether he knows about
11 the report or whether he was punched?
12 BY MR. CORRALES:
13 Q. Your answer, sir.
14 MR. FEINBERG: And, also, calls for
15 speculation as to what's going on in the husband's
16 mind, which you told him not to answer at the outset.
17 BY MR. CORRALES:
18 Q. Go ahead. Your answer, sir.
19 MR. FEINBERG: I'm going to direct him not
20 to answer the question until you rephrase.
21 BY MR. CORRALES:
22 Q. Your answer. Did you --
23 MR. FEINBERG: I just said --
24 BY MR. CORRALES:
25 Q. Did Ms. Miner's husband punch you in the

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1 nose?
2 MR. CORRALES: I heard what you said. You
3 don't have to raise your voice.
4 THE WITNESS: He did not punch me.
5 BY MR. CORRALES:
6 Q. Did he hit you in the nose?
7 A. With his head.
8 Q. With his head. Okay.
9 A. Several years later.
10 Q. And did he hit you with his head, on your
11 nose, because he claimed that you propositioned his
12 wife for sex?
13 A. Absolutely not.
14 Q. What was your understanding as to why he hit
15 you with his head on your nose?
16 A. Zero understanding.
17 Q. So it was just a surprise to you?
18 A. Absolutely. 100 percent a surprise.
19 Q. Okay. When did this occur?
20 A. 2011.
21 Q. Okay. And who was present?
22 A. My son, Ms. Miner, and another couple.
23 Q. Where did it happen?
24 A. It happened in a lounge at Viejas Casino.
25 Q. All right. Were the police called?

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1 A. Absolutely.
2 Q. And is there a police report?
3 A. Yes.
4 Q. Okay. Do you have a copy of the police
5 report?
6 A. I don't know if I have it. I may or may not.
7 Q. Is there a way to find out if you do?
8 A. Well, potentially.
9 Q. So if I were to ask your lawyer, through
10 discovery, to produce a police report, would you look
11 through it to see if you have it?
12 MR. FEINBERG: I'll look for it, if we got
13 it.
14 THE WITNESS: Sure. Yeah.
15 BY MR. CORRALES:
16 Q. And after --
17 MR. FEINBERG: It's unlikely that we have a
18 police report where no prosecution took place.
19 BY MR. CORRALES:
20 Q. All right. Did you --
21 MR. FEINBERG: Was there prosecution?
22 BY MR. CORRALES:
23 Q. Did you fire Ms. Miner after you got hit in
24 the nose by her husband?
25 A. Not after. But a couple of days later.

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1 Q. Couple of days later. Isn't that same thing?
2 A. Okay.
3 Q. Okay.
4 A. Fair enough.
5 Q. All right. So why did you fire her?
6 A. There was a major safety issue at our local
7 union since her husband was let out of prison. Her
8 husband spent several years in prison. And when he
9 recently got out of prison, he would drive her to work,
10 watch to see who she went in with. He would stay there
11 until work started. He would come back prior to lunch,
12 watch who she went out with; take her to lunch; take
13 her back and watch her go back inside. This thing
14 occurred Monday through Friday, prior to work.
15 And we had several people at the Local who
16 were very uncomfortable. We had a security issue
17 there with him. And there were several people who
18 felt endangered; they didn't want to walk in with her.
19 He had been a ticking, time bomb. And so we had a
20 safety issue at the Local, and then after what
21 happened to me, it was evident that people -- the
22 concerns of him, that he was unstable and may lash out
23 and be -- you know, potentially watching her -- we had
24 a safety issue at the Local. And we actually had to
25 hire private security for a period of time.

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1 Q. Did you ever call the police?
2 A. We had -- when you say -- before or after?
3 Q. After.
4 A. After what?
5 Q. Well, you --
6 A. After the incident?
7 Q. After the incident you said you -- several
8 people felt endangered.
9 A. I filed a police report, if that's what
10 you're asking. And I got a restraining order.
11 Q. You got a restraining order. Okay.
12 A. Yes. I got a restraining order, not only for
13 me, but for the entire local union.
14 Q. Okay. Now, when he punched you -- after he
15 hit you with his head on your nose, did your nose
16 break?
17 A. Yes.
18 Q. Okay. And what, if anything, did you find
19 out why he hit you in the nose?
20 A. When the police came into the backroom of the
21 casino that evening, my wife, who was playing on the
22 floor, had come back into the back room. And she
23 specifically asked Ms. Miner why did your husband do
24 this, and Rosie's answer was, "I have no idea."
25 Q. Okay. All right. And then -- is that the

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1 only information that you got about why he did that to
2 you?
3 A. That is correct.
4 Q. So it was just random? Out of the blue, he
5 did that?
6 A. That is correct.
7 Q. Did he know who you were?
8 A. He did.
9 Q. Okay. How is it that you know that he knew
10 who you were?
11 A. When he got out of prison we had a labor
12 counsel delegates meeting prior -- probably a month or
13 so before that the incident happened, and Rosie was
14 sitting in her vehicle outside of the Machinist Hall.
15 And as I was walking, she called me and introduced me
16 to him at the time. She mentioned she was going to be
17 attending the meeting, and he was going to wait for her
18 in the car.
19 And I actually invited him and said "Don't
20 sit in the car for two hours. You'll have to be a
21 guest, but feel free to come in." And he actually sat
22 there at the meeting with us. So I invited him in.
23 And that was the first time that I actually got to
24 meet him.
25 Q. Okay. All right. So you said you don't know

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1 why he did this to you. Did you want to know why?
2 A. I thought Rosie explained it pretty clear.
3 Q. How did she explain it?
4 A. She told my wife, "I have no idea." And
5 given the fact that he was watching her walk in and out
6 with employees, and other people had mentioned that
7 they thought he was a threat, just figured it was a
8 random thing with him. I mean, he had been in prison a
9 long time. Who knows what he was thinking about his
10 wife. I don't know.
11 But it wasn't my position at that time to
12 find out why, because it wasn't like that -- people --
13 other people didn't feel threatened by him.
14 Q. Did you talk to Rosie Miner about this after
15 it occurred when she came back to work?
16 A. When Rosie came back to work, we actually
17 talked to her. There were a couple of people there --
18 Francine Woods, Brian Kelly.
19 Q. At a group meeting with her?
20 A. Yeah. It was just a couple of us, yes.
21 Q. What did she say when you had this group
22 meeting about why he did that?
23 A. She also said the same thing.
24 Q. Didn't know?
25 A. Yeah. But she had been a little upset that

Page 112

1 day, because she had known that I had filed a police
2 report.
3 Q. Okay. And did you ever come to any knowledge
4 that Ms. Miner had told other people that the reason
5 why her husband hit you in the nose with his head was
6 because you had propositioned her for sex?
7 A. Never.
8 Q. So when you say that Brian Kelly and --
9 A. Francine Woods.
10 Q. -- Francine Woods --
11 A. And Rosalyn Hackworth.
12 Q. -- and Rosalyn Hackworth were together at
13 this meeting.
14 A. Right.
15 Q. Okay. You don't know, for example, if she
16 told them later something different than what she said
17 at the meeting?
18 A. Nobody really talked. The only person that
19 really talked to her that day was myself. And then
20 Brian Kelly just told her that he was very disappointed
21 in her, that she had chose a lifestyle -- with this
22 kind of a lifestyle with this person, that he was very
23 disappointed in what had happened. And at that point
24 in time, Rosie wasn't saying much. And that was the
25 time that she was terminated.

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1 Q. Okay. And what was the reason for her being
2 terminated?
3 A. Safety.
4 Q. You thought that she was endangering other
5 employees?
6 A. Her relationship -- as what happened with
7 me -- was endangering other employees. The answer is
8 "yes."
9 Q. Who are the people that you said told you
10 they felt endangered by her continued employment?
11 A. Brian Kelly was one.
12 Q. Okay. Who else?
13 A. That was for sure. We also had one of our
14 reps, Daryl Fountain.
15 Q. Daryl Fountain?
16 A. Yes.
17 Q. All right. Who else said that they felt
18 endangered?
19 A. And females. Marie Incrocci.
20 Q. Who?
21 A. Marie Incrocci.
22 Q. Marie Incrocci.
23 THE COURT REPORTER: Can you spell the last
24 name?
25 THE WITNESS: I-N-C-R-O-C-C-I.

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1 THE COURT REPORTER: Thank you.
2 THE WITNESS: You're quite welcome.
3 BY MR. CORRALES:
4 Q. Okay. Who else?
5 A. At this point, I'm not sure. I don't recall.
6 Q. Okay. So did you feel endangered?
7 A. Uncomfortable.
8 Q. Okay.
9 A. Potentially, endangered. Trust me, I changed
10 my -- leaving my office habits.
11 Q. Did, for example, Brian Kelly, did he sign an
12 affidavit for this restraining order?
13 A. I'm not sure what you mean.
14 Q. Well, a restraining order has to be
15 accompanied by a declaration.
16 A. I went to court personally.
17 Q. Okay. Fine. But did Brian Kelly either
18 testify or submit a declaration that he felt
19 endangered?
20 A. No.
21 Q. Did Francine Woods testify or submit a
22 declaration in support of this petition for a
23 restraining order that she felt endangered?
24 A. No.
25 Q. And how about -- is it Hackworth?

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1 A. Rosalyn.
2 Q. Rosalyn Hackworth. Did she testify or submit
3 a declaration in support of the petition for the
4 restraining order that she felt endangered?
5 A. No. I presented the -- I signed the
6 restraining order. And I went there to the courthouse,
7 and I filled out the -- it was after the incident.
8 Q. Sure. Sure.
9 A. Yes. Yes.
10 Q. Did the gentleman show up, Ms. Miner's
11 husband?
12 A. He did not. He was actually AWOL.
13 Q. Is the restraining order still in effect?
14 A. I believe it expired.
15 Q. When?
16 A. It would have probably expired in -- I think
17 it was two years -- two or three years. It would have
18 expired in '13 or '14. But then he went to prison for
19 this.
20 Q. For this incident?
21 A. He went back to prison.
22 Q. So do you know if he was prosecuted?
23 A. He was. It was a plea deal. Yeah.
24 Q. Okay. All right. Okay. Now, did you ever
25 talk to the prosecutor that was involved in his plea

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1 deal?
2 A. Yes.
3 Q. What, if anything, did you talk to him about
4 in terms of why he did this?
5 A. I described the incident.
6 Q. Sure. But did he say anything to you about
7 why he did what he did?
8 A. No.
9 Q. How about his defense attorney? Did you ever
10 talk to him?
11 A. No.
12 Q. And to your knowledge, did Mr. Miner ever
13 tell the judge anything about why he did what he did?
14 A. His name was Macado.
15 Q. Macado?
16 A. Okay. Yes. But I have no idea.
17 Q. So you didn't show up for the plea deal?
18 A. No.
19 Q. Okay. So you don't know, for example, if
20 Mr. --
21 A. So let me backtrack. I did show.
22 Q. Yes.
23 A. But I never went into the courtroom.
24 Q. Okay.
25 A. I was there to testify, and then in the

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1 courtroom downstairs, they cut the deal.
2 Q. Okay. Okay. So when you met with Ms. Miner
3 afterwards, did she say anything to you about her
4 husband being jealous or mad because you had
5 propositioned her for sex?
6 A. Absolutely not.
7 Q. If she had said that, would you have fired
8 her?
9 MR. FEINBERG: Objection.
10 BY MR. CORRALES:
11 Q. Or say anything?
12 MR. FOUR: Assumes facts not in evidence.
13 Argumentative.
14 I'm directing you not to answer such a
15 question.
16 BY MR. CORRALES:
17 Q. So would it be your custom and practice or
18 your policy at 135 to fire somebody who says that you
19 propositioned them for sex?
20 A. Would it be my policy to fire somebody if
21 they said to me --
22 Q. Yes.
23 A. -- that I propositioned them for sex?
24 Q. In front of other people, yes.
25 A. I'm not really understanding the question.

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1 Q. You were in a meeting --
2 A. Well, yeah. But it's --
3 Q. -- and you were talking to her, when she said
4 "I don't know why my husband did what he did." And
5 would it be your policy, 135's policy, to fire her if
6 she said, "Well, he did what he did because you
7 propositioned me for sex, Mr. Kasparian"?
8 A. We were terminating her for safety, so --
9 Q. I understand that.
10 A. -- it wouldn't have been a staff meeting she
11 would have been at, so I'm not quite --
12 Q. Would it be against policy, your company's
13 policy, Local 135 policy, to fire her if she had said
14 that you had propositioned her for sex?
15 A. If somebody had came forward and saying that
16 I had propositioned them for sex, would it be my policy
17 to terminate them?
18 Q. Yes.
19 A. No.
20 Q. To your knowledge, did she ever tell anybody
21 that she was afraid to say that you had propositioned
22 her for sex because she would be fired?
23 A. I was never told that by anyone.
24 MR. CORRALES: Okay. Let's take a couple
25 minutes. I think I'm just about done.

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1 Take a couple minutes?
2 THE WITNESS: Sure.
3 THE VIDEOGRAPHER: We're going off the
4 record. The time is 11:22 a.m.
5 (Recess was taken.)
6 THE VIDEOGRAPHER: We are on the record.
7 The time is 11:31 a.m.
8 BY MR. CORRALES:
9 Q. Okay. Mr. Kasparian, what conversations did
10 you have with Mr. Brian Kelly about the incident
11 involving Ms. Miner?
12 MR. FEINBERG: Objection. Vague as to time.
13 But you can answer.
14 THE WITNESS: Yeah. I don't know what you
15 mean. About like, what conversations -- when?
16 BY MR. CORRALES:
17 Q. Anytime. Between now and back when it
18 happened.
19 MR. FEINBERG: Don't include any
20 conversations you may have with counsel.
21 THE WITNESS: So that was the only time, was
22 after the lawsuit was filed and discovery was made, I
23 had a conversation -- a brief conversation with him
24 and Mr. Four.
25 ///

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1 BY MR. CORRALES:
2 Q. Okay. Beyond that, did you have any
3 conversations with him about the incident with
4 Ms. Miner?
5 A. Never.
6 Q. How about the incident involving her husband?
7 Did you ever talk to Mr. Kelly about that outside the
8 presence of your attorneys?
9 A. Yes.
10 Q. Okay. And what did you discuss with him
11 about that?
12 A. I just -- the day after the incident, I
13 actually put calls into Mr. Kelly, Mr. Ramirez,
14 Ms. Woods, and Ms. Hackworth, and let them know what
15 had happened -- the incident. And then we talked
16 through what next steps were -- what next steps were,
17 including filing the charges and Ms. Miner's situation.
18 Q. So what did you talk to Mr. Kelly about in
19 terms of Mr. -- or Ms. Miner's husband, specifically?
20 A. Yeah. The incident. The incident of what
21 had occurred. I can't recall the specifics, but it was
22 basically an informative -- informing people what, you
23 know, had happened. And, you know, a couple of us --
24 the concerns that we had, you know, came true.
25 Q. Did you ask Mr. Kelly to conduct an

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1 investigation?
 2 A. No.
 3 Q. To your knowledge, did anybody conduct an
 4 investigation about the incident?
 5 A. No.
 6 Q. At 135?
 7 A. To my knowledge, no.
 8 Q. Okay. To your knowledge, did Mr. Brian Kelly
 9 talk to Ms. Miner about what had happened?
 10 A. What had happened with her husband?
 11 Q. Her husband, and anything she might have said
 12 about what may have happened between her and you?
 13 A. My knowledge -- the only time Mr. Kelly had
 14 conversations with her after the incident was in that
 15 brief meeting we had with Ms. Miner on that Monday.
 16 Q. To your knowledge, did Ms. Miner ever tell
 17 Brian Kelly that you had propositioned her for sex?
 18 A. To my knowledge, the answer is "no."
 19 Q. Okay. Did you talk to Mr. Brian Kelly about
 20 that --
 21 MR. FEINBERG: We're talking about outside
 22 the contact --
 23 THE WITNESS: Outside --
 24 BY MR. CORRALES:
 25 Q. Outside --

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1 A. -- of that conversation, no.
 2 Q. Okay. Outside of the context of your --
 3 excuse me -- outside any conversation you had with your
 4 lawyer, did you talk to Mr. Brian Kelly about
 5 Ms. Miner's claim that you propositioned her for sex?
 6 A. No.
 7 Q. And he never told you that he had a
 8 conversation with her about that?
 9 A. No.
 10 MR. CORRALES: All right. Those are the
 11 questions I have. Thank you very much.
 12 THE WITNESS: Thank you.
 13 MR. CORRALES: And where are we on Monday?
 14 THE WITNESS: Well, it looks pretty bad to
 15 me. It would be helpful --
 16 MR. FEINBERG: Do you want to propose a stip
 17 before we get to this?
 18 MR. CORRALES: Yeah. I stipulate -- I
 19 propose that we relieve the court reporter of her
 20 duties under the Code; that the original transcript be
 21 sent to Mr. Feinberg at his office and he arrange to
 22 have the witness sign it under penalties of perjury
 23 under the laws of the State of California within 30
 24 days of his receipt; and within ten days thereafter
 25 notify us of any changes made. He can retain the

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1 original for all purposes. And if the original is
 2 unavailable at the time of trial or any hearing, we
 3 can use a certified copy in lieu thereof.
 4 MR. FEINBERG: So stipulated.
 5 MR. CORRALES: All right. So --
 6 THE COURT REPORTER: Any copies?
 7 MR. FOUR: Yes, we want a copy.
 8 MR. FEINBERG: Electronic copies as well.
 9 MR. FOUR: The video and the transcript.
 10 MR. FEINBERG: And a mini script.
 11 MR. CORRALES: Okay. So we're off the
 12 record.
 13 THE VIDEOGRAPHER: This concludes today's
 14 deposition of Mickey Kasparian. The number of media
 15 used was two, and we are off the record at 11:35 a.m.
 16
 17 (The proceedings concluded at 11:35 a.m.)
 18
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 8
 9 I, MICKEY KASPARIAN, do hereby declare under the
 10 penalty of perjury that I have read the foregoing
 11 transcript; that I have made any corrections as appear
 12 noted, in ink, initialed by me, or attached hereto;
 13 that my testimony as contained herein, as corrected,
 14 is true and correct.
 15 EXECUTED this ____ day of _____,
 16 20____, at _____, _____.
 17 (City) (State)
 18
 19 _____
 20 MICKEY KASPARIAN
 21
 22
 23
 24
 25

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1 DEPONENT'S CHANGES OR CORRECTIONS

2 Note: If you are adding to your testimony, print the

3 exact words you want to add. If you are deleting

4 from your testimony, print the exact words you want

5 to delete. Specify with "Add" or "Delete" and sign

6 this form.

7

8 DEPOSITION OF: MICKEY KASPARIAN

9 CASE: VASQUEZ V. KASPARIAN

10 DATE OF DEPOSITION: AUGUST 24, 2017

11

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24	_____	_____	_____
25	Deponent's Signature _____		Date _____

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1 I, ERIN E. CATES, a Certified Shorthand

2 Reporter of the State of California, do hereby

3 certify:

4 That the foregoing proceedings were taken

5 before me at the time and place herein set forth; that

6 any witnesses in the foregoing proceedings, prior to

7 testifying, were administered an oath; that a record

8 of the proceedings was made by me using machine

9 shorthand which was thereafter transcribed under my

10 direction; that the foregoing transcript is a true

11 record of the testimony given.

12 Further, that if the foregoing pertains to

13 the original transcript of a deposition in a Federal

14 Case, before completion of the proceedings, review of

15 the transcript [] was [] was not requested.

16 I further certify I am neither financially


17 interested in the action nor a relative or employee of

18 any attorney or any party to this action.

19 IN WITNESS WHEREOF, I have this date

20 subscribed my name.

21

22 Dated: SEPTEMBER 5, 2017 

23 _____

24 ERIN E. CATES

25 CSR NO. 14096

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