

DEPOSITION OF
BRIAN KELLY
VASQUEZ V. KASPARIAN
TAKEN ON
NOVEMBER 6, 2017



PHONE 855.525.3860 | 323.938.8750

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA
 2 FOR THE COUNTY OF SAN DIEGO CENTRAL DIVISION
 3
 4
 5 ISABEL VASQUEZ,)
)
 6 Plaintiff,)
)
 7 vs.)
) Case No. 37-2016-00044511
 8 MICKEY KASPARIAN; UNITED) CU-OE-CTL
)
 9 FOOD & COMMERCIAL)
)
 10 WORKERS LOCAL 135, a labor)
) union charter; and DOES 1)
 11 through 20,)
)
 12 Defendants.)
)
 13 _____)
 14
 15 DEPOSITION OF
 16 BRIAN KELLY
 17 SAN DIEGO, CALIFORNIA
 18 NOVEMBER 6, 2017
 19
 20
 21
 22
 23 Reported By:
 24 CHRISTINE E. MILKOVITS
 CSR NO. 12650
 25 NO. 17-57075

1 APPEARANCES:
 2
 3 FOR PLAINTIFF:
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 18 ALSO PRESENT:
 19 ISABEL VASQUEZ
 20
 21
 22
 23
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 25

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 12 Defendants.)
)
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 14
 15 Deposition of BRIAN KELLY, taken on
 16 behalf of Plaintiff, at 17140 Bernardo Center Drive,
 17 Suite 358, San Diego, California, beginning at
 18 10:01 a.m. and ending at 11:54 a.m. on Monday, November
 19 6, 2017, before CHRISTINE MILKOVITS, Certified
 20 Shorthand Reporter No. 12650.
 21
 22
 23
 24
 25

1 I N D E X
 2 WITNESS: BRIAN KELLY
 3 EXAMINATION BY PAGE
 4 MR. CORRALES 5
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 6
 7
 8 E X H I B I T S
 9 (None offered.)
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Page 5

1 San Diego, California, Monday, November 6, 2017
2 10:01 a.m.
3
4 BRIAN KELLY,
5 having been duly sworn, testified as follows:
6
7 EXAMINATION
8 BY MR. CORRALES:
9 Q Good morning, sir.
10 A Good morning.
11 Q Could you give us your full name.
12 A Brian Kelly.
13 Q Middle name?
14 A Joel.
15 Q J-o-e-l?
16 A Correct.
17 Q Mr. Kelly, have you ever had a deposition
18 taken before?
19 A No.
20 Q Do you know what a deposition is?
21 A Yes.
22 Q All right. Let me kind of explain what it is
23 so we each understand what a deposition is. Okay. So
24 we are here in my office, which is away from the
25 courthouse, away from a judge and jury. And you have

Page 6

1 the opportunity to give testimony under oath in my
2 office away from the courthouse.
3 Do you understand that, sir?
4 A Yes.
5 Q Do you understand that the deposition today is
6 being taken under penalties of perjury?
7 A Yes.
8 Q Do you understand that if you do not tell the
9 truth in today's deposition you can be punished?
10 A Yes.
11 Q You understand it's a crime called perjury?
12 A Understand.
13 Q So the court reporter is taking down what's
14 being said in the room. Wait until I finish my question
15 before you respond. I'll do likewise. I'll wait until
16 you answer before I ask the next question. Okay?
17 A Yes.
18 Q And then if the lawyers in the room want to
19 make an objection, wait until they finish their
20 objection before you give your answer. Okay?
21 A Yes.
22 Q All right. That's for the court reporter.
23 She wants to make sure she has a clean record. She
24 can't take down people talking at the same time. Okay?
25 A Okay.

Page 7

1 Q All right. Also, an important rule that we
2 need to follow is give us audible responses rather than
3 gestures, nodding of the head, or sign language,
4 whatever it is people do. So words, not noises. That's
5 for the court reporter so she can take down
6 communication in words rather than gestures that she's
7 forced to try and interpret what people are trying to
8 say or what they mean. So uh-huh or huh-uh, that sort
9 of thing, is not good. Just give us a word response.
10 Okay?
11 A Okay. Understand.
12 Q Are you under the influence of alcohol, or are
13 you taking any kind of medication you think might
14 prevent you from giving your best testimony today?
15 A No.
16 Q Is there any reason we can't go forward with
17 your deposition?
18 A No.
19 Q Okay. Mr. Kelly, are you presently employed?
20 A I am.
21 Q Where are you employed?
22 A UFCW Local 135.
23 Q All right. How long have you been employed at
24 135?
25 A Approximately 16 years.

Page 8

1 Q All right. What is your position there?
2 A I am the comptroller.
3 Q What is a comptroller?
4 A It's basically a controller, accountant, take
5 care of the financial responsibilities of the entity.
6 Q Okay. And are you a CPA?
7 A I do have my CPA certification, yes.
8 Q How long have you been a CPA?
9 A 15, 16 years. Maybe longer.
10 Q Are you licensed in California?
11 A Yes.
12 Q Okay. Did you graduate from high school?
13 A Yes.
14 Q Which one?
15 A Mira Mesa High.
16 Q When was that?
17 A 1993.
18 Q Okay. Did you attend college?
19 A Yes.
20 Q Which college?
21 A Harding University.
22 Q Pardon?
23 A Harding University.
24 Q Where is that?
25 A Searcy, Arkansas.

Page 9

1 Q Then did you obtain a degree from that
2 university?
3 A I did.
4 Q What was it?
5 A I think it's a BBA in accounting.
6 Q Okay. Any other education? College?
7 A No.
8 Q All right. So before working for Local 135,
9 where did you work?
10 A All the way back to the beginning? I worked
11 at Ernst & Young out of college and then went to
12 Peterson & Company and then to UFCW.
13 Q Okay. How long did you work for
14 Ernst & Young?
15 A Couple years, off the top of my head.
16 Q Here in San Diego?
17 A Yes.
18 Q Then you moved over to Peterson & Company?
19 A Yeah. That was approximately two years as
20 well, I believe.
21 Q And here in San Diego?
22 A Yes.
23 Q What did you do at Ernst & Young?
24 A I was primarily in tax. Then I was trying to
25 maintain -- get my CPA certification. I was doing some

Page 10

1 audit work as well.
2 Q Okay. Then at Peterson what did you do there,
3 sir?
4 A I was an auditor.
5 Q Okay. How did you happen to get hired at
6 Local 135?
7 A Through the interview process. They had an
8 opening, and I interviewed with David Didier.
9 Q How did you find out about the job?
10 A They were a client of Petersons at the time.
11 Q Okay. And were they on your book of business?
12 A Not mine, no. But they were a client of
13 Peterson.
14 Q All right. David Didier, was he the
15 president?
16 A He was the secretary/treasurer.
17 Q And when you said you started 16 years ago,
18 who was the president?
19 A Norman Bell.
20 Q All right. How long was he the president?
21 A Oh, I don't -- he was only there a few years
22 when I was there. I don't know how many years he had
23 prior to that.
24 Q All right. Have you always been the
25 comptroller at Local 135?

Page 11

1 A Yes.
2 Q So after Norman Bell left who became the
3 president?
4 A Mickey Kasparian.
5 Q When Norman Bell was the president, was his
6 management different than Kasparian's?
7 MR. FOUR: Objection. Vague as to
8 "different."
9 BY MR. CORRALES:
10 Q You can answer.
11 A Yes.
12 Q Okay. So in what way was it different?
13 A Well, they're completely different people. I
14 didn't really have a lot of interaction with Norm. I
15 didn't know him very well. So I was just -- just know
16 Mickey from some, you know, interactions prior to him
17 being president. So I had a better understanding of
18 him.
19 Q Okay. So when Mickey became president, was it
20 business as usual for you, or did you have -- receive
21 additional duties, responsibilities that changed when he
22 became president?
23 A No. It was pretty much business as usual.
24 Q Okay. Tell me what it is that you actually do
25 at 135 in addition to being the comptroller. You say

Page 12

1 that was kind of like accounting for the union. What is
2 it that you actually do in addition to that?
3 A Well, accounting is the first priority.
4 Reporting issues --
5 Q Reporting issues in accounting?
6 A For accounting. Also, we may have political
7 reporting that's required.
8 Q Uh-huh. Okay.
9 A Also got involved in some computer and
10 telephone that give me headaches.
11 Q You mean you're in charge of the computer and
12 telephone system?
13 A Well, I'm the go-to on that. We definitely
14 outsource that.
15 Q Okay. So do you -- do you perform or do the
16 tax returns for Local 135?
17 A Miller Kaplan does those. I will give them
18 the information so they can be prepared.
19 Q Okay. Do you -- I'm just kind of probing
20 here. But do you perform any kind of management
21 personnel duties?
22 A Now, yes, I do.
23 Q When you say "now," what is it that you do
24 now?
25 A Well, I supervise two departments -- the

Page 13

1 insurance and membership department.
2 Q Insurance and membership department?
3 A Yes.
4 Q How long have you been doing that?
5 A It's probably only three or four years maybe
6 now.
7 Q So when you say "three or four years" -- this
8 is 2017 -- so, say, 2013, 2014, thereabouts, you
9 started?
10 A Yeah. Hard to say. Things kind of morphed
11 slowly. But, yeah, that's roughly --
12 Q Okay. How did you receive those additional
13 duties supervising these two departments?
14 A Through Kasparian's direction.
15 Q Did he give you anything in writing as to how
16 to perform those duties or he just told you orally this
17 is what you're supposed to do or how did that work?
18 A Basically, oral, yeah. There was nothing in
19 writing.
20 Q Okay. And when you say the insurance
21 department, who was in the -- who was in the insurance
22 department in 2016 that you supervised?
23 A Well, they have a department head. Both those
24 departments have a department head. They report to me.
25 Q Who was the department head in 2016?

Page 14

1 A Marie Incrocci.
2 Q Then the membership department.
3 Who was the membership department head in
4 2016?
5 A Lindsey Bensinger.
6 Q Okay. In what way would they report to you?
7 A Any personnel issues that they couldn't
8 handle --
9 Q Okay.
10 A -- difficult members that they were unable to
11 take care of.
12 Q Difficult members. Okay.
13 A Yeah.
14 Q Now, did you have any kind of managerial or
15 supervisory duties over representatives or organizers?
16 A No.
17 Q All right. Did you consider yourself to be a
18 manager in 2016?
19 A Sure, yes.
20 Q Was your pay increased when you became the
21 supervisor of the two departments -- insurance and
22 membership?
23 A No. I don't believe there was any change at
24 that time.
25 Q Okay. Okay. Have you conducted any other

Page 15

1 kinds of management personnel matters other than what
2 you told us about with respect to the insurance
3 department and the membership department?
4 A I don't know if I follow --
5 Q Well, for example, has anyone asked you to
6 investigate matters pertaining to personnel issues?
7 A Yes.
8 Q Okay. Who asked you to do that?
9 A Mickey Kasparian.
10 Q Okay. What did you investigate personnelwise?
11 A It would be -- I don't know if it's an
12 investigation or I -- there was a council -- or a
13 committee that was put together. I was one of the
14 members of the committee.
15 Q Did you consider yourself to be in a
16 managerial position when you performed duties relative
17 to this committee?
18 A Yes.
19 Q Okay. Did you make recommendations to
20 Local 135 as a result of any investigation that you did?
21 A Yes.
22 Q All right. And how many times did you perform
23 investigations concerning personnel issues other than
24 this thing that had to do with this committee that you
25 were on?

Page 16

1 A I believe that's it. Just that one time.
2 Q Okay. And when did you perform this
3 investigation on this committee? When did that occur?
4 A It was either -- I think this was the
5 beginning of this year. Yeah, it was the beginning of
6 this year.
7 Q Beginning of 2017?
8 A 2017.
9 Q Okay. Let me ask you a question.
10 At Local 135 -- since you've been working at
11 Local 135, has there been what they call a human
12 resource department?
13 A Officially, no, there has not been.
14 Q When you say "officially, no," what do you
15 mean by that?
16 A There hasn't been a true HR department as one
17 might define it in another organization.
18 Q Okay. So when you said officially, no, are
19 you also saying unofficially, yes?
20 A Well, it depends -- what would you define as
21 HR role?
22 Q Somebody that receives complaints for sexual
23 harassment and acts upon it, investigates --
24 A Okay.
25 Q -- you know, interviews people and makes

Page 17

1 recommendations concerning a complaint.
 2 A Right.
 3 Q Was there that kind of person that was
 4 designated at 135?
 5 A I would say that would be
 6 a Rosalyn Hackworth-type responsibility. I don't know
 7 if she carried a title of human resources, yes.
 8 Q When you say "I would say," that's different
 9 than, yes, there was a person and that's the person.
 10 Are you -- when you say I would say, are you
 11 qualifying your answer because you don't know or are you
 12 making an affirmative statement, yes, she was an HR
 13 person designee?
 14 MR. FOUR: Do you understand what he's asking
 15 you now? He's -- let him reask --
 16 BY MR. CORRALES:
 17 Q Do you know what I'm asking?
 18 A Yeah.
 19 Q Was she, in fact, designated as the HR person?
 20 A Yes.
 21 Q Okay. And to your knowledge, are there any
 22 documents that would support her being designated as the
 23 HR person?
 24 A I'm not aware of any.
 25 Q What is it based -- what's your statement

Page 18

1 based on that she was designated as the HR person at
 2 Local 135?
 3 A She would be the one that people would go to
 4 if they had any personal [sic] issues. She also was the
 5 one who rolled out a sexual harassment policy, and she
 6 was a contact person for that.
 7 Q Okay. So have you ever been in a position
 8 where you reported sexual harassment claims to her?
 9 A I have not.
 10 MR. FOUR: Objection. Assumes facts not in
 11 evidence.
 12 But you've already answered.
 13 BY MR. CORRALES:
 14 Q You have not?
 15 A I have not.
 16 Q Have you ever been in a position to report to
 17 her any kind of complaints by employees for her to act
 18 upon?
 19 MR. FOUR: Objection as to "in a position."
 20 Vague and ambiguous.
 21 BY MR. CORRALES:
 22 Q Your answer?
 23 A Say it again, please.
 24 Q Have you ever reported any complaints that
 25 came to your attention by employees that you felt needed

Page 19

1 to be responded to by Hackworth as an HR person?
 2 A I'm sure I have. I can't think of any
 3 specific examples at this point. But, yeah, she was the
 4 one I'd go to if I had any issues.
 5 Q That's not my question, she would be the
 6 person, I'm sure. I would do that. The question is
 7 whether you, in fact, did.
 8 Do you understand the difference?
 9 A Yes.
 10 Q Did you ever report to her matters pertaining
 11 to complaints by employees for her to act upon as a
 12 human resource person?
 13 A Yes.
 14 Q Which ones did you do that -- what complaints?
 15 A There would be complaints for -- if there was
 16 an issue with --
 17 Q Sir, I'm not asking about what you would have
 18 done or what would be done. I'm asking whether you, in
 19 fact, did make those reports. And you said yes.
 20 And my question now is which reports did you
 21 make?
 22 MR. FOUR: I thinks he's asking for names of
 23 individuals.
 24 MR. CORRALES: Yes, yes.
 25 MR. FOUR: If you can remember.

Page 20

1 THE WITNESS: Yeah. I'm trying to remember.
 2 This would be a normal course of action. But there's
 3 nothing that's popping into my mind right now, to be
 4 honest with you.
 5 BY MR. CORRALES:
 6 Q You can't remember or --
 7 A I can't remember.
 8 Q You can't remember. Okay.
 9 Do you remember -- aside from not remembering
 10 the names, do you remember the situations of any of
 11 these complaints where someone said this person grabbed
 12 my butt but you just don't know the name of the person;
 13 someone said this guy came up to me and hit me face, you
 14 know; I want to report this and you say, oh, I'll take
 15 care of it; I'll bring it to the attention of Hackwork;
 16 don't know the guy's name but you remember the incident,
 17 things like that.
 18 Do you remember any incidents that you can
 19 tell us about that you reported to Hackworth as the
 20 human resource person?
 21 A There was a time with a -- I think a request
 22 for funeral leave and -- was a request for funeral leave
 23 I approached her with.
 24 Q Someone wanted funeral leave?
 25 A Right.

Page 21

1 Q Okay.
2 A I know I've had discussions with her about
3 working conditions and things that we'd like to
4 change --
5 Q Okay.
6 A -- within the office.
7 Q All right. Anything else?
8 A I don't have anything specific that's coming
9 to mind right now, yeah.
10 Q All right. So would you say when you began
11 working at 135 that you knew that there was a means to
12 bring complaints to Local 135? Somehow if there was a
13 personnel issue that needed to be dealt with, is that
14 correct, there was a way to make that known to 135? And
15 you said Hackwork would probably be the person?
16 A Right.
17 Q Before Hackworth -- when did Hackworth become
18 the human resource person?
19 MR. FOUR: Well, again, objection. Misstates
20 the testimony. There hasn't been testimony that she
21 was.
22 But go ahead, if you can answer.
23 THE WITNESS: She became the
24 secretary/treasurer -- I don't know what year that was.
25 It's probably 13 or so years ago.

Page 22

1 BY MR. CORRALES:
2 Q Okay. So she's always been the -- she's been
3 the secretary/treasurer since about 13 years ago up to
4 the present, or did she retire?
5 A She's retired.
6 Q Okay. When did she retire?
7 MR. FOUR: If you don't know --
8 THE WITNESS: I don't know the exact date. I
9 think it was about a year ago.
10 BY MR. CORRALES:
11 Q Okay. Who took her place?
12 A Mr. Richard Barrera.
13 Q To your knowledge, did Mr. Barrera take over
14 responsibilities having to do with human resources?
15 A Yeah. There was no formal written indication
16 of that. But, yeah, he took over her responsibilities.
17 Q Did you understand that he did?
18 A That's my understanding, yes.
19 Q Okay. All right. Okay. So when you said
20 that you performed managerial duties with respect to the
21 insurance department and membership department -- you
22 said that occurred when?
23 A It's only been a couple years now.
24 Q Okay. Okay. Before that did you perform any
25 kind of managerial duties?

Page 23

1 A No. I really was just -- strictly concerning
2 the comptroller duties.
3 Q Okay. All right.
4 A Got involved in some telephone and things of
5 that nature, but that was it.
6 Q Okay. Did you -- were you on like the -- they
7 have these staff meetings -- they would have people
8 attend staff meetings, different organizers. Did you
9 attend any of those staff meetings over time?
10 A If it would have been for the whole office,
11 yes, I would have attended those.
12 Q Okay. All right. Even though you may not
13 have been a manager, if you saw something that maybe a
14 receptionist or some other employee was going through,
15 would you feel obligated to report that to either
16 Hackworth or somebody else if there was an issue
17 concerning -- I don't know -- harassment of some sort?
18 MR. FOUR: Objection. Vague and ambiguous.
19 Assumes facts not in evidence. Incomplete hypothetical.
20 But if you can answer.
21 BY MR. CORRALES:
22 Q You can answer.
23 A I would instruct them on the method that they
24 could report something, yes.
25 Q Okay. All right. If they needed assistance,

Page 24

1 would you assist them?
2 A I'd be open to that, yes.
3 Q For example, if they say who do I go to, who
4 do I talk to and you knew Hackworth was the person --
5 A Point to her --
6 Q -- that -- you would point that person in the
7 direction of Hackworth, correct?
8 A Yes.
9 Q Now, did you know a person by the name of
10 Rosy Miner?
11 A I do and I did, yes.
12 Q You do and you did?
13 A I do.
14 Q You knew her when you were working at 135?
15 A Yes.
16 Q She worked at 135?
17 A Correct.
18 Q When did she -- to your knowledge, when did
19 she start working at 135?
20 A I do not remember exact dates.
21 Q Okay. Do you remember her working there?
22 A Yeah. I believe she worked there for five or
23 so years.
24 Q And what did she do there?
25 A She was the -- she eventually became the

Page 25

1 department head for the insurance department.
2 Q When you say "eventually," when did that
3 occur?
4 A Sometime during her employment. I don't have
5 the exact date.
6 Q Was she the department head when you become
7 the manager over the department head --
8 A No.
9 Q -- insurance department?
10 What was she before that?
11 A She -- she was in the insurance department.
12 Q A clerk?
13 A Insurance clerk, yes.
14 Q Okay. And how is it that you came to know
15 her? If you're in the -- comptroller and she's an
16 insurance clerk, how did you get to know her?
17 A I just work in the same office on the same
18 side of the building.
19 Q So you spoke with her on occasions?
20 A Sure.
21 Q Did you get to know her a little bit about her
22 family?
23 A Yes.
24 Q You knew she was married?
25 A Yes.

Page 26

1 Q Did you know anything about her husband being
2 incarcerated?
3 A I found out later. But yes.
4 Q Did she confide with you from time to time
5 about matters?
6 A Yes.
7 Q Okay. Did you consider -- did she consider
8 you to be a friend?
9 A Yes.
10 Q Did you consider her to be a friend?
11 A Yes.
12 Q And did you -- do you know Isabel Vasquez?
13 A Yes.
14 Q And how do you know her?
15 A Through our employer. We've been there -- she
16 was there roughly 15 years. She was already employed
17 when I started. So, yes, through the UFCW --
18 Q Was she -- I'm sorry. Are you finished?
19 A Yes.
20 Q Was she working when Rosy Miner was working?
21 A Yes.
22 Q And to your knowledge, did she know
23 Rosy Miner?
24 MR. FOUR: Calls for speculation.
25 ///

Page 27

1 BY MR. CORRALES:
2 Q You can answer.
3 A Yes.
4 Q And did Rosy Miner know her?
5 A Yes.
6 Q So when you spoke with Rosy Miner, did the
7 topic of Elizabeth Vasquez ever come up, you know, for
8 any reason? You know, she's my friend; we went to lunch
9 the other day.
10 A I'm sorry --
11 Q When you spoke to Rosy Miner, did the topic of
12 Ms. Vasquez ever come up for any reason?
13 MR. FOUR: His confusion, I think -- on the
14 record you said Elizabeth.
15 BY MR. CORRALES:
16 Q I'm sorry. Isabel Vasquez.
17 A I don't remember.
18 Q Okay. All right. That's fine. Now, did you
19 ever tell Rosy Miner that you feared for Isabel when she
20 had to go on trips to Imperial Valley or anywhere with
21 Mickey? Do you know who Mickey is?
22 A I'm familiar with him, yes.
23 Q Did you ever tell Rosy Miner that you feared
24 for Isabel when she had to go on trips with Mickey?
25 A No.

Page 28

1 Q Ever use words to that effect?
2 A No.
3 Q Did you ever say you were concerned about her
4 when she had to go on trips with Mickey?
5 A No.
6 Q Okay. So are you saying that that
7 never -- you never said that, or you just don't
8 remember?
9 A I'm saying I never said that.
10 Q Okay. Did you ever have a conversations with
11 Rosy Miner where you mentioned that Mickey must be doing
12 certain things to other women?
13 MR. FOUR: Objection. Vague and ambiguous as
14 to "certain things."
15 THE WITNESS: Can you repeat that question,
16 please.
17 BY MR. CORRALES:
18 Q Did you ever have conversations with
19 Rosy Miner where you told her that you thought Mickey
20 must be doing things with other women?
21 A No.
22 Q Did you ever have a conversation with
23 Rosy Miner where she told you that Mickey had asked her
24 out on a date?
25 A That was not the terminology that she used.

Page 29

1 Q What terminology did she use?
2 A She had a meeting with Mickey, yeah.
3 Q Was it like a meeting where they went to
4 dinner?
5 A I don't know the exact event, but there was an
6 event. There was a meeting, a lunch, dinner. I'm not
7 sure.
8 Q Event, lunch, or dinner.
9 And what did she say happened?
10 A She told me that it was an awkward meeting
11 with him.
12 Q Okay. Did she say that Mickey began asking
13 her personal questions about her --
14 A They were personal in nature. That's the way
15 I understood it, yes.
16 Q When she told you this, did she tell you this
17 on the phone or in person?
18 A On the phone.
19 Q All right. Why did she call you?
20 A She called me as a friend.
21 Q What was she telling you?
22 A She's telling me she had an awkward
23 conversation with him.
24 Q Did she tell you that Mickey was trying to
25 make sexual advances towards her?

Page 30

1 MR. FOUR: Objection. Vague and ambiguous as
2 to "sexual advances."
3 BY MR. CORRALES:
4 Q You can answer.
5 A She told me it was awkward.
6 Q You said that.
7 But did she say -- also say that he was making
8 sexual advances towards her?
9 A I would say that's the way she perceived it,
10 yes.
11 Q Okay. And did she also say that he
12 was -- that he made some lewd jokes?
13 A I don't recall that, no.
14 Q All right. Okay. Now, when she told you
15 this, what did you tell her in response?
16 A I gave her a number of options on how she
17 should handle that situation.
18 Q You gave her some options?
19 A Yes.
20 Q And what options did you give her?
21 A I told her to go to Rosalyn Hackworth and
22 report the issue.
23 Q Anything else?
24 A I told her that I could contact David Didier,
25 the former secretary/treasurer.

Page 31

1 Q That you would contact?
2 A Yes.
3 Q Why would you do that?
4 A To see if he had any recommendations on how to
5 handle the situation appropriately.
6 Q Go ahead.
7 A Also talked about presenting the issue to the
8 executive board.
9 Q Okay.
10 A And then I think the last one was presenting
11 the issue to the international union.
12 Q Okay. What did she say about this -- these
13 options that you gave her?
14 A She ultimately declined them all. I offered
15 to carry this for her to Rosalyn and for anybody else.
16 And she was upset with the fact that she got me involved
17 and asked me to let her take care of it. I told her
18 that it was -- the time to act was now.
19 Q Okay. And did she tell you why she declined
20 -- I mean, did she say she was afraid?
21 A Yes.
22 Q Okay. What was she afraid of?
23 A You'd have to ask her.
24 Q What did she tell you she was afraid of?
25 A We didn't go into details. But, you know, it

Page 32

1 was an awkward situation.
2 Q What did you understand she was afraid of?
3 MR. FOUR: Objection. Calls for speculation.
4 You can answer.
5 BY MR. CORRALES:
6 Q Go ahead.
7 A Presenting that type of information
8 to -- about your boss to anybody, that it was, you know,
9 awkward.
10 Q Okay. Okay. Did she tell you that, or did
11 you understand that she was afraid to go forward with
12 this because the situation that she was complaining
13 about was with the president of Local 135? Did you
14 understand that, sir, that that's why she was afraid?
15 A Sure, yes.
16 Q Okay. Did you ever tell Rosalyn Hackworth
17 about this?
18 A No. She asked me not to. And I did not.
19 Q Okay. So you -- if Rosy did not ask you --
20 let me rephrase the question. If Rosy told you -- let
21 me rephrase the question again. If Rosy didn't tell you
22 not to tell Rosalyn Hackworth, would you be obligated
23 to -- did you feel you would be obligated to tell
24 Rosalyn Hackworth?
25 MR. FOUR: Objection. Compound and assumes

Page 33

1 facts not in evidence and calls for speculation.
2 BY MR. CORRALES:
3 Q You can answer.
4 A Can you say that again. So if she --
5 MR. FOUR: It's a lot of negatives there.
6 BY MR. CORRALES:
7 Q If she had not said please do not tell anyone
8 -- had she not said that, would you have felt you would
9 be obligated to tell Rosalyn Hackworth?
10 MR. FOUR: Same objections. And, again, vague
11 as to the word "obligated."
12 BY MR. CORRALES:
13 Q Go ahead.
14 A So if she was not urging me not to say that, I
15 probably would have told Rosalyn so she was aware of it,
16 yeah.
17 Q Okay. How many times did she call you about
18 this incident with Mickey Kasparian?
19 A I believe it was just once, yeah.
20 Q Was she crying when she called?
21 A No.
22 Q Okay. Did you ever meet with her and talk to
23 her in person about what she -- this event with
24 Mickey Kasparian?
25 A Yes.

Page 34

1 Q When was that?
2 A Right after it occurred. A Friday, Saturday
3 night. I'm not sure.
4 Q Okay. And when you met with her, did you tell
5 her that you had receipts from where she said they went
6 to dinner?
7 A No.
8 Q Did you talk about receipts that you had that
9 Mickey had turned in for a dinner that he had?
10 A No.
11 Q Did you ever tell -- did you ever tell Rosalyn
12 that you had receipts or a receipt from Mickey where he
13 wrote on the receipt or receipts the names of the
14 persons that he claimed to have had dinner with? Did
15 you ever tell her that?
16 A Can you repeat that question, please.
17 Q Did you ever tell Rosalyn that you had a
18 receipt or receipts from Mickey where he wrote on the
19 receipt or receipts the names of persons that he was
20 with that he had dinner --
21 MR. FOUR: Objection. Sorry.
22 BY MR. CORRALES:
23 Q -- when he had dinner?
24 MR. FOUR: Objection. Assumes facts not in
25 evidence.

Page 35

1 BY MR. CORRALES:
2 Q You can answer.
3 A No.
4 Q Okay. Did you ever give Rosy a copy of any
5 receipt that Mickey had turned in for reimbursement for
6 a dinner that he had?
7 A I gave her a copy, yes.
8 Q Okay. Why did you give her a copy of a
9 receipt that Mickey had turned in for a dinner that he
10 had?
11 MR. FOUR: Hold on one second, please.
12 BY MR. CORRALES:
13 Q Go ahead.
14 MR. FOUR: No. Hold on one second.
15 MR. CORRALES: Okay.
16 MR. FOUR: Okay. Go ahead.
17 BY MR. CORRALES:
18 Q Why did you do that?
19 A I gave her a copy of the receipt because of
20 what she had told me about the event. And what was
21 written on the receipt did not add up. They were not
22 the same.
23 Q What receipt were you talking about?
24 A The receipt from the event that she had told
25 me about with Kasparian.

Page 36

1 MR. FOUR: Can we step out of the room for a
2 second?
3 Off the record.
4 (Recess taken.)
5 MR. CORRALES: Back on the record.
6 Can I have the last question and answer.
7 (Question and answer read back by the
8 reporter.)
9 BY MR. CORRALES:
10 Q Okay. All right. So you made a copy of the
11 receipt and gave it to her?
12 A I did.
13 Q Okay. Why did you do that?
14 A I thought I already answered that. But the
15 information from what Rosy had told me and what was on
16 the back of that receipt did not jibe. And to clarify,
17 that was -- if it was dinner, lunch, I don't know.
18 Q Okay. All right. So she -- I mean, did you
19 volunteer to give this receipt to her, or did she ask
20 you if Mickey had turned in a receipt for --
21 A I gave this to her because I was confused on
22 the timeline of events or the -- the people who attended
23 this.
24 Q Okay. So you told her that Mickey had turned
25 in a receipt for a dinner at the date and time that she

Page 37

1 said she had dinner with him, and you told her that the
2 names did not jibe with the time that she said she was
3 with him, correct?
4 MR. FOUR: Objection. Misstates testimony.
5 He said he didn't know if it was lunch or dinner. Your
6 question --
7 MR. CORRALES: That's fine.
8 BY MR. CORRALES:
9 Q Is that correct? Because she said the names
10 didn't -- you said the names didn't jibe with the names
11 that was on the receipt; is that right?
12 A Yes.
13 Q All right. Okay. What names were on the
14 receipt with this lunch or dinner?
15 A I don't know.
16 Q Okay. But her name was not on there, correct?
17 A Correct.
18 Q All right. And -- so why did you think that
19 she should have this receipt -- a copy of it? Why did
20 you think she should have it?
21 A I wasn't presenting it to her for a souvenir.
22 It was to ask if this is the event you're referring to.
23 Q Where she said Mickey had made her feel
24 uncomfortable, that sort of thing?
25 A Yes.

Page 38

1 Q And what did she say when you said is this the
2 event?
3 A She said yes.
4 Q Okay. And why did you give her the receipt --
5 a copy of the receipt?
6 A I gave it so that she could confirm or deny
7 that was the event.
8 Q Okay. Okay. And did you give it to her
9 because you felt that she might need it to prove, in
10 fact, she did have lunch or dinner with Mickey?
11 A No.
12 Q Okay. Why would you give her a copy of that
13 receipt if it was a receipt that didn't have her name on
14 it?
15 A Because that's the event that she says that
16 she attended with him, and she was not listed.
17 Q Okay. If she was not listed and -- first of
18 all, did you believe her?
19 MR. FOUR: Objection. Vague.
20 Believe her about what?
21 BY MR. CORRALES:
22 Q You can answer.
23 Did you believe her when she said this event
24 happened?
25 MR. FOUR: Objection. Lacks foundation.

Page 39

1 Calls for speculation. Inappropriate opinion
2 testimony.
3 THE WITNESS: Yes.
4 BY MR. CORRALES:
5 Q Okay. And did you feel that her having a copy
6 of this receipt would help her in terms of evidence that
7 she may need in the future?
8 A No.
9 Q Did she tell you that she wanted it for that
10 purpose?
11 A No.
12 Q Was there a rule, protocol, or something that
13 precluded you from giving copies of receipts that were
14 turned in by Mickey Kasparian to an employee whose name
15 was not on the receipt?
16 A No.
17 Q Okay. Did you feel it was her business to
18 have a copy of that receipt?
19 A I was -- it was her business to explain was
20 this the event or not.
21 Q Okay. And other than that, did you feel that
22 she had a right to have a copy of that receipt?
23 A I felt like she had the right to explain if
24 that was the event or not.
25 Q Well, she could have explained it to you

Page 40

1 without you giving her a copy, right?
2 A Potentially.
3 Q But you gave her a copy?
4 A Gave her a copy so that -- as an inquiry. Is
5 this the event?
6 Q And, again, the question is why would you give
7 her a copy if you just could explain -- have her explain
8 if this was the event and she said yes, okay, fine; I'm
9 not going to give you a copy of it because it's
10 Local 135 business?
11 MR. FOUR: Objection. Asked and answered
12 several times.
13 BY MR. CORRALES:
14 Q Your answer?
15 A That's the way we did it. I gave her the
16 information for her to explain. So I gave her a copy.
17 Q Okay. Okay. And did she tell you that she
18 was going to use that for -- in case she needed to prove
19 that she had this dinner meeting with Mickey?
20 MR. FOUR: Objection. Misstates the testimony
21 about dinner meeting.
22 BY MR. CORRALES:
23 Q Dinner or lunch. Doesn't make any difference.
24 MR. FOUR: Assumes facts not in evidence.
25 ///

Page 41

1 BY MR. CORRALES:
2 Q Did she say anything of that nature, sir?
3 A No.
4 Q Okay. If -- by the way, did you follow up and
5 verify that Mickey, in fact, did have this lunch or
6 dinner with the people that he wrote on the receipt --
7 A I did not.
8 Q -- that you gave to Rosy?
9 A I did not.
10 Q Okay. If, in fact, Mickey gave you a receipt
11 for reimbursement, was that what it was for or --
12 A It was part of the American Express bill that
13 he had.
14 Q So if Mickey gave you a receipt for this lunch
15 or dinner that he had and he wrote down the names of
16 persons that he had lunch or dinner with and that wasn't
17 true, would you consider that to be something that would
18 be a problem from an accounting standpoint?
19 MR. FOUR: Objection. Incomplete
20 hypothetical. Inappropriate opinion testimony.
21 BY MR. CORRALES:
22 Q You can answer.
23 A From an accounting perspective?
24 Q Yes.
25 A Mostly likely, no. It's still a business

Page 42

1 expense. The information for disclosure purposes if
2 there's ever, you know, some type of audit of some
3 nature. But from my perspective it's still a business
4 expense, yes.
5 Q Okay. From a -- from the standpoint of the
6 use of union funds, would that be a problem in your mind
7 as a comptroller?
8 MR. FOUR: Same objections.
9 You can answer.
10 THE WITNESS: The problem wasn't with the
11 expense. I think the problem here is with the conduct
12 of the meeting. So that's ultimately what it comes down
13 to.
14 BY MR. CORRALES:
15 Q Aside from the conduct of the meeting that you
16 described that Rosy told you about, would it be a
17 problem for you as comptroller if Mickey gave you a
18 receipt that had Rosy Miner's name on it and his name
19 for this lunch or dinner?
20 A It wouldn't be a problem.
21 Q And the reason why it wouldn't be a problem
22 was because --
23 A It's ordinary.
24 Q He was entitled to take an employee out to
25 lunch or dinner?

Page 43

1 A Yes.
2 Q Okay. But if he gave you a receipt that was
3 -- that had the name of other people other than Rosy and
4 himself and Rosy and -- let me rephrase the question.
5 If he gave you a receipt that had the names of people
6 that he never went to lunch or dinner with, would that
7 be a problem for you as comptroller?
8 MR. FOUR: Objection. Assumes facts not in
9 evidence that that's what happened. Improper opinion
10 testimony and not relevant to this case.
11 BY MR. CORRALES:
12 Q Your answer?
13 A Clearly we want that to be as accurate as
14 possible.
15 Q Yes. But would that be a problem from the
16 comptroller standpoint?
17 A Yes. I'd like to know as much as I can, but I
18 don't often have that information.
19 Q Would you consider that to be a falsification
20 of records?
21 MR. FOUR: Objection. Calls for a legal
22 conclusion. Incomplete hypothetical.
23 BY MR. CORRALES:
24 Q Your answer?
25 A That was the intent. It was falsified, yes.

Page 44

1 Q Okay. Did you ever hear -- become aware that
2 Mickey had tried to ask Rosy on another date? We'll use
3 the word date. Did you ever hear that?
4 A Honestly don't recall, no.
5 Q Did Rosy ever tell you that he approached her
6 again and asked to meet again?
7 A I don't remember.
8 Q Did you ever have a meeting with Rosy at your
9 house with your wife present?
10 A Yes.
11 Q When was that in relationship to this dinner
12 or lunch meeting that Rosy described to you?
13 A It was right after that event.
14 Q Okay. Was it before or after you gave her a
15 copy of this receipt?
16 A Before.
17 Q Okay. What was the purpose of the meeting at
18 your house?
19 A It was --
20 Q Why was she there?
21 A -- because of the meeting that she had with
22 Mickey.
23 Q Okay. And what did she tell you at your house
24 when she came?
25 A She had an awkward meeting with him.

Page 45

1 Q Same thing you told us in your deposition
2 today?
3 A Correct, yes.
4 Q Okay. And did you ask her to come to your
5 house?
6 A I did.
7 Q Why?
8 A She was uncomfortable discussing it. And I
9 felt like it was an appropriate issue to discuss
10 options. And so I invited her over.
11 Q Okay. And did your wife also talk with her?
12 A She was there, yes.
13 Q Other than her being there, did she also talk
14 to Rosy?
15 A She had a few comments, yes.
16 Q Okay. Did you feel that it was best for Rosy
17 to meet with you and your wife at home instead of at
18 work about this incident?
19 A Yes.
20 Q Why?
21 A I felt like she'd be more inclined to talk
22 about the situation.
23 Q Okay. Did you ever notice Mickey's treatment
24 of Rosy changing after this incident that she reported
25 to you?

Page 46

1 A No.
2 Q Did you ever take it upon yourself to watch
3 Mickey when he came around Rosy?
4 MR. FOUR: I'm sorry. Could you repeat that
5 question again.
6 Could we have it read back, please.
7 (Pending question read back by the reporter.)
8 BY MR. CORRALES:
9 Q Did you ever take it upon yourself to watch
10 Mickey when he was around Rosy after this incident?
11 A No.
12 Q Did you feel that you needed to safeguard Rosy
13 in some way after this incident by Mickey making sure
14 that Mickey kept his distance?
15 A No.
16 Q Okay. When you were at Mickey's house --
17 MR. FOUR: You said Mickey's house.
18 BY MR. CORRALES:
19 Q I'm sorry. When -- excuse me. When Rosy was
20 at your house -- sorry -- did she -- did she say that
21 she did not want you or your wife to report what
22 happened because she was afraid to lose her job?
23 A She used terminology similar to that, yes.
24 Q Okay.
25 A She was concerned.

Page 47

1 Q Did she tell you that she was a single mom
2 supporting her family because her husband was
3 incarcerated?
4 A I don't know if she said that. But I was
5 aware he was incarcerated.
6 Q Okay. Did you understand she was the sole
7 provider of her family because her husband was
8 incarcerated? Did you understand that, sir?
9 A Sure.
10 Q All right. So did there come a time when Rosy
11 was ultimately fired?
12 A Yes.
13 Q Were you present when that occurred?
14 A Yes.
15 Q Where did this happen?
16 A At the office.
17 Q All right. And how did it occur? How was she
18 fired?
19 A There was a committee that she met with, and
20 she was ultimately dismissed at that point after she had
21 a meeting with the committee.
22 Q Is this the -- a committee like in a
23 conference room where questions were asked?
24 A Yes.
25 Q It wasn't a committee where there was an

Page 48

1 investigation and people were interviewed and a written
2 report was made, correct?
3 A Correct.
4 Q There was a conference room; she was invited
5 to attend, correct?
6 A Yes, correct.
7 Q You were there?
8 A I was one of the people there, yes.
9 Q Who else was there?
10 A Rosalyn Hackworth, Mickey Kasparian. I don't
11 remember the others. It could have been Tom Elbert. I
12 don't know.
13 Q Okay. And what prompted -- to your knowledge,
14 what prompted her being fired?
15 A We were having some issues with her husband,
16 and there was some concern about safety.
17 Q We were having some issues?
18 A The Local was having some issues.
19 Q The Local?
20 A Yes.
21 Q Were you having issues with her husband?
22 A No.
23 Q What issues were the Local having?
24 A There was an issue with Mickey. The staff was
25 reporting some issues where they were creeped out by

Page 49

1 some of his behavior. One of our employees, who has
2 since passed on, wanted us to be careful of him, that he
3 was a dangerous guy.
4 Q Okay. So you said there was an incident with
5 Mickey.
6 What was your understanding of the incident
7 with Mickey and her husband?
8 A They had inadvertently run into each other, I
9 guess, at a casino and there was an altercation.
10 Q Okay. What kind of altercation? This is
11 based on your understanding.
12 A He ended up head-butting Mickey and breaking
13 his nose.
14 Q All right.
15 A "He" being her husband.
16 Q Okay. And did Mickey tell you this?
17 A Yes.
18 Q When?
19 A As did she. She told me as well, Rosy.
20 Q Rosy did?
21 A Both.
22 Q At this meeting -- committee meeting or --
23 A No. Prior to that she told me this.
24 Q What did she tell you about it?
25 A She told me that she was going to be fired

Page 50

1 because her husband just head-butted Mickey and broke
2 his nose.
3 Q She said she thought she was going to be
4 fired?
5 A That was her first comment. And I said, Why
6 would you think that? And then she told me, Because my
7 husband just broke Mickey's nose.
8 Q Okay. And did she tell you why?
9 A I asked why. And she said she didn't know.
10 Q This is right after it happened?
11 A Yeah. I think it was -- if that happened
12 Friday, she called me Saturday morning. So it was
13 hours --
14 Q So she was calling you about things because
15 she felt you were her friend, right?
16 A Yes.
17 Q Okay. And then what did you tell her when she
18 said she thought she was going to be fired?
19 A I don't know if there was much discussion.
20 She was kind of frantic and told me they were in some
21 room and Sally was going crazy and she didn't know why
22 he did it.
23 Q Okay. All right. Then you talked to Mickey
24 about this?
25 A He ended up calling me, yes.

Page 51

1 Q Okay. And what did he tell you?
2 A Told me the exact same thing.
3 Q Did he tell you why?
4 A Nobody knew why.
5 Q That's not the question.
6 Did he tell you why he thought Rosy's husband
7 head-butted him?
8 MR. FOUR: He's asking you specifically did
9 Mickey tell you why he thought it happened?
10 THE WITNESS: Yes. He -- her husband --
11 Rosy's husband was controlling and maybe took offense to
12 the fact that he had bought some drinks for them. And
13 that was his theory.
14 BY MR. CORRALES:
15 Q Okay. Did Rosy ever tell you at any time that
16 her husband had head-butted Mickey because Mickey had
17 said something to him about had he not been incarcerated
18 this thing -- that he -- wait, wait -- he should have
19 been here and the thing with Rosy would not have
20 happened? Did he ever say that?
21 A No.
22 Q Did she ever say something like that?
23 A No.
24 Q Okay. Did she ever say that Mickey had said
25 something to her husband at Viejas while they were at

Page 52

1 the bar that got him angry?
2 A No.
3 Q Never did. Okay.
4 Now, did Mickey also talk about this incident
5 at this committee meeting in the conference room?
6 A He disclosed it to the whole staff.
7 Q Okay. That the incident with the head-butting
8 happened and he didn't know why?
9 A Right.
10 Q Okay. When was the last time you talked to
11 Rosy?
12 A Probably right when she called me. That was
13 probably the last conversation we had after she was
14 terminated. I haven't talked to her since.
15 Q Okay. All right. So she never told you that
16 she found out later in talking to her husband the
17 reason why he hit Mickey? She never told you that?
18 A She never did, no.
19 Q She never told you that Mickey had made a
20 comment to her husband about this -- about him being in
21 prison and this event -- this lunch or dinner event that
22 she was explaining to you about -- she never told you
23 anything about that?
24 MR. FOUR: Objection. Asked and answered.
25 THE WITNESS: No.

Page 53

1 BY MR. CORRALES:
2 Q Okay. All right. So at this committee
3 meeting Rosy was asked to come in, correct?
4 A Yes.
5 Q And did you understand that when she came in
6 she was going to be told she was going to be fired,
7 right?
8 A No.
9 Q You didn't understand that?
10 A She came in. She was allowed to explain the
11 situation.
12 Q Okay. All right.
13 A So that was not the termination, if I remember
14 correctly. No, she was not.
15 Q So she was terminated after the meeting?
16 A Subsequent to that. But I don't remember
17 when. But it was subsequent to that, yes.
18 Q Okay. All right. And during this meeting did
19 you say anything to her -- this committee meeting?
20 A I'm sure I did. I don't recall exactly what I
21 said.
22 Q Did you say something to the effect that you
23 felt you were disappointed in her?
24 A No, I don't --
25 Q Did -- do you remember Rosalyn Hackworth

Page 54

1 saying anything to her?
2 A Yes.
3 Q What did she say?
4 A I think she more lectured her. I don't
5 remember the exact -- what she was referring -- but she
6 lectured her on what had happened.
7 Q Did she lecture her in terms of her being a
8 bad mother or words to that effect?
9 A I don't know. I don't remember.
10 Q Did she say anything to her about being
11 married to a guy that was in prison, that was not a good
12 idea?
13 A Very possible. I don't remember.
14 Q Did you consider Rosalyn Hackworth's words to
15 be a little harsh to Rosy at the time?
16 A I remember there was a lecture. Yeah, I do
17 remember it was harsh.
18 Q Okay. And you're the comptroller.
19 You were at the -- comptroller at the time,
20 correct?
21 A Yes.
22 Q As a result of this incident that happened
23 with Rosy's husband, did Mickey request security to be
24 hired to guard the office building?
25 A Yes.

Page 55

1 Q And did he also ask for security to guard his
2 house?
3 A Yes.
4 Q And what other security did he hire?
5 MR. FOUR: Objection. Relevance.
6 Go ahead.
7 BY MR. CORRALES:
8 Q Your answer?
9 A I think that was it. I don't --
10 Q Okay. How long was the security?
11 A I believe -- I'd have -- I don't have the
12 dates. He was -- I think he went back and did jail and
13 that ended that. I don't know how long that was. He
14 was incarcerated again.
15 Q All right. And to your knowledge, how much
16 did 135 spend on security?
17 MR. FOUR: Objection. Relevance. Not related
18 to this case.
19 THE WITNESS: Off the top of my head, I don't
20 know.
21 BY MR. CORRALES:
22 Q Do you know a Darryl Fountain?
23 A I do.
24 Q And was he like a representative at the time
25 that Rosy was fired?

Page 56

1 A Yes. He's been a representative the whole
2 time he's been there.
3 Q Did you ever talk to him about Rosy's firing?
4 MR. FOUR: Hold on a second. When you said
5 the representative, did you mean her union --
6 MR. CORRALES: A union representative at
7 Local 135.
8 MR. FOUR: And that's how you understood the
9 question?
10 THE WITNESS: Yes.
11 BY MR. CORRALES:
12 Q Did you ever talk to Mr. Fountain about
13 Rosy Miner?
14 A No.
15 Q Did he ever tell you that he saw Rosy Miner at
16 the beach after she was fired?
17 A I don't recall that, no.
18 Q Okay. Did you ever become aware that he lied
19 on his time sheets?
20 MR. FOUR: Objection. Relevance to this case.
21 This has nothing to do with the case whatsoever.
22 BY MR. CORRALES:
23 Q Your answer?
24 A I'm not on that side. I don't know what goes
25 on over there.

Page 57

1 Q You don't know?
2 A No.
3 Q To your knowledge, did Mickey ever rent motels
4 in San Diego?
5 A Yes.
6 Q And to your knowledge, did he rent motels in
7 San Diego for -- to attend conventions?
8 A Yes.
9 Q And any other reasons why he would rent a
10 motel in San Diego?
11 A I believe for steward seminars, things of that
12 nature. So conventions, yeah.
13 Q Did you ever see receipts for the motels or
14 rooms that he rented in San Diego?
15 A Yes.
16 Q Did you ever -- I don't know if the receipts
17 would show this. Did you ever get any information that
18 he was renting motels for suites?
19 A There wouldn't be enough information on the
20 receipt to show that.
21 Q Did you ever question Mr. Kasparian for the
22 motels that he was renting in San Diego even though he
23 lived in San Diego?
24 A I believe I did inquire with him, yes.
25 Q What did you ask him?

Page 58

1 A That we noticed there was a receipt for the
2 steward seminar. He said, yeah. I don't do it that
3 often, but I wanted to be prepared for the meeting that
4 was following in the morning. And so that was his
5 explaining so --
6 Q All right. Did you ever become aware that he
7 was renting motels in San Diego so he could have sex
8 with various women?
9 A No.
10 Q Did you ever hear Mickey use derogatory
11 remarks about women in the workplace?
12 MR. FOUR: Objection. Relevance to this
13 case.
14 BY MR. CORRALES:
15 Q Your answer?
16 A In the workplace would --
17 Q At the office?
18 A Concerning our employees, no.
19 Q How about other women that aren't employees?
20 A Politicians, yes.
21 Q Tell me the kind of language he would use
22 about women politicians.
23 Did he call them bitches?
24 A I'm sure at times he did, yeah.
25 Q Did he use the word "crack whore"?

Page 59

1 A Maybe he did.
2 Q Did he use the word "crazy"?
3 A Oh, sure.
4 Q Stupid?
5 A Yep.
6 Q Did he use the word "cunt"?
7 A I don't ever recall that, no.
8 Q Did he ever use the word "lush"?
9 A Possibly.
10 Q Did he refer to women's anatomy in referring
11 to these women politicians?
12 A Not that I'm aware.
13 Q Did he ever say this woman politician got
14 successful because of her tits?
15 A No.
16 Q Okay. Do you consider Isabel Vasquez to be a
17 good friend of yours?
18 A She's definitely a friend, yes.
19 Q Do you consider her to be an honest person?
20 MR. FOUR: Objection. Calls for
21 speculation.
22 BY MR. CORRALES:
23 Q Your answer?
24 A Our relationship, yeah.
25 Q Okay. All right. Did -- do you

Page 60

1 remember -- were you in attendance at a Christmas party
2 where Mickey made an announcement that he was going to
3 put Isabel on the executive board?
4 A I do remember that, yes.
5 Q Okay. What did he say in that regard?
6 A I think that's exactly what he said. He was
7 going to put her on the executive board.
8 Q Did that ever happen?
9 A It never did.
10 Q How -- how soon did that occur before Isabel
11 left 135?
12 A How soon did it occur? It didn't occur.
13 Q No, no, no. The announcement at the Christmas
14 party that he was going to put her on the executive
15 board. How soon did that occur?
16 A Off the top of my head, I think it occurred
17 six months prior to her leaving.
18 Q When he made that announcement, did everybody
19 clap?
20 A I think so.
21 Q What did you understand that to mean if she
22 was going to be on the executive board?
23 A She was going to be on the executive board.
24 Q What does that mean to you?
25 A She was going to be appointed to the executive

Page 61

1 board as a member of the executive board.
2 Q To your knowledge, would that be a promotion?
3 A It wouldn't carry any additional pay, no.
4 More responsibilities.
5 Q Okay. What kind of responsibilities?
6 A She would attend the meetings, vote on
7 expenditures, directions of the Local.
8 Q All right. And these meetings that she would
9 attend would they be during business hours or after
10 business hours?
11 A Currently they're during business hours.
12 Q In 2016 --
13 A Yes.
14 Q -- were they after business hours?
15 A They're during business hours.
16 Q Were they ever after business hours?
17 A Yes. I don't know when that was changed. But
18 for many years they started at 5:00 p.m. Now they're at
19 4:00 to 5:00.
20 Q When did that start when it was to start at
21 4:00 -- or 5:00 you said? 4:00 to 5:00?
22 A Yeah. That was the old method. The new
23 method's 4:00 to 5:00.
24 Q Right.
25 A And I don't know how long ago that started.

Page 62

1 It's been a number of years now.
2 Q Okay. All right. So before it was 5:00 to
3 6:00 you said?
4 A Yes.
5 Q All right. What time does everybody go home
6 in the office at 135?
7 MR. FOUR: Objection. Calls for
8 speculation.
9 BY MR. CORRALES:
10 Q What time do they close the doors and --
11 A The doors close at 5:00. But there are often
12 people around much later than that.
13 Q Okay. All right. These executive board
14 meetings -- the ones now that are from 4:00 to 5:00 --
15 do they go a little after 5:00 sometimes?
16 A They can, yeah.
17 Q And the ones from 5:00 to 6:00 would they go
18 sometimes a little after 6:00?
19 A Mm-hmm.
20 Q Is that a "yes"?
21 A Yes.
22 Q All right. In 2016 who was on the executive
23 board?
24 A There's been a lot of ins and outs.
25 Q It was just last year.

Page 63

1 A I know it was just last year. Mickey. In '16
2 -- I forget -- Tom Elbert. He had -- a
3 Mike Bracomontes was on the executive board. I'm
4 missing somebody here. We have a couple rank and file
5 members that -- Chewy --
6 Q Jesus?
7 A Jesus Marin.
8 Q Is that a man or a woman?
9 A Man.
10 Q Who else?
11 A There would -- Jose Leno.
12 Q Jose Leno. Okay.
13 Who else?
14 A Teresa -- Jacquez I think is her last name.
15 Q She rank and file?
16 A Yes.
17 Q Anybody else?
18 A Sharon Baldwin and Sandra O'Brien.
19 Q Both of these are rank and file?
20 A Yes.
21 Q O'Brien?
22 A O'Brien.
23 Q All right. Do you know why Isabel was not
24 appointed to the executive board?
25 A I do not.

Page 64

1 Q After Mickey made the announcement that he was
2 going to appoint her to serve on the executive board,
3 what, if any, conversations did you have with him about
4 that after that?
5 A I never had a conversation with him about it.
6 Q Okay. Did he have the sole authority to do
7 that, or was it something that needed to be voted on?
8 MR. FOUR: Objection. Lack of foundation.
9 BY MR. CORRALES:
10 Q Your answer?
11 A He had the authority to appoint.
12 Q Okay. Did you ever become aware that Mickey
13 yelled at -- raised his voice and yelled at some of the
14 workers at 135 for various reasons?
15 A Yeah, I'm sure he did.
16 Q Do you recall him yelling at Vicki Miller
17 because he thought she was voting for Trump?
18 A No.
19 Q Did you ever hear that he had yelled at her
20 for any reason?
21 A No. Because I was involved in that -- I don't
22 believe he ever yelled at her. He was firm with her.
23 There was no yelling and there was no yelling about
24 Trump.
25 Q How about Lori Kern? Did you ever become

Page 65

1 aware that he yelled at her?
2 A I don't deal with her. She's on a different
3 side, so no.
4 Q Never heard that he made her cry?
5 A I've heard that she's cried. I don't know if
6 it was because of him.
7 Q Okay. Did Lindsey Bensinger ever tell you
8 that she would quit unless she got a raise?
9 A No.
10 Q Okay. Do you recall being in
11 Mickey Kasparian's office from time to time?
12 A Yes.
13 Q Okay. You -- when you were in his office,
14 would you like sit in a chair and he sat behind his desk
15 and you'd talk?
16 A Yes.
17 Q How many times would that happen?
18 A It's sporadic. Just depends on what's going
19 on.
20 Q Okay. On a regular basis?
21 A I would not say a regular basis, no.
22 Q Not every week?
23 A No.
24 Q But sporadic basis and it happened every year?
25 A Are you referring to like a normal meeting?

Page 66

1 Are you talking about just in general --
2 Q No. You'd just be in his office and he'd sit
3 in his chair and you'd talk to him.
4 A He's tough to get hold of. So usually when
5 you're up there it's because of an issue or a pressing
6 thing -- matters. So it's infrequent.
7 Q Okay. How many times have you been in his
8 office?
9 MR. FOUR: Throughout his 15 years at 135?
10 BY MR. CORRALES:
11 Q Yeah. How many times have you been in his
12 office?
13 A I guess hundreds.
14 Q And were you in his office when Isabel was
15 working there?
16 A Yes.
17 Q All right. Did you ever see a picture of
18 Isabel from a golf tournament on Mickey's desk or near
19 his desk?
20 A He's got a lot of pictures near his desk.
21 Q Did you ever see a pictures of Isabel?
22 A I'm sure she is in a number of them, yes.
23 Q Did you see a picture of Isabel on or near
24 Mickey's desk where her nipples are showing?
25 A I am familiar with that photo.

Page 67

1 Q Okay. And when did you see that? How many
2 times did you see that?
3 A I saw it when he took it off his desk and put
4 it into the drawer because apparently this issue came
5 up.
6 Q Issue came up with whom?
7 A The lawsuit?
8 Q Yes. So he didn't take it off his desk until
9 the lawsuit was filed?
10 A Somewhere around that time.
11 Q So every time you went into his office you
12 would see the picture before the lawsuit was filed; is
13 that right?
14 MR. FOUR: Objection. Misstates the
15 testimony. Assumes facts not in evidence.
16 BY MR. CORRALES:
17 Q Is that right?
18 A That picture was there. I did not see it on a
19 regular basis. I'm familiar with it now because of
20 this. But, yes, that picture was behind his desk at
21 some point, yeah.
22 Q All right. Okay. Did you ever talk to him
23 about the picture?
24 A No.
25 Q Did he ever say I'm going to show you this

Page 68

1 picture and it shows Isabel and talk about the picture
2 at all?
3 A No.
4 Q Okay. Did you ever tell him that you thought
5 the picture was offensive?
6 A No. I wasn't even aware of it until this came
7 about.
8 Q Okay. So you weren't aware of the picture, so
9 you didn't see the picture until after the lawsuit was
10 filed and you saw Mickey take it down?
11 A I'm familiar with the picture in the sense
12 that it was behind his desk. I didn't realize that was
13 an issue -- the picture -- until this came up.
14 Q I see. Okay. All right. So you saw the
15 picture behind Mickey's desk several times, but you
16 didn't notice the issue of the nipples on the picture?
17 A Yeah.
18 Q All right. Okay. Thank you. Okay.
19 MR. CORRALES: Let's take a couple minutes.
20 (Recess taken.)
21 MR. CORRALES: Back on the record.
22 BY MR. CORRALES:
23 Q Okay. To your knowledge, what kind of sexual
24 harassment training was given to workers at 135 before
25 Isabel left?

Page 69

1 A Before Isabel left?
 2 Q Mm-hmm.
 3 A Rosalyn rolled out an online sexual harassment
 4 webinar, if you will --
 5 Q Okay.
 6 A -- and everybody had to take that and print
 7 out the certificate of completion and give it to her.
 8 Q When did that occur?
 9 A It's been going on for a number of years now.
 10 Q When did it start?
 11 A Yeah. It's been a number of years. I just
 12 don't know exactly what year that started in.
 13 Q All right. To your knowledge, was there ever
 14 an employee handbook that was prepared for Local 135?
 15 A No.
 16 Q To your knowledge, was there any literature --
 17 anything in writing that was given to workers at 135
 18 that concerned sexual harassment?
 19 A No.
 20 Q To your knowledge, was there any -- since
 21 you've been at 135, was there any seminars, training
 22 that was given to workers at 135 other than this online
 23 webinar?
 24 A I'm only aware of the online. Nothing else.
 25 Q Okay. You said that you attended staff

Page 70

1 meetings at 135, correct?
 2 A Yes.
 3 Q Okay. How many times did the staff meetings
 4 occur? Was it like once a month? Once a week?
 5 A They're sporadic. Just depends what's going
 6 on. Definitely not once a week and not once a month.
 7 Just whenever.
 8 Q Over the course of time, how many staff
 9 meetings have you attended?
 10 A A lot.
 11 Q More than ten?
 12 A Oh, yeah, yeah.
 13 Q Okay. All right. And in these staff meetings
 14 what were the topics of these staff meetings? Did it
 15 vary, or just like we're only going to talk about, you
 16 know, picketing or organizing? What would the topic --
 17 A It would vary based on what was going on in
 18 this particular time. Could be contracts. Could be
 19 issues with employers. Could be politics.
 20 Q So employee issues could be a topic of these
 21 staff meetings? Is that what you're saying?
 22 MR. FOUR: Vague as to employees. I'm not
 23 sure that -- when you use the word employees, were you
 24 referring to Local 135 employees?
 25 THE WITNESS: I'm sorry. I meant employers --

Page 71

1 the food employers that we represent. Those employees
 2 in those stores.
 3 BY MR. CORRALES:
 4 Q But you would have employee issue
 5 conversations in some of these staff meetings, correct?
 6 A Occasionally, yeah, yeah.
 7 Q There would be times, for example, when there
 8 would be a staff meeting about don't talk about these
 9 lawsuits?
 10 A Sure.
 11 Q Right?
 12 A Yeah.
 13 Q Okay. And there would be staff meetings
 14 concerning incidents that may have happened with
 15 employees, right?
 16 A Yep.
 17 Q Rosy Miner, to give you an example?
 18 A Yes.
 19 Q Was there ever a staff meeting held where the
 20 topic of discussion was how to prevent sexual harassment
 21 from occurring in the workplace?
 22 A I don't recall a meeting of that nature.
 23 Q All right. Was there any staff meetings that
 24 you attended where the topic of discussion was how to
 25 report sexual harassment that occurs in the workplace?

Page 72

1 A No. That was covered in that training online,
 2 yeah.
 3 Q That's not the question. I'm talking about
 4 staff meetings.
 5 So your answer is no?
 6 A My answer is no.
 7 Q Okay. So at any of these staff meetings was
 8 there ever a discussion -- that you attended ever a
 9 discussion about how to recognize sexual harassment, the
 10 definition of sexual harassment in the workplace?
 11 A No.
 12 Q Was there -- and was there any staff meetings
 13 that you attended where the topic of discussion was how
 14 to go about reporting sexual harassment, who to talk to,
 15 how to make a report in writing, you know, whatever
 16 those -- how it works? Was anything like that
 17 discussed?
 18 A No.
 19 Q Okay. Did you feel that Mickey Kasparian, as
 20 the president of Local 135, was exempt from sexual
 21 harassment training?
 22 A I don't feel he is, no.
 23 Q You don't feel he ever was?
 24 A No.
 25 Q Okay. To your knowledge, did Mickey ever

Page 73

1 discuss with you the need to have sexual harassment
2 training in the workplace?
3 A He did not, no.
4 Q Okay. Let me see here. When did you -- you
5 told -- let me ask you this question: Did you become
6 aware of Isabel Vasquez' lawsuit at some point?
7 A Yes.
8 Q When did that occur?
9 A When it was posted online.
10 Q Okay. So sometime in December of 2016?
11 A That sounds right, yes.
12 Q Okay. And when you became aware of her
13 lawsuit, did you at some point thereafter read the
14 complaint?
15 A I did.
16 Q Okay. How did you get a copy of the
17 complaint?
18 A It was online.
19 Q Okay. To your knowledge, who posted it
20 online?
21 MR. FOUR: Calls for speculation.
22 If you know.
23 BY MR. CORRALES:
24 Q If you know who posted it online.
25 A I don't know the exact course of the court

Page 74

1 system. I believe it was part of the official document
2 that lawsuits have been filed, yeah.
3 Q So you went to the superior court docket and
4 not somebody's Facebook?
5 A I don't have Facebook, so no.
6 Q So you went to the official website of the
7 superior court, the docket, and downloaded the
8 complaint?
9 A I had a link, yeah.
10 Q Okay. All right. Then did you download it
11 and make a copy?
12 A No. I never printed or anything.
13 Q You just read it?
14 A Just read it, yeah.
15 Q Okay. All right. From -- what prompted you
16 to read the complaint?
17 A Concern.
18 Q Concern about what?
19 A That there was an allegation of misconduct and
20 what it was surrounding. I didn't know, yeah.
21 Q So who told you about the complaint?
22 A I think at some point Mickey told me that
23 there was a complaint coming down from Isabel.
24 Q Okay. This was after you read it or before --
25 A No. This is before, and I was able to see it

Page 75

1 online.
2 Q All right. All right. And what did he say
3 about it when he told you there was a complaint coming
4 down the pipe or whatever you said?
5 A Yeah.
6 Q What did he say?
7 A I couldn't tell you exactly what he said.
8 Q Did he give you some idea as to what the
9 complaint alleged?
10 A Yes.
11 Q What did he say in that regard?
12 A Sexual misconduct. And he denied it.
13 Q He said the complaint said something about
14 sexual misconduct and he denied it.
15 Did he tell you that he understood the
16 complaint to say that he was demanding sex from Isabel?
17 A He gave us some of the details. I don't
18 remember exactly what he said in that meeting.
19 Q Okay.
20 A Obviously it was shocking.
21 Q Did he say -- did he tell you that he
22 understood the complaint was to say that he was having
23 sex with Isabel?
24 A Yes. I think in so many words, yeah.
25 Q When he told you this, did that prompt in your

Page 76

1 mind you wanted to read the complaint, or he just
2 directed you to read it if you wanted to?
3 MR. FOUR: Objection. Assumes facts not in
4 evidence. He never testified he told him to read the
5 complaint.
6 BY MR. CORRALES:
7 Q Go ahead.
8 A He didn't tell me to read it. I read it on my
9 own.
10 Q After you had this conversation with Mickey?
11 A Yes.
12 Q Okay. Did you have another conversation with
13 him after you read the complaint about things you may
14 have seen or read in the complaint that he didn't tell
15 you about?
16 A No.
17 Q Okay. Did -- did you ever -- did you ever
18 feel in reading the complaint that Isabel was lying or
19 fabricating her allegations?
20 MR. FOUR: Objection. Calls for a legal
21 conclusion. Inappropriate opinion. Calls for
22 speculation.
23 BY MR. CORRALES:
24 Q You can answer.
25 A I was shocked. I had never heard one iota

Page 77

1 about this until the complaint came out, yes.
2 Q Okay. So before the complaint came out, you
3 were not aware that Mickey was allegedly having sex with
4 Ms. Vasquez, correct?
5 A That's correct.
6 Q And before the complaint was filed, you were
7 not aware of any of the allegations that were alleged
8 against Mickey as set forth in the complaint? You
9 weren't aware of that?
10 A I was not aware.
11 Q Okay. Were you present when Mickey -- excuse
12 me. Were you present when Ms. Vasquez left 135?
13 MR. FOUR: Was he present? Meaning was he
14 still working at 135?
15 MR. CORRALES: Yes.
16 THE WITNESS: I was working there, yes.
17 BY MR. CORRALES:
18 Q Was there like a party for her departure?
19 A No.
20 Q How did she leave? To your knowledge, how did
21 it occur?
22 A It was rather abruptly.
23 Q What do you mean "abruptly"?
24 A Well, there were some issues with her fiance
25 at the time. He was sick and she was caring for him.

Page 78

1 Q Was she like missing work because of it?
2 A Yes, she was.
3 Q All right. Anything else that you remember
4 occurred that prompted her departure?
5 A You'd have to ask her. I think that was the
6 reason --
7 Q I just want to know what you know.
8 A That was the -- she was having issues with her
9 fiance at the time, and then she decided she was going
10 to retire.
11 Q Okay. Did she tell you that she was going to
12 retire?
13 A Yeah, she did.
14 Q What did she say?
15 A That she was going to retire.
16 Q When did she tell you that?
17 A I think she retired in June. So
18 probably -- maybe -- in May maybe or April. I think
19 Todd and myself spoke with her about it --
20 Q Yes.
21 A -- and instructed her not to make any rash
22 decisions while Terry was going through his situation.
23 And then she retired promptly thereafter.
24 Q What did you understand it to mean when she
25 said she was going to retire, that she was going to

Page 79

1 quit?
2 A She was going to retire, yeah.
3 Q She was going to stop working at 135, right?
4 A Correct.
5 Q Retirement meant what to you as comptroller?
6 What did that mean to you?
7 A I'm confused by your question.
8 Q When somebody says I'm going to quit, that's
9 it, see you later -- another person says I'm going to
10 retire -- okay, fine. Let's have a retirement party,
11 get a golden watch -- what did you understand the
12 difference to be when a person's quitting, as the
13 comptroller, and a person who says they're going to
14 retire?
15 A If they say they're going to retire, I assume
16 that means they're no longer going to work and travel
17 and do the things retired people do.
18 Q All right. So -- and to your knowledge, was
19 there some sort of a package that 135 offered to people
20 that said they were going to retire?
21 A There are different things done. I don't know
22 if I'd call it a package.
23 Q Tell me what things are done for a person that
24 retired in 2016.
25 What do they get? Do they get a watch?

Page 80

1 A No.
2 Q Okay. What do they get?
3 A Might get \$1,000 bonus or something of that
4 nature is what we've done in the past.
5 Q Okay. What else?
6 A Maybe a lunch.
7 Q A lunch?
8 A A party.
9 Q Take them out to lunch and say goodbye?
10 A Might have a retirement gathering, yeah.
11 Q Is that lunch or something different?
12 A Maybe cater it in or bring lunch in, yeah.
13 Q What else? Do they have like a little plaque
14 from the Local 135 saying thank you for your service;
15 here you are; put it on your wall at home? Anything of
16 that nature?
17 A I'm not aware of that, no.
18 Q You said there's no watch given?
19 A No watch, no.
20 Q What else happens when somebody retires? Do
21 they get a pension of some sort?
22 A Yeah, definitely. They accrue a pension and
23 they can go and seek a pension plan out. They can go
24 through the appropriate channels.
25 Q Is this a union pension?

Page 81

1 A It's through a trust fund and through our
2 international union.
3 Q Is that something that you're involved with?
4 You activate that or make that arrangement for the
5 employee that wants to retire?
6 A I don't, no.
7 Q What kind of pension is that? What does it
8 consist of? Is it an annuity?
9 MR. FOUR: Objection. Lack of foundation.
10 BY MR. CORRALES:
11 Q How does it work, sir?
12 MR. FOUR: Do you know?
13 THE WITNESS: I don't know the ins and outs of
14 it. It's administered through our international union.
15 BY MR. CORRALES:
16 Q It's something you don't -- you become
17 involved with --
18 A Yeah. The only thing we do is withhold a
19 certain amount of pay and submit it to them, those who
20 are involved in the pension plan. That would be my
21 involvement with it.
22 Q Is there a certain vesting that occurs for a
23 person that wants to retire? You can't retire until you
24 reach, you know, a certain amount of years?
25 A There's definitely a requirement. I think the

Page 82

1 vesting is five years or so.
2 Q Okay.
3 A And then your age is going to be a factor in
4 how much you can collect. I don't know what the rules
5 are because, quite frankly, I'm not there. But there
6 are rules, as there are for any plan.
7 Q Okay. Now, was there a pension retirement
8 plan with Local 135 separate and apart from the
9 union -- from the inter- -- whatever -- I may be
10 confusing you --
11 A Yes.
12 Q Is there a separate pension from the Local 135
13 pension?
14 A Well, there's two. There's an international
15 one and there's one through the trust fund.
16 Q Okay.
17 A So -- but, again, they're not administered by
18 us. It's all done through different entities.
19 Q Okay. All right. Let me ask -- anything
20 else? Any other kinds of things that happen when
21 somebody retires?
22 A No.
23 Q Is there like -- do you give them like tickets
24 to Tahiti?
25 A No, I haven't seen that.

Page 83

1 Q Take a vacation?
2 A No.
3 Q So let me ask you this: When you were told in
4 May of 2016 that Isabel was planning on retiring, what,
5 if anything, did you do to make arrangements to have her
6 have a retirement?
7 A My job would be to make sure that she was
8 properly paid for her accrued vacation.
9 Q Was there a severance package that was given
10 to her?
11 A No severance. I don't recall anything. I'd
12 have to go back and look. But my role would be -- she's
13 got vacation on the books. She's accrued vacation.
14 Calculate that and present her with her -- well, I
15 wouldn't present her. But I would prepare the final
16 checks and give it to Mickey or somebody else to present
17 to her on her final day.
18 Q Did she get \$1,000 bonus that you were talking
19 about?
20 A She did not.
21 Q Do you know why?
22 A I don't.
23 Q Did she have a retirement gathering or a
24 lunch?
25 A She did not, no.

Page 84

1 Q Did you have a meeting with her at all about,
2 you know, rolling over any of her health benefits,
3 COBRA, 401K, anything of that nature? Did you have a
4 meeting with her about how this would work?
5 A No, I did not.
6 Q Did you know if she had COBRA benefits?
7 A That's through the insurance department. I
8 don't know.
9 Q So you weren't in charge of that?
10 A No.
11 Q Okay. So was there a difference between her
12 saying -- let me rephrase the question. Was there a
13 difference in your mind of her retiring and simply
14 quitting?
15 A Yes.
16 Q What was the difference?
17 A Again, she -- if you tell me you're retiring,
18 you're going to go and retire. You're not going to work
19 any longer. You're going to collect your retirement
20 benefits.
21 Q What's the difference between that and
22 quitting?
23 A Quitting you're probably going to look for
24 another job. You quit and pursue another activity.
25 Q Okay. So what if a person just quits and says

Page 85

1 I don't want to work anymore? Is that person retiring
 2 in your mind or quitting?
 3 MR. FOUR: Objection. Calls for speculation.
 4 Incomplete hypothetical.
 5 BY MR. CORRALES:
 6 Q Your answer?
 7 A If they say they're quitting, I assume they're
 8 moving on to something else.
 9 Q So in your mind when a person quits, you
 10 assume they're going to move on to another job?
 11 A There's going to be a couple factors. Do they
 12 have any retirement benefits to obtain? Are they of
 13 proper age to obtain them? Obviously if somebody said
 14 they're 26 and they said they're retiring, I'm not going
 15 to believe them.
 16 Q Okay. So how old was Isabel at the time she
 17 left 135?
 18 MR. FOUR: Objection. Lack of foundation.
 19 BY MR. CORRALES:
 20 Q You can answer.
 21 A Yeah. This could be tricky. 55.
 22 Q Did you consider her age to be that of a
 23 person who should retire -- consider retiring?
 24 MR. FOUR: Objection. Irrelevant.
 25 ///

Page 86

1 BY MR. CORRALES:
 2 Q Your answer?
 3 A She -- I know she would be entitled to
 4 collecting something if she so desired, yes.
 5 Q How long -- to your knowledge, how long are
 6 workers at 135 allowed to work until they're, you know,
 7 at the point where they should retire?
 8 MR. FOUR: Are you asking him under rules or
 9 just his general thoughts what is appropriate?
 10 MR. CORRALES: His understanding.
 11 MR. FOUR: Understanding of what though?
 12 BY MR. CORRALES:
 13 Q Your answer, sir?
 14 MR. FOUR: I don't understand your question.
 15 Are you asking him just his --
 16 MR. CORRALES: Let's have -- if he doesn't
 17 understand the question, let him tell me.
 18 MR. FOUR: But I don't understand. Okay? I
 19 want to understand. Are you asking him --
 20 MR. CORRALES: I'm asking what he understands.
 21 BY MR. CORRALES:
 22 Q Go ahead. You can answer.
 23 A Are you asking for my opinion on the age --
 24 Q Yes. What do you think the age would be at
 25 135 to retire?

Page 87

1 A I've seen somebody like Dave Didier retire
 2 real early at 55. I've seen others retiring a little
 3 bit later. But you can work as long as you want.
 4 Q Okay. So there's no age limit?
 5 A No.
 6 Q Somebody can work there until they're 70?
 7 A Yeah, that could happen.
 8 Q Okay. All right. So -- when Isabel said she
 9 was going to retire, did that -- anything come to mind
 10 about, okay, she's reaching a certain point where she
 11 has to retire -- well, let me rephrase the question. To
 12 your knowledge, there was no written age limit for a
 13 person to retire at 135, correct?
 14 A Correct.
 15 Q All right. And did you understand when Isabel
 16 said she was going to retire that she was not going to
 17 work someplace else?
 18 A That was my assumption. I didn't actually
 19 talk to her about that.
 20 Q All right. So you don't know if she was
 21 thinking about going back to the food industry and
 22 working as a cashier?
 23 A At that time, no. I had no clue of anything
 24 like that.
 25 Q All right. So you don't know, for example, if

Page 88

1 -- well, let me ask you this: Did you have a
 2 conversation with her about what her plans were after
 3 she left 135?
 4 A No, I don't think we ever did have that
 5 conversation.
 6 Q Okay. So if Isabel was planning on seeking
 7 other employment after she left 135, you would not know
 8 about that because you didn't talk to her about that,
 9 right?
 10 A Right.
 11 Q And no one like -- for example,
 12 Mickey Kasparian or no one told you that Isabel was
 13 planning on working someplace else after she left 135,
 14 correct?
 15 A Correct.
 16 MR. CORRALES: All right. Those are all the
 17 questions I have.
 18 MR. FOUR: Okay.
 19 MR. CORRALES: Thank you.
 20 MR. FOUR: Are we doing it the way we did the
 21 other day?
 22 MR. CORRALES: By Code.
 23 MR. FOUR: Okay.
 24 (TIME NOTED 11:54 a.m.)
 25 ///

<hr/> <p style="text-align: center;">\$</p> <hr/> <p>\$1,000 80:3 83:18</p> <hr/> <p style="text-align: center;">1</p> <hr/> <p>10:01 5:2</p> <p>13 21:25 22:3</p> <p>135 7:22,24 9:8 10:6,25 11:25 12:16 15:20 16:10,11 17:4 18:2 21:11,12,14 24:14,16,19 32:13 40:10 55:16 56:7 60:11 62:6 64:14 66:9 68:24 69:14,17,21,22 70:1,24 72:20 77:12,14 79:3,19 80:14 82:8,12 85:17</p> <p>15 8:9 26:16 66:9</p> <p>16 7:25 8:9 10:17 63:1</p> <p>1993 8:17</p> <hr/> <p style="text-align: center;">2</p> <hr/> <p>2013 13:8</p> <p>2014 13:8</p> <p>2016 13:22,25 14:4,18 61:12 62:22 73:10 79:24 83:4</p> <p>2017 5:1 13:8 16:7,8</p> <p>26 85:14</p> <hr/> <p style="text-align: center;">4</p> <hr/> <p>401K 84:3</p> <p>4:00 61:19,21,23 62:14</p> <hr/> <p style="text-align: center;">5</p> <hr/> <p>55 85:21</p> <p>5:00 61:18,19,21,23 62:2,11, 14,15,17</p> <hr/> <p style="text-align: center;">6</p> <hr/> <p>6 5:1</p> <p>6:00 62:3,17,18</p>	<hr/> <p style="text-align: center;">A</p> <hr/> <p>a.m. 5:2</p> <p>abruptly 77:22,23</p> <p>accountant 8:4</p> <p>accounting 9:5 12:1,3,5,6 41:18,23</p> <p>accrue 80:22</p> <p>accrued 83:8,13</p> <p>accurate 43:13</p> <p>act 18:17 19:11 31:18</p> <p>action 20:2</p> <p>activate 81:4</p> <p>activity 84:24</p> <p>acts 16:23</p> <p>add 35:21</p> <p>addition 11:25 12:2</p> <p>additional 11:21 13:12 61:3</p> <p>administered 81:14 82:17</p> <p>advances 29:25 30:2,8</p> <p>affirmative 17:12</p> <p>afraid 31:20,22,24 32:2,11, 14 46:22</p> <p>age 82:3 85:13,22</p> <p>ahead 21:22 31:6 32:6 33:13 35:13,16 55:6 76:7</p> <p>alcohol 7:12</p> <p>allegation 74:19</p> <p>allegations 76:19 77:7</p> <p>alleged 75:9 77:7</p> <p>allegedly 77:3</p> <p>allowed 53:10</p> <p>altercation 49:9,10</p> <p>ambiguous 18:20 23:18 28:13 30:1</p> <p>American 41:12</p> <p>amount 81:19,24</p> <p>anatomy 59:10</p>	<p>angry 52:1</p> <p>announcement 60:2,13,18 64:1</p> <p>annuity 81:8</p> <p>anymore 85:1</p> <p>apparently 67:4</p> <p>appoint 64:2,11</p> <p>appointed 60:25 63:24</p> <p>approached 20:23 44:5</p> <p>appropriately 31:5</p> <p>approximately 7:25 9:19</p> <p>April 78:18</p> <p>Arkansas 8:25</p> <p>arrangement 81:4</p> <p>arrangements 83:5</p> <p>assist 24:1</p> <p>assistance 23:25</p> <p>assume 79:15 85:7,10</p> <p>assumes 18:10 23:19 32:25 34:24 40:24 43:8 67:15 76:3</p> <p>attend 8:18 23:8,9 48:5 57:7 61:6,9</p> <p>attendance 60:1</p> <p>attended 23:11 36:22 38:16 69:25 70:9 71:24 72:8,13</p> <p>attention 18:25 20:15</p> <p>audible 7:2</p> <p>audit 10:1 42:2</p> <p>auditor 10:4</p> <p>authority 64:6,11</p> <p>aware 17:24 33:15 44:1 47:5 56:18 58:6 59:12 64:12 65:1 68:6,8 69:24 73:6,12 77:3,7,9,10 80:17</p> <p>awkward 29:10,22 30:5 32:1,9 44:25</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p>back 9:10 36:5,7,16 46:6,7</p>	<p>55:12 68:21 83:12</p> <p>bad 54:8</p> <p>Baldwin 63:18</p> <p>bar 52:1</p> <p>Barrera 22:12,13</p> <p>based 17:25 18:1 49:11 70:17</p> <p>basically 8:4 13:18</p> <p>basis 65:20,21,24 67:19</p> <p>BBA 9:5</p> <p>beach 56:16</p> <p>began 21:10 29:12</p> <p>beginning 9:10 16:5,7</p> <p>behavior 49:1</p> <p>Bell 10:19 11:2,5</p> <p>benefits 84:2,6,20 85:12</p> <p>Bensinger 14:5 65:7</p> <p>bill 41:12</p> <p>bit 25:21</p> <p>bitches 58:23</p> <p>board 31:8 60:3,7,15,22,23 61:1 62:13,23 63:3,24 64:2</p> <p>bonus 80:3 83:18</p> <p>book 10:11</p> <p>books 83:13</p> <p>boss 32:8</p> <p>bought 51:12</p> <p>Bracomontes 63:3</p> <p>breaking 49:12</p> <p>Brian 5:4,12</p> <p>bring 20:15 21:12 80:12</p> <p>broke 50:1,7</p> <p>building 25:18 54:24</p> <p>business 10:11 11:20,23 39:17,19 40:10 41:25 42:3 61:9,10,11,14,15,16</p> <p>butt 20:12</p>
---	---	---	---

<hr/> <p>C</p> <hr/> <p>Calculate 83:14</p> <p>California 5:1 8:10</p> <p>call 16:11 29:19 33:17 58:23 79:22</p> <p>called 6:11 29:20 33:20 50:12 52:12</p> <p>calling 50:14,25</p> <p>calls 26:24 32:3 33:1 39:1 43:21 59:20 62:7 73:21 76:20,21 85:3</p> <p>care 8:5 14:11 20:15 31:17</p> <p>careful 49:2</p> <p>caring 77:25</p> <p>carried 17:7</p> <p>carry 31:15 61:3</p> <p>case 40:18 43:10 55:18 56:20,21 58:13</p> <p>casino 49:9</p> <p>cater 80:12</p> <p>certificate 69:7</p> <p>certification 8:7 9:25</p> <p>chair 65:14 66:3</p> <p>change 14:23 21:4</p> <p>changed 11:21 61:17</p> <p>changing 45:24</p> <p>channels 80:24</p> <p>charge 12:11 84:9</p> <p>checks 83:16</p> <p>Chewy 63:5</p> <p>Christmas 60:1,13</p> <p>claimed 34:14</p> <p>claims 18:8</p> <p>clap 60:19</p> <p>clarify 36:16</p> <p>clean 6:23</p> <p>clerk 25:12,13,16</p>	<p>client 10:10,12</p> <p>close 62:10,11</p> <p>COBRA 84:3,6</p> <p>collect 82:4 84:19</p> <p>college 8:18,20 9:6,11</p> <p>comment 50:5 52:20</p> <p>comments 45:15</p> <p>committee 15:13,14,17,24 16:3 47:19,21,22,25 49:22 52:5 53:2,19</p> <p>communication 7:6</p> <p>Company 9:12,18</p> <p>complaining 32:12</p> <p>complaint 17:1 73:14,17 74:8,16,21,23 75:3,9,13,16, 22 76:1,5,13,14,18 77:1,2,6, 8</p> <p>complaints 16:22 18:17,24 19:11,14,15 20:11 21:12</p> <p>completely 11:13</p> <p>completion 69:7</p> <p>Compound 32:25</p> <p>comptroller 8:2,3 10:25 11:25 23:2 25:15 42:7,17 43:7,16 54:18,19 79:5,13</p> <p>computer 12:9,11</p> <p>concern 48:16 74:17,18</p> <p>concerned 28:3 46:25 69:18</p> <p>conclusion 43:22 76:21</p> <p>conditions 21:3</p> <p>conduct 42:11,15</p> <p>conducted 14:25</p> <p>conference 47:23 48:4 52:5</p> <p>confide 26:4</p> <p>confirm 38:6</p> <p>confused 36:21 79:7</p> <p>confusing 82:10</p> <p>confusion 27:13</p>	<p>consist 81:8</p> <p>contact 18:6 30:24 31:1</p> <p>contracts 70:18</p> <p>controller 8:4</p> <p>controlling 51:11</p> <p>conventions 57:7,12</p> <p>conversation 28:22 29:23 52:13 64:5 76:10,12</p> <p>conversations 28:10,18 64:3 71:5</p> <p>copies 39:13</p> <p>copy 35:4,7,8,19 36:10 37:19 38:5,12 39:5,18,22 40:1,3,4,7,9,16 44:15 73:16 74:11</p> <p>CORRALES 5:8 11:9 17:16 18:13,21 19:24 20:5 22:1,10 23:21 27:1,15 28:17 30:3 32:5 33:2,6,12 34:22 35:1, 12,15,17 36:5,9 37:7,8 38:21 39:4 40:13,22 41:1,21 42:14 43:11,23 46:8,18 51:14 53:1 55:7,21 56:6,11, 22 58:14 59:22 62:9 64:9 66:10 67:16 68:19,21,22 71:3 73:23 76:6,23 77:15,17 81:10,15 85:5,19</p> <p>correct 5:16 21:14 24:7,17 37:3,9,16,17 45:3 48:2,3,5,6 53:3 54:20 70:1 71:5 77:4,5 79:4</p> <p>correctly 53:14</p> <p>council 15:12</p> <p>couple 9:15 22:23 63:4 68:19 85:11</p> <p>court 6:13,22 7:5 73:25 74:3,7</p> <p>courthouse 5:25 6:2</p> <p>covered 72:1</p> <p>CPA 8:6,7,8 9:25</p> <p>crack 58:25</p> <p>crazy 50:21 59:2</p> <p>creeped 48:25</p> <p>cried 65:5</p>	<p>crime 6:11</p> <p>cry 65:4</p> <p>crying 33:20</p> <p>cunt 59:6</p> <hr/> <p style="text-align: center;">D</p> <hr/> <p>dangerous 49:3</p> <p>Darryl 55:22</p> <p>date 22:8 25:5 28:24 36:25 44:2,3</p> <p>dates 24:20 55:12</p> <p>David 10:8,14 30:24</p> <p>day 27:9 83:17</p> <p>deal 65:2</p> <p>dealt 21:13</p> <p>December 73:10</p> <p>decided 78:9</p> <p>decisions 78:22</p> <p>declined 31:14,19</p> <p>define 16:17,20</p> <p>definition 72:10</p> <p>degree 9:1</p> <p>demanding 75:16</p> <p>denied 75:12,14</p> <p>deny 38:6</p> <p>department 13:1,2,21,22, 23,24,25 14:2,3 15:3 16:12, 16 22:21 25:1,6,7,9,11 84:7</p> <p>departments 12:25 13:13, 24 14:21</p> <p>departure 77:18 78:4</p> <p>depends 16:20 65:18 70:5</p> <p>deposition 5:17,20,23 6:5, 9 7:17 45:1</p> <p>derogatory 58:10</p> <p>designated 17:4,19,22 18:1</p> <p>designee 17:13</p>
---	--	---	--

<p>desk 65:14 66:18,19,20,24 67:3,8,20 68:12,15</p> <p>details 31:25 75:17</p> <p>Didier 10:8,14 30:24</p> <p>Diego 5:1 9:16,21 57:4,7, 10,14,22,23 58:7</p> <p>difference 19:8 40:23 79:12 84:11,13,16,21</p> <p>difficult 14:10,12</p> <p>dinner 29:4,6,8 34:6,9,14, 20,23 35:6,9 36:17,25 37:1, 5,14 38:10 40:19,21,23 41:6,15,16 42:19,25 43:6 44:11 52:21</p> <p>directed 76:2</p> <p>direction 13:14 24:7</p> <p>directions 61:7</p> <p>disappointed 53:23</p> <p>disclosed 52:6</p> <p>disclosure 42:1</p> <p>discuss 45:9 73:1</p> <p>discussed 72:17</p> <p>discussing 45:8</p> <p>discussion 50:19 71:20,24 72:8,9,13</p> <p>discussions 21:2</p> <p>dismissed 47:20</p> <p>distance 46:14</p> <p>docket 74:3,7</p> <p>document 74:1</p> <p>documents 17:22</p> <p>doors 62:10,11</p> <p>download 74:10</p> <p>downloaded 74:7</p> <p>drawer 67:4</p> <p>drinks 51:12</p> <p>duly 5:5</p> <p>duties 11:21 12:21 13:13,16 14:15 15:16 22:20,25 23:2</p>	<hr/> <p style="text-align: center;">E</p> <hr/> <p>education 9:6</p> <p>effect 28:1 53:22 54:8</p> <p>Elbert 48:11 63:2</p> <p>Elizabeth 27:7,14</p> <p>employed 7:19,21,23 26:16</p> <p>employee 23:14 39:14 42:24 69:14 70:20 71:4 81:5</p> <p>employees 18:17,25 19:11 49:1 58:18,19 70:22,23,24 71:1,15</p> <p>employer 26:15</p> <p>employers 70:19,25 71:1</p> <p>employment 25:4</p> <p>ended 49:12 50:25 55:13</p> <p>entities 82:18</p> <p>entitled 42:24</p> <p>entity 8:5</p> <p>Ernst 9:11,14,23</p> <p>event 29:5,6,8 33:23 35:20, 24 37:22 38:2,7,15,23 39:20,24 40:5,8 44:13 52:21</p> <p>events 36:22</p> <p>eventually 24:25 25:2</p> <p>evidence 18:11 23:19 33:1 34:25 39:6 40:24 43:9 67:15 76:4</p> <p>exact 22:8 24:20 25:5 29:5 51:2 54:5 73:25</p> <p>EXAMINATION 5:7</p> <p>examples 19:3</p> <p>excuse 46:19 77:11</p> <p>executive 31:8 60:3,7,14, 22,23,25 61:1 62:13,22 63:3,24 64:2</p> <p>exempt 72:20</p> <p>expenditures 61:7</p> <p>expense 42:1,4,11</p> <p>explain 5:22 39:19,23 40:7,</p>	<p>16 53:10</p> <p>explained 39:25</p> <p>explaining 52:22 58:5</p> <p>Express 41:12</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>fabricating 76:19</p> <p>face 20:13</p> <p>Facebook 74:4,5</p> <p>fact 17:19 19:7,19 31:16 38:10 41:5,10 51:12</p> <p>factor 82:3</p> <p>factors 85:11</p> <p>facts 18:10 23:19 33:1 34:24 40:24 43:8 67:15 76:3</p> <p>falsification 43:19</p> <p>falsified 43:25</p> <p>familiar 27:22 66:25 67:19 68:11</p> <p>family 25:22 47:2,7</p> <p>feared 27:19,23</p> <p>feel 23:15 32:23 37:23 39:5, 17,21 45:16 46:12 72:19,22, 23 76:18</p> <p>felt 18:25 33:8 38:9 39:23 45:9,21 50:15 53:23</p> <p>fiance 77:24 78:9</p> <p>file 63:4,15,19</p> <p>filed 67:9,12 68:10 74:2 77:6</p> <p>final 83:15,17</p> <p>financial 8:5</p> <p>find 10:9</p> <p>fine 27:18 37:7 40:8 79:10</p> <p>finish 6:14,19</p> <p>finished 26:18</p> <p>fired 47:11,18 48:14 49:25 50:4,18 53:6 55:25 56:16</p> <p>firing 56:3</p>	<p>firm 64:22</p> <p>follow 7:2 15:4 41:4</p> <p>food 71:1</p> <p>forced 7:7</p> <p>forget 63:2</p> <p>formal 22:15</p> <p>forward 7:16 32:11</p> <p>found 26:3 52:16</p> <p>foundation 38:25 64:8 81:9 85:18</p> <p>Fountain 55:22 56:12</p> <p>frankly 82:5</p> <p>frantic 50:20</p> <p>Friday 34:2 50:12</p> <p>friend 26:8,10 27:8 29:20 50:15 59:17,18</p> <p>full 5:11</p> <p>fund 81:1 82:15</p> <p>funds 42:6</p> <p>funeral 20:22,24</p> <p>future 39:7</p> <hr/> <p style="text-align: center;">G</p> <hr/> <p>gathering 80:10 83:23</p> <p>gave 30:16,18 31:13 35:7, 19 36:11,21 38:6 40:3,4,15, 16 41:8,10,14 42:17 43:2,5 44:14 75:17</p> <p>general 66:1</p> <p>gestures 7:3,6</p> <p>give 5:11 6:1,20 7:2,9 12:10, 17 13:15 30:20 35:4,8 36:19 38:4,8,12 40:6,9 69:7 71:17 75:8 82:23 83:16</p> <p>giving 7:14 39:13 40:1</p> <p>go-to 12:13</p> <p>golden 79:11</p> <p>golf 66:18</p> <p>good 5:9,10 7:9 54:11 59:17</p>
--	--	--	--

<p>goodbye 80:9 grabbed 20:11 graduate 8:12 guard 54:24 55:1 guess 49:9 66:13 guy 20:13 49:3 54:11 guy's 20:16</p> <hr/> <p style="text-align: center;">H</p> <hr/> <p>Hackwork 20:15 21:15 Hackworth 19:1 20:19 21:17 23:16 24:4,7 30:21 32:16,22,24 33:9 48:10 53:25 Hackworth's 54:14 Hackworth-type 17:6 handbook 69:14 handle 14:8 30:17 31:5 happen 10:5 47:15 60:8 65:17 82:20 happened 29:9 38:24 43:9 46:22 50:10,11 51:9,20 52:8 54:6,22 65:24 71:14 harassment 16:23 18:5,8 23:17 68:24 69:3,18 71:20, 25 72:9,10,14,21 73:1 Hard 13:10 Harding 8:21,23 harsh 54:15,17 head 7:3 9:15 13:23,24,25 14:3 25:1,6,7 55:19 60:16 head-butted 50:1 51:7,16 head-butting 49:12 52:7 headaches 12:10 health 84:2 hear 44:1,3 58:10 64:19 heard 65:4,5 76:25 held 71:19 high 8:12,15</p>	<p>hire 55:4 hired 10:5 54:24 hit 20:13 52:17 hold 35:11,14 56:4 66:4 home 45:17 62:5 80:15 honest 20:4 59:19 Honestly 44:4 hours 50:13 61:9,10,11,14, 15,16 house 44:9,18,23 45:5 46:16,17,20 55:2 HR 16:16,21 17:12,19,23 18:1 19:1 huh-uh 7:8 human 16:11 17:7 19:12 20:20 21:18 22:14 hundreds 66:13 husband 26:1 47:2,7 48:15, 21 49:7,15 50:1,7 51:6,10, 11,16,25 52:16,20 54:23 hypothetical 23:19 41:20 43:22 85:4</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p>idea 54:12 75:8 Imperial 27:20 important 7:1 Improper 43:9 inadvertently 49:8 Inappropriate 39:1 41:20 76:21 incarcerated 26:2 47:3,5,8 51:17 55:14 incident 20:16 33:18 45:18, 24 46:10,13 49:4,6 52:4,7 54:22 incidents 20:18 71:14 inclined 45:21 Incomplete 23:19 41:19 43:22 85:4</p>	<p>increased 14:20 Incrocchi 14:1 indication 22:15 individuals 19:23 influence 7:12 information 12:18 32:7 36:15 40:16 42:1 43:18 57:17,19 infrequent 66:6 inquire 57:24 inquiry 40:4 ins 62:24 81:13 instruct 23:23 instructed 78:21 insurance 13:1,2,20,21 14:21 15:2 22:21 25:1,9,11, 13,16 84:7 intent 43:25 inter- 82:9 interaction 11:14 interactions 11:16 international 31:11 81:2,14 82:14 interpret 7:7 interview 10:7 interviewed 10:8 48:1 interviews 16:25 investigate 15:6,10 investigates 16:23 investigation 15:12,20 16:3 48:1 investigations 15:23 invited 45:10 48:4 involved 12:9 23:4 31:16 64:21 81:3,17,20 involvement 81:21 iota 76:25 Irrelevant 85:24 Isabel 26:12 27:16,19,24</p>	<p>59:16 60:3,10 63:23 66:14, 18,21,23 68:1,25 69:1 73:6 74:23 75:16,23 76:18 83:4 85:16 issue 19:16 21:13 23:16 30:22 31:7,11 45:9 48:24 66:5 67:4,6 68:13,16 71:4 issues 12:4,5 14:7 15:6,23 18:4 19:4 48:15,17,18,21, 23,25 70:19,20 77:24 78:8</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p>J-O-E-L 5:15 Jacquez 63:14 jail 55:12 Jesus 63:6,7 jibe 36:16 37:2,10 job 10:9 46:22 83:7 84:24 85:10 Joel 5:14 jokes 30:12 Jose 63:11,12 judge 5:25 June 78:17 jury 5:25</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p>Kaplan 12:17 Kasparian 11:4 15:9 33:18, 24 35:25 39:14 48:10 57:21 72:19 Kasparian's 11:6 13:14 65:11 Kelly 5:4,12,17 7:19 Kern 64:25 kind 5:22 7:13 12:1,19,20 13:10 14:14 17:3 18:17 22:25 49:10 50:20 58:21 61:5 68:23 81:7 kinds 15:1 82:20 knew 21:11 24:4,14 25:24 51:4</p>
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<p>knowledge 17:21 22:13 24:18 26:22 48:13 55:15 57:3,6 61:2 68:23 69:13,16, 20 72:25 73:19 77:20 79:18</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p>Lack 64:8 81:9 85:18</p> <p>Lacks 38:25</p> <p>language 7:3 58:21</p> <p>lawsuit 67:7,9,12 68:9 73:6, 13</p> <p>lawsuits 71:9 74:2</p> <p>lawyers 6:18</p> <p>leave 20:22,24 77:20</p> <p>leaving 60:17</p> <p>lecture 54:7,16</p> <p>lectured 54:4,6</p> <p>left 11:2 60:11 68:25 69:1 77:12 85:17</p> <p>legal 43:21 76:20</p> <p>Leno 63:11,12</p> <p>lewd 30:12</p> <p>licensed 8:10</p> <p>lied 56:18</p> <p>likewise 6:15</p> <p>Lindsey 14:5 65:7</p> <p>link 74:9</p> <p>listed 38:16,17</p> <p>literature 69:16</p> <p>lived 57:23</p> <p>Local 7:22 9:8 10:6,25 12:16 15:20 16:10,11 18:2 21:12 32:13 40:10 48:18,19, 23 56:7 61:7 69:14 70:24 72:20 80:14 82:8,12</p> <p>long 7:23 8:8 9:13 10:20 13:4 55:10,13 61:25</p> <p>longer 8:9 79:16 84:19</p> <p>Lori 64:25</p> <p>lose 46:22</p>	<p>lot 11:14 33:5 62:24 66:20 70:10</p> <p>lunch 27:8 29:6,8 36:17 37:5,14 38:10 40:23 41:5, 14,16 42:19,25 43:6 44:12 52:21 80:6,7,9,11,12 83:24</p> <p>lush 59:8</p> <p>lying 76:18</p> <hr/> <p style="text-align: center;">M</p> <hr/> <p>made 30:12 36:10 37:23 48:2 52:19 60:2,18 64:1 65:4</p> <p>maintain 9:25</p> <p>make 6:19,23 15:19 19:19, 21 21:14 29:25 40:23 72:15 74:11 78:21 81:4 83:5,7</p> <p>makes 16:25</p> <p>making 17:12 30:7 46:13</p> <p>man 63:8,9</p> <p>management 11:6 12:20 15:1</p> <p>manager 14:18 23:13 25:7</p> <p>managerial 14:14 15:16 22:20,25</p> <p>Marie 14:1</p> <p>Marin 63:7</p> <p>married 25:24 54:11</p> <p>matters 15:1,6 19:10 26:5 66:6</p> <p>Meaning 77:13</p> <p>means 21:11 79:16</p> <p>meant 70:25 79:5</p> <p>medication 7:13</p> <p>meet 33:22 44:6 45:17</p> <p>meeting 29:2,3,6,10 40:19, 21 42:12,15 44:8,12,17,21, 25 47:21 49:22 52:5 53:3, 15,18,19 58:3 65:25 71:8, 19,22 75:18 84:1,4</p> <p>meetings 23:7,8,9 61:6,8 62:14 70:1,3,9,13,14,21</p>	<p>71:5,13,23 72:4,7,12</p> <p>member 61:1</p> <p>members 14:10,12 15:14 63:5</p> <p>membership 13:1,2 14:2,3, 22 15:3 22:21</p> <p>mentioned 28:11</p> <p>Mesa 8:15</p> <p>met 34:4 47:19</p> <p>method 23:23 61:22</p> <p>method's 61:23</p> <p>Mickey 11:4,16,19 15:9 27:21,24 28:4,11,19,23 29:2,12,24 33:18,24 34:9, 12,18 35:5,9 36:20,24 37:23 38:10 39:14 40:19 41:5,10, 14 42:17 44:2,22 46:3,10, 13,14 48:10,24 49:5,7,12,16 50:1,23 51:9,16,24 52:4,17, 19 54:23 57:3 58:10 60:2 63:1 64:1,12 65:11 68:10 72:19,25 74:22 76:10 77:3, 8,11 83:16</p> <p>Mickey's 45:23 46:16,17 50:7 66:18,24 68:15</p> <p>Middle 5:13</p> <p>Mike 63:3</p> <p>Miller 12:17 64:16</p> <p>mind 20:3 21:9 42:6 76:1 84:13 85:2,9</p> <p>mine 10:12</p> <p>Miner 24:10 26:20,23 27:4, 6,11,19,23 28:11,19,23 56:13,15 71:17</p> <p>Miner's 42:18</p> <p>minutes 68:19</p> <p>Mira 8:15</p> <p>misconduct 74:19 75:12, 14</p> <p>missing 63:4 78:1</p> <p>Misstates 21:19 37:4 40:20 67:14</p> <p>Mm-hmm 62:19 69:2</p>	<p>mom 47:1</p> <p>Monday 5:1</p> <p>month 70:4,6</p> <p>months 60:17</p> <p>morning 5:9,10 50:12 58:4</p> <p>morphed 13:10</p> <p>motel 57:10</p> <p>motels 57:3,6,13,18,22 58:7</p> <p>mother 54:8</p> <p>move 85:10</p> <p>moved 9:18</p> <p>moving 85:8</p> <hr/> <p style="text-align: center;">N</p> <hr/> <p>names 19:22 20:10 34:13, 19 37:2,9,10,13 41:15 43:5</p> <p>nature 23:5 29:14 41:2 42:3 57:12 71:22 80:4,16 84:3</p> <p>needed 18:25 21:13 23:25 40:18 46:12 64:7</p> <p>negatives 33:5</p> <p>night 34:3</p> <p>nipples 66:24 68:16</p> <p>nodding 7:3</p> <p>noises 7:4</p> <p>Norm 11:14</p> <p>normal 11:5 20:2 65:25</p> <p>Norman 10:19 11:2</p> <p>nose 49:13 50:2,7</p> <p>notice 45:23 68:16</p> <p>noticed 58:1</p> <p>November 5:1</p> <p>number 30:16 62:1 66:22 69:9,11</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>O'BRIEN 63:18,21,22</p> <p>oath 6:1</p>
---	---	--	---

<p>objection 6:19,20 11:7 18:10,19 21:19 23:18 28:13 30:1 32:3,25 34:21,24 37:4 38:19,25 40:11,20 41:19 43:8,21 52:24 55:5,17 56:20 58:12 59:20 62:7 64:8 67:14 76:3,20 81:9 85:3,18,24</p> <p>objections 33:10 42:8</p> <p>obligated 23:15 32:22,23 33:9,11</p> <p>obtain 9:1 85:12,13</p> <p>Occasionally 71:6</p> <p>occasions 25:19</p> <p>occur 16:3 25:3 47:17 60:10,12,15 69:8 70:4 73:8 77:21</p> <p>occurred 22:22 34:2 47:13 60:16 78:4</p> <p>occurring 71:21</p> <p>occurs 71:25 81:22</p> <p>offense 51:11</p> <p>offensive 68:5</p> <p>offered 31:14 79:19</p> <p>office 5:24 6:2 21:6 23:10 25:17 47:16 54:24 58:17 62:6 65:11,13 66:2,8,12,14 67:11</p> <p>official 74:1,6</p> <p>officially 16:13,14,18</p> <p>online 69:3,22,24 72:1 73:9, 18,20,24 75:1</p> <p>open 24:2</p> <p>opening 10:8</p> <p>opinion 39:1 41:20 43:9 76:21</p> <p>opportunity 6:1</p> <p>options 30:16,18,20 31:13 45:10</p> <p>oral 13:18</p> <p>orally 13:16</p> <p>ordinary 42:23</p> <p>organization 16:17</p>	<p>organizers 14:15 23:8</p> <p>organizing 70:16</p> <p>outs 62:24 81:13</p> <p>outsource 12:14</p> <hr/> <p style="text-align: center;">P</p> <hr/> <p>p.m. 61:18</p> <p>package 79:19,22 83:9</p> <p>paid 83:8</p> <p>Pardon 8:22</p> <p>part 41:12 74:1</p> <p>party 60:1,14 77:18 79:10 80:8</p> <p>passed 49:2</p> <p>past 80:4</p> <p>pay 14:20 61:3 81:19</p> <p>penalties 6:6</p> <p>pending 46:7</p> <p>pension 80:21,22,23,25 81:7,20 82:7,12,13</p> <p>people 6:24 7:4,7 11:13 16:25 18:3 23:7 36:22 41:6 43:3,5 48:1,8 62:12 79:17, 19</p> <p>perceived 30:9</p> <p>perform 12:15,20 13:16 15:22 16:2 22:24</p> <p>performed 15:16 22:20</p> <p>perjury 6:6,11</p> <p>person 17:3,9,13,19,23 18:1,6 19:1,6,12 20:11,12, 20 21:15,18 24:4,6,9 29:17 33:23 59:19 79:9,13,23 81:23 84:25 85:1,9,23</p> <p>person's 79:12</p> <p>personal 18:4 29:13,14</p> <p>personnel 12:21 14:7 15:1, 6,23 21:13</p> <p>personnelwise 15:10</p> <p>persons 34:14,19 41:16</p>	<p>perspective 41:23 42:3</p> <p>pertaining 15:6 19:10</p> <p>Peterson 9:12,18 10:2,13</p> <p>Petersons 10:10</p> <p>phone 29:17,18</p> <p>photo 66:25</p> <p>picketing 70:16</p> <p>picture 66:17,23 67:12,18, 20,23 68:1,5,8,9,11,13,15, 16</p> <p>pictures 66:20,21</p> <p>pipe 75:4</p> <p>place 22:11</p> <p>plan 80:23 81:20 82:6,8</p> <p>planning 83:4</p> <p>plaque 80:13</p> <p>point 19:3 24:5,6 47:20 67:21 73:6,13 74:22</p> <p>policy 18:5</p> <p>political 12:6</p> <p>politician 59:13</p> <p>politicians 58:20,22 59:11</p> <p>politics 70:19</p> <p>popping 20:3</p> <p>position 8:1 15:16 18:7,16, 19</p> <p>Possibly 59:9</p> <p>posted 73:9,19,24</p> <p>Potentially 40:2</p> <p>precluded 39:13</p> <p>prepare 83:15</p> <p>prepared 12:18 58:3 69:14</p> <p>present 22:4 44:9 47:13 77:11,12,13 83:14,15,16</p> <p>presenting 31:7,10 32:7 37:21</p> <p>presently 7:19</p> <p>president 10:15,18,20 11:3, 5,17,19,22 32:13 72:20</p>	<p>pressing 66:5</p> <p>pretty 11:23</p> <p>prevent 7:14 71:20</p> <p>primarily 9:24</p> <p>print 69:6</p> <p>printed 74:12</p> <p>prior 10:23 11:16 49:23 60:17</p> <p>priority 12:3</p> <p>prison 52:21 54:11</p> <p>probing 12:19</p> <p>problem 41:18 42:6,10,11, 17,20,21 43:7,15</p> <p>process 10:7</p> <p>promotion 61:2</p> <p>prompt 75:25</p> <p>prompted 48:13,14 74:15 78:4</p> <p>promptly 78:23</p> <p>proper 85:13</p> <p>properly 83:8</p> <p>protocol 39:12</p> <p>prove 38:9 40:18</p> <p>provider 47:7</p> <p>punished 6:9</p> <p>purpose 39:10 44:17</p> <p>purposes 42:1</p> <p>pursue 84:24</p> <p>put 15:13 60:3,7,14 67:3 80:15</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p>qualifying 17:11</p> <p>question 6:14,16 16:9 19:5, 6,20 28:15 32:20,21 34:16 36:6,7 37:6 40:6 43:4 46:5,7 51:5 56:9 57:21 72:3 73:5 79:7 84:12</p> <p>questions 29:13 47:23</p>
--	---	---	---

<p>quit 65:8 79:1,8 84:24</p> <p>quits 84:25 85:9</p> <p>quitting 79:12 84:14,22,23 85:2,7</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p>raise 65:8</p> <p>raised 64:13</p> <p>rank 63:4,15,19</p> <p>rash 78:21</p> <p>reach 81:24</p> <p>read 36:7 46:6,7 73:13 74:13,14,16,24 76:1,2,4,8, 13,14</p> <p>reading 76:18</p> <p>realize 68:12</p> <p>reask 17:15</p> <p>reason 7:16 27:8,12 42:21 52:17 64:20 78:6</p> <p>reasons 57:9 64:14</p> <p>recall 30:13 44:4 53:20 56:17 59:7 64:16 65:10 71:22 83:11</p> <p>receipt 34:12,13,18,19 35:5,9,19,21,23,24 36:11, 16,19,20,25 37:11,14,19 38:4,5,13 39:6,15,18,22 41:6,10,14 42:18 43:2,5 44:15 57:20 58:1</p> <p>receipts 34:5,8,12,13,18,19 39:13 57:13,16</p> <p>receive 11:20 13:12</p> <p>receives 16:22</p> <p>receptionist 23:14</p> <p>recess 36:4 68:20</p> <p>recognize 72:9</p> <p>recommendations 15:19 17:1 31:4</p> <p>record 6:23 27:14 36:3,5 68:21</p> <p>records 43:20</p>	<p>refer 59:10</p> <p>referring 37:22 54:5 59:10 65:25 70:24</p> <p>regard 60:5 75:11</p> <p>regular 65:20,21 67:19</p> <p>reimbursement 35:5 41:11</p> <p>related 55:17</p> <p>relationship 44:11 59:24</p> <p>relative 15:16</p> <p>Relevance 55:5,17 56:20 58:12</p> <p>relevant 43:10</p> <p>remarks 58:11</p> <p>remember 19:25 20:1,6,7, 8,9,10,16,18 24:20,21 27:17 28:8 44:7 48:11 53:13,16,25 54:5,9,13,16,17 60:1,4 75:18 78:3</p> <p>remembering 20:9</p> <p>rent 57:3,6,9</p> <p>rented 57:14</p> <p>renting 57:18,22 58:7</p> <p>repeat 28:15 34:16 46:4</p> <p>rephrase 32:20,21 43:4 84:12</p> <p>report 13:24 14:6 18:16 19:10 20:14 23:15,24 30:22 46:21 48:2 71:25 72:15</p> <p>reported 18:8,24 20:19 45:24</p> <p>reporter 6:13,22 7:5 36:8 46:7</p> <p>reporting 12:4,5,7 48:25 72:14</p> <p>reports 19:19,20</p> <p>represent 71:1</p> <p>representative 55:24 56:1, 5,6</p> <p>representatives 14:15</p> <p>request 20:21,22 54:23</p> <p>required 12:7</p>	<p>requirement 81:25</p> <p>resource 16:12 19:12 20:20 21:18</p> <p>resources 17:7 22:14</p> <p>respect 15:2 22:20</p> <p>respond 6:15</p> <p>responded 19:1</p> <p>response 7:9 30:15</p> <p>responses 7:2</p> <p>responsibilities 8:5 11:21 22:14,16 61:4,5</p> <p>responsibility 17:6</p> <p>result 15:20 54:22</p> <p>retire 22:4,6 78:10,12,15,25 79:2,10,14,15,20 81:5,23 84:18 85:23</p> <p>retired 22:5 78:17,23 79:17, 24</p> <p>retirement 79:5,10 80:10 82:7 83:6,23 84:19 85:12</p> <p>retires 80:20 82:21</p> <p>retiring 83:4 84:13,17 85:1, 14,23</p> <p>returns 12:16</p> <p>Richard 22:12</p> <p>role 16:21 83:12</p> <p>rolled 18:5 69:3</p> <p>rolling 84:2</p> <p>room 6:14,18 36:1 47:23 48:4 50:21 52:5</p> <p>rooms 57:14</p> <p>Rosalyn 17:6 30:21 31:15 32:16,22,24 33:9,15 34:11, 17 48:10 53:25 54:14 69:3</p> <p>Rosy 24:10 26:20,23 27:4,6, 11,19,23 28:11,19,23 32:19, 20,21 35:4 36:15 41:8 42:16,18 43:3,4 44:2,5,8,12 45:14,16,24 46:3,10,12,19 47:10 49:19,20 51:15,19 52:11 53:3 54:15 55:25 56:13,15 71:17</p>	<p>Rosy's 51:6,11 54:23 56:3</p> <p>roughly 13:11 26:16</p> <p>rule 7:1 39:12</p> <p>rules 82:4,6</p> <p>run 49:8</p> <hr/> <p style="text-align: center;">S</p> <hr/> <p>safeguard 46:12</p> <p>safety 48:16</p> <p>Sally 50:21</p> <p>San 5:1 9:16,21 57:4,7,10, 14,22,23 58:7</p> <p>Sandra 63:18</p> <p>sat 65:14</p> <p>Saturday 34:2 50:12</p> <p>school 8:12</p> <p>Searcy 8:25</p> <p>secretary/treasurer 10:16 21:24 22:3 30:25</p> <p>security 54:23 55:1,4,10,16</p> <p>seek 80:23</p> <p>seminar 58:2</p> <p>seminars 57:11 69:21</p> <p>sense 68:11</p> <p>separate 82:8,12</p> <p>serve 64:2</p> <p>service 80:14</p> <p>set 77:8</p> <p>severance 83:9,11</p> <p>sex 58:7 75:16,23 77:3</p> <p>sexual 16:22 18:5,8 29:25 30:2,8 68:23 69:3,18 71:20, 25 72:9,10,14,20 73:1 75:12,14</p> <p>Sharon 63:18</p> <p>she'd 45:21</p> <p>sheets 56:19</p> <p>shocked 76:25</p>
--	--	---	--

<p>shocking 75:20</p> <p>show 57:17,20 67:25</p> <p>showing 66:24</p> <p>shows 68:1</p> <p>sic 18:4</p> <p>sick 77:25</p> <p>side 25:18 56:24 65:3</p> <p>sign 7:3</p> <p>similar 46:23</p> <p>simply 84:13</p> <p>single 47:1</p> <p>sir 5:9 6:3 10:3 19:17 32:14 41:2 47:8 81:11</p> <p>sit 65:14 66:2</p> <p>situation 30:17 31:5 32:1, 12 45:22 53:11 78:22</p> <p>situations 20:10</p> <p>slowly 13:11</p> <p>sole 47:6 64:6</p> <p>somebody's 74:4</p> <p>sort 7:8 23:17 37:24 79:19 80:21</p> <p>sounds 73:11</p> <p>souvenir 37:21</p> <p>specific 19:3 21:8</p> <p>specifically 51:8</p> <p>speculation 26:24 32:3 33:1 39:1 59:21 62:8 73:21 76:22 85:3</p> <p>spend 55:16</p> <p>spoke 25:19 27:6,11 78:19</p> <p>sporadic 65:18,24 70:5</p> <p>staff 23:7,8,9 48:24 52:6 69:25 70:3,8,13,14,21 71:5, 8,13,19,23 72:4,7,12</p> <p>standpoint 41:18 42:5 43:16</p> <p>start 24:19 61:20 69:10</p> <p>started 10:17 13:9 26:17 61:18,25 69:12</p>	<p>statement 17:12,25</p> <p>step 36:1</p> <p>steward 57:11 58:2</p> <p>stop 79:3</p> <p>stores 71:2</p> <p>strictly 23:1</p> <p>Stupid 59:4</p> <p>submit 81:19</p> <p>subsequent 53:16,17</p> <p>successful 59:14</p> <p>suites 57:18</p> <p>superior 74:3,7</p> <p>supervise 12:25</p> <p>supervised 13:22</p> <p>supervising 13:13</p> <p>supervisor 14:21</p> <p>supervisory 14:15</p> <p>support 17:22</p> <p>supporting 47:2</p> <p>supposed 13:17</p> <p>surrounding 74:20</p> <p>sworn 5:5</p> <p>system 12:12 74:1</p> <hr/> <p style="text-align: center;">T</p> <hr/> <p>Tahiti 82:24</p> <p>taking 6:13 7:13</p> <p>talk 24:4 33:22 34:8 45:11, 13,21 52:4 56:3,12 65:15 66:3 67:22 68:1 70:15 71:8 72:14</p> <p>talked 31:7 50:23 52:10,14</p> <p>talking 6:24 35:23 52:16 66:1 72:3 83:18</p> <p>tax 9:24 12:16</p> <p>telephone 12:10,12 23:4</p> <p>telling 29:21,22</p> <p>ten 70:11</p>	<p>Teresa 63:14</p> <p>terminated 52:14 53:15</p> <p>termination 53:13</p> <p>terminology 28:25 29:1 46:23</p> <p>terms 39:6 54:7</p> <p>Terry 78:22</p> <p>testified 5:5 76:4</p> <p>testimony 6:1 7:14 21:20 37:4 39:2 40:20 41:20 43:10 67:15</p> <p>theory 51:13</p> <p>thereabouts 13:8</p> <p>thing 7:9 15:24 37:24 45:1 51:2,18,19 66:6 81:18</p> <p>things 13:10 20:17 21:3 23:4 28:12,14,20 50:14 57:11 76:13 79:17,21,23 82:20</p> <p>thinks 19:22</p> <p>thought 28:19 36:14 50:3, 18 51:6,9 64:17 68:4</p> <p>tickets 82:23</p> <p>time 6:24 10:10 14:24 16:1 20:21 23:9 26:4 31:18 36:25 37:2 47:10 51:15 52:10 54:15,19 55:24 56:2,19 62:5,10 65:11 67:10,11 70:8,18 77:25 78:9 85:16</p> <p>timeline 36:22</p> <p>times 15:22 33:17 40:12 58:24 65:17 66:7,11 67:2 68:15 70:3 71:7</p> <p>title 17:7</p> <p>tits 59:14</p> <p>today 6:5 7:14 45:2</p> <p>today's 6:9</p> <p>Todd 78:19</p> <p>told 13:16 15:2 28:19,23 29:10,16 30:5,14,21,24 31:17 32:20 33:15 35:20,24 36:15,24 37:1 42:16 45:1 49:19,23,25 50:6,20 51:2 52:15,17,19,22 53:6 73:5</p>	<p>74:21,22 75:3,25 76:4 83:3</p> <p>Tom 48:11 63:2</p> <p>top 9:15 55:19 60:16</p> <p>topic 27:7,11 70:16,20 71:20,24 72:13</p> <p>topics 70:14</p> <p>tough 66:4</p> <p>tournament 66:18</p> <p>training 68:24 69:21 72:1, 21 73:2</p> <p>travel 79:16</p> <p>treatment 45:23</p> <p>tricky 85:21</p> <p>trips 27:20,24 28:4</p> <p>true 16:16 41:17</p> <p>Trump 64:17,24</p> <p>trust 81:1 82:15</p> <p>truth 6:9</p> <p>turned 34:9 35:5,9 36:20,24 39:14</p> <p>type 32:7 42:2</p> <hr/> <p style="text-align: center;">U</p> <hr/> <p>UFCW 7:22 9:12 26:17</p> <p>uh-huh 7:8 12:8</p> <p>ultimately 31:14 42:12 47:11,20</p> <p>unable 14:10</p> <p>uncomfortable 37:24 45:8</p> <p>understand 5:23 6:3,5,8, 11,12 7:11 17:14 19:8 22:17 32:2,11,14 47:6,8 53:5,9 60:21 78:24 79:11</p> <p>understanding 11:17 22:18 49:6,11</p> <p>understood 29:15 56:8 75:15,22</p> <p>union 12:1 31:11 42:6 56:5, 6 80:25 81:2,14 82:9</p> <p>university 8:21,23 9:2</p>
---	---	--	---

unofficially 16:19

upset 31:16

urging 33:14

usual 11:20,23

V

vacation 83:1,8,13

vague 11:7 18:20 23:18
28:13 30:1 33:10 38:19
70:22

Valley 27:20

vary 70:15,17

Vasquez 26:12 27:7,12,16
59:16 77:4,12

Vasquez' 73:6

verify 41:5

vesting 81:22 82:1

Vicki 64:16

Viejas 51:25

voice 64:13

volunteer 36:19

vote 61:6

voted 64:7

voting 64:17

W

wait 6:14,15,19 51:18

wall 80:15

wanted 20:24 39:9 49:2
58:3 76:1,2

watch 46:2,9 79:11,25
80:18,19

webinar 69:4,23

website 74:6

week 65:22 70:4,6

whatsoever 56:21

whore 58:25

wife 44:9 45:11,17 46:21

withhold 81:18

woman 59:13 63:8

women 28:12,20 58:8,11,
19,22 59:11

women's 59:10

word 7:9 33:11 44:3 58:25
59:2,6,8 70:23

words 7:4,6 28:1 54:8,14
75:24

work 9:9,13 10:1 13:17
25:17 45:18 78:1 79:16
81:11 84:4,18 85:1

worked 9:10 24:16,22

workers 64:14 68:24 69:17,
22

working 9:8 16:10 21:3,11
24:14,19,21 26:20 66:15
77:14,16 79:3

workplace 58:11,16 71:21,
25 72:10 73:2

works 72:16

writing 13:15,19 69:17
72:15

written 22:15 35:21 48:1

wrote 34:13,18 41:6,15

Y

year 16:5,6 21:24 22:9
62:25 63:1 65:24 69:12

years 7:25 8:9 9:15,19
10:17,21,22 13:5,7 21:25
22:3,23 24:23 26:16 61:18
62:1 66:9 69:9,11 81:24
82:1

yelled 64:13,19,22 65:1

yelling 64:16,23

Young 9:11,14,23