

DEPOSITION OF
ROSANGEL MINER
VASQUEZ V. KASPARIAN
TAKEN ON
OCTOBER 27, 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.)
8 MICKEY KASPARIAN; UNITED) Case No. 37-2016-00044511
9 FOOD & COMMERCIAL) CU-OE-CTL
10 WORKERS LOCAL 135, a labor)
11 union charter; and DOES 1)
12 through 20,)
13 Defendants.)
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DEPOSITION OF
ROSANGEL MINER
SAN DIEGO, CALIFORNIA
OCTOBER 27, 2017

Reported By:
Christine E. Milkovits,
CSR No. 12650
JOB No. 17-57793

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ALSO PRESENT:
MICKEY KASPARIAN
ISABEL VASQUEZ

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Deposition of ROSANGEL MINER, taken on
behalf of Plaintiff, at 17140 Bernardo Center Drive,
Suite 358, San Diego, California, beginning at 9:36 a.m.
and ending at 12:27 p.m. on Friday, October 27, 2017,
before CHRISTINE MILKOVITS, Certified Shorthand
Reporter No. 12650.

I N D E X

1 WITNESS: ROSANGEL MINER
2
3 EXAMINATION BY PAGE
4 MR. CORRALES 5
5 MR. FEINBERG 56
6
7 E X H I B I T S
8 (None offered.)
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Page 5

1 San Diego, California, Friday, October 27, 2017
2 9:36 a.m.
3
4 ROSANGEL MINER,
5 having been duly sworn, testified as follows:
6
7 EXAMINATION
8 BY MR. CORRALES:
9 Q Good morning.
10 A Good morning.
11 Q Could you please give us your full name.
12 A Rosangel Miner.
13 Q Rosanne?
14 A Rosangel, R-o-s-a-n-g-e-l, Miner.
15 Q Miner. Yes, ma'am.
16 Are you married, ma'am?
17 A I am.
18 Q What's your husband's name?
19 A Matthew.
20 Q Matthew?
21 A Uh-huh. Miner.
22 Q Okay. How long have you been married?
23 A '99. 18 years.
24 Q Have you ever given a deposition before?
25 A No.

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1 Q Do you understand what a deposition is?
2 A Questions and answers?
3 Q Yes. Let me kind of go through the process so
4 we have an understanding of what we're going to be doing
5 today. This is a lawsuit. You are being deposed in a
6 lawsuit filed by Ms. Isabel Vasquez against
7 Mickey Kasparian and Local 135. And this lawsuit is a
8 civil case. It's not a criminal case. It's a civil
9 case.
10 And the court permits lawyers to take witness'
11 testimony by a court reporter via a deposition
12 proceeding which is in the office of a lawyer or the
13 office of a court reporter away from the courthouse. So
14 it is -- it's the same as if we were in court in front
15 of a judge or a jury.
16 Do you understand that?
17 A Yes.
18 Q The deposition is being taken under what we
19 call penalties of perjury That means you have to tell
20 the truth. If you don't tell the truth, it's a crime.
21 They call it perjury.
22 Do you understand that?
23 A Yes.
24 Q So will you do the best to tell the truth?
25 A Yes.

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1 Q Also, because of the nature of the deposition
2 -- it's a question/answer format -- I ask a question.
3 You give an answer. I ask another question. You give
4 another answer.
5 Sometimes lawyers will make objections.
6 Just wait for the objection to finish before you respond
7 to the question so that the court reporter is able to
8 take down everything that is said in the room. When
9 people start talking at the same time, it's difficult
10 for her to take down everybody talking at the same time.
11 So what we want to do is we want to just allow
12 her to take down one person at a time. People must
13 wait, take their turns, and then she will have a -- what
14 we call a clean record so that the transcript, when we
15 have it available for trial, can be read and understood
16 by the judge and jury.
17 Also, give us a vocal response, words, rather
18 than gestures and noises because the court reporter,
19 again, has to transcribe everything that's being
20 communicated in this room. Communications in normal
21 everyday conversations are noises a lot and gestures.
22 And she will have difficulty translating. You'll force
23 her to try and interpret what you're trying to say.
24 So give us a word. If it's a yes -- no
25 nodding. No uh-huh or huh-uh. Just a yes, a word

Page 8

1 response rather than gestures and noises. Okay?
2 A Okay.
3 Q All right. Is there any reason why I
4 can't -- we can't take your deposition today? Are you
5 under the influence of alcohol?
6 A No.
7 Q Are you taking any form of medication you
8 think may impact your testimony?
9 A No.
10 Q All right. Okay. Do you go by Rosy?
11 A Yes.
12 Q Ms. Miner, are you presently employed?
13 A Yes.
14 Q Where are you employed at?
15 A The County of San Diego.
16 Q What do you do?
17 A I'm an eligibility worker for HHSA, Health and
18 Human Service Agency.
19 Q Health and Human Service Agency?
20 A Yes, HHSA.
21 Q All right. What do you actually do?
22 A I process Medi-Cal applications, CalFresh
23 applications, CalWorks applications.
24 Q How long have you worked there?
25 A Five years next month.

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1 Q Where did you work before that?
2 A At UFCW Local 135.
3 Q How long have you worked at Local 135 -- or
4 did you work at Local 135?
5 A I want to say just under five years.
6 Q Okay. Do you remember the date you were hired
7 -- the year you were hired at least?
8 A I got hired in 2004.
9 Q Okay. And when did your employment end?
10 A February or March of 2011.
11 Q What was your job position at 135?
12 A When I was fired, I was the insurance
13 department head.
14 Q When you first began, what was your position?
15 A I was hired as -- for the member liaison.
16 Q What does that mean?
17 A I did the -- the receptionist. I greeted and
18 directed all of our members when they walked in the
19 door.
20 Q Okay. All right. So the insurance department
21 head -- was that a promotion?
22 A Yes.
23 Q All right. Who did you work for? Who was
24 your supervisor?
25 A My immediate supervisor was Rosalyn and then

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1 Mickey.
2 Q Rosalyn who?
3 A Hackworth. She was secretary/treasurer.
4 Q Okay. And then Mickey?
5 A Yes. And my other person to go to was him.
6 Q Okay. Did Mickey ever give you instructions
7 while working there, or did all the instructions come
8 from Hackworth?
9 A No. Both.
10 Q Both?
11 A Yes.
12 Q Okay. All right. So did you consider
13 Mr. Kasparian also to be your supervisor?
14 A Yes.
15 Q Did there come a time when Mr. Kasparian asked
16 you out to dinner?
17 A Yes.
18 Q When was that?
19 A This happened, I want to say, sometime in
20 2009.
21 Q Okay.
22 A What happened was I was having issues with one
23 of the girls in my department -- Martha Lucero -- and I
24 -- it had been an ongoing issue. So at this point I
25 felt I had to elevate it and tell Mickey what was going

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1 on. So I briefly told him. But he was very busy at the
2 time, so I didn't tell him everything that was going on.
3 That same day right before the day ended I
4 remember I was at the member liaison desk, because I was
5 doing both -- I was supervising and I would cover
6 sometimes for the member liaison. He came down and
7 said, I've had a very stressful day as well. A lot is
8 going on and then your issues with Martha. Why don't we
9 go grab a bite to eat at El Toritos. We can talk about
10 it.
11 Q Okay. So what time of day was it when he
12 said, Let's go to El Toritos?
13 A Right before 5:00.
14 Q So it was dinnertime?
15 A Yes.
16 Q When he said, Let's go to El Toritos, what did
17 you say?
18 A I said okay.
19 Q Where was El Toritos in relationship to
20 Local 135?
21 A It was down the street.
22 Q So did you walk? Drive?
23 A Oh, drive. No. We drove in separate
24 vehicles.
25 Q So when you got to El Toritos, did you have

Page 12

1 dinner there?
2 A Yes.
3 Q How long was the dinner?
4 A It was at least a couple of hours.
5 Q Did Mr. Kasparian drink alcohol?
6 A Yes.
7 Q Did you?
8 A Yes.
9 Q When you were having dinner with
10 Mr. Kasparian, did you talk about -- at least try to
11 talk about the issue that you had with -- is it
12 Martha Lucero?
13 A Yes. Initially the -- that's how we started
14 the dinner. We talked about Martha. He talked about
15 whatever was stressing him out. I don't remember what
16 his issues were --
17 Q Did the conversation turn to something else?
18 A Yes.
19 Q What? Explain.
20 A Up until that point in time, I did not know
21 that he knew my husband was incarcerated. So he asked
22 me about my husband. So I asked him how he knew that my
23 husband was incarcerated. He said Rosalyn had told him.
24 I didn't know Ros knew either but -- so I told him, yes,
25 he was incarcerated. And Mickey told me, Well, it must

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1 be hard, you know, with him not being around. I said
2 yes.
3 And then after that he began telling me about
4 him and Sally and how him and his wife, Sally, met. I
5 want to say he said -- I think she was engaged to
6 somebody else when he met her, but he ended up with her
7 and that marriage is hard and that -- he started telling
8 me that him and Sally in the beginning of their marriage
9 they went out and had a lot of fun.
10 But after she had Michael she stopped
11 drinking. He stopped going -- she stopped going out,
12 but he still did what he wanted to do and he would go
13 out a lot. And kind of like making me understand they
14 have an understanding that she stays home and she's cool
15 with that and he goes out and does whatever he wants,
16 because he still likes to drink and he still likes to
17 party and have a good time.
18 And then he went on to tell me about how him
19 and the union -- other union presidents go out,
20 obviously, to a lot of out of town dinners, conventions.
21 And he started telling me about this one event where he
22 -- they would get offered sexual favors for
23 their -- because of their position as presidents.
24 He told me this one incident where they were
25 at a dinner and one of the -- I want to say she was a

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1 healthcare vender. She was -- started feeling on one of
2 the president's legs and that Mickey said, Well, hey,
3 I'm the one with 10,000 members. Come over here. So he
4 just started talking like a lot of sexually-charged
5 conversations, sexually-charged -- that's the type of
6 conversation he was having.
7 Q Okay. Okay. And did he tell any
8 sexually-oriented jokes during this --
9 A Yes.
10 Q -- dinner?
11 A He told me something -- he was a bartender
12 somewhere at some point. And he was saying jokes like,
13 Oh, this one girl walked in one time and asked for a
14 screwdriver. But she said she wanted a slow and
15 comfortable screw. I was going to tell everybody in the
16 bar to leave. He -- his whole conversation was --
17 everything was sexually oriented.
18 And I remember at some point I told him -- I
19 didn't know what was going on. I just realized like
20 everything he was talking about was sexually charged.
21 So I kept steering the conversation towards Sally. You
22 know, like when he told me the whole healthcare event
23 and the lady was offering sexual favors. I was, Don't
24 let Sally find out, because Sally has a very strong
25 personality.

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1 Q Yes.
2 A Be careful. You know, Don't let Sally find
3 out about that kind of stuff. And, again, he would say,
4 Me and Sally, you know -- it's like -- letting me know
5 they have an understanding. She's cool with her staying
6 home and he goes and does what he wants and that's the
7 way it is.
8 Q Okay. Now, did Mr. Kasparian say anything
9 about your husband being gone?
10 A Yes.
11 Q When he said that, did he say anything
12 about -- using words that had to do with an affair when
13 he mentioned --
14 A He --
15 Q Let me finish -- when he mentioned that your
16 husband had been gone?
17 A He asked me directly if I had ever had an
18 affair. He asked me directly if I would ever have an
19 affair.
20 Q He asked you if you ever had an affair --
21 A Mm-hmm.
22 Q -- and he asked you if you ever would have an
23 affair?
24 A Yes.
25 Q Was that in the context of your husband being

Page 16

1 gone?
2 A Yes.
3 Q Okay. Now, what did -- how did you feel when
4 he was making these comments to you?
5 A I felt completely uncomfortable. And I was
6 trying to understand what was happening.
7 Q When you say you were trying to understand
8 what was happening, what do you mean by that?
9 A Everything he wanted to talk about was
10 sexually oriented. Why is he asking me about having an
11 affair? Why is he reiterating that my husband's gone?
12 Why is he reiterating it's so hard for you to be by
13 yourself? Why is he telling me that he and Sally had a
14 separate -- like he does what he wants to do. Why is he
15 telling me -- in my mind I'm trying to process.
16 Up to this point I respected this man. And
17 he's my boss. And then I never had any type of this
18 conversation with him before. So I'm trying to like why
19 -- why is he asking me this? Why? Why? And I felt
20 uncomfortable.
21 So at some point I asked him, Are we going to
22 tell Sally that we're having dinner? And he said no.
23 And I asked, What about Francine? Because Francine is
24 his secretary. She knew where he was every moment of
25 every day, you know. And he said no. So at that point

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1 I felt panicked because I'm like --
2 Q Why did you feel panicked?
3 A Why is he going to hide this? I felt like he
4 was making advances towards me.
5 Q So during the conversation that you had with
6 Mickey, did you tell him that you wanted to have an
7 affair with him?
8 A No.
9 Q Did you feel as if he wanted to have an affair
10 with you?
11 A Yes. I kept trying -- I remember I kept
12 trying to steer the conversation towards his wife. I
13 kept saying, I never want to be on Sally's bad side.
14 You know, I kept trying to still prevent him from
15 continuing that line of conversation.
16 Q Okay.
17 A But he's my boss, so I didn't want to
18 disrespect him either, you know. So I just kept trying
19 to steer the conversation elsewhere. But he kept coming
20 back with --
21 Q Okay. Now, did there come a time when you
22 left the dinner?
23 A Yes. We left.
24 Q And how were your emotions when you left?
25 A I got in my car and started crying. I was

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1 freaking out inside me because I'm like what just
2 happened? This is my boss. I respected him. He's
3 awesome, great labor leader. I had very high thoughts
4 of him. And I -- and in my mind what just happened?
5 What just happened? So as I'm driving home, he calls
6 me.
7 Q Who calls you?
8 A Mickey Kasparian calls me.
9 Q Okay.
10 A I freak out even more. I didn't answer the
11 call. I called my friend Jason Nocon.
12 Q Who's Jason?
13 A Jason -- he -- I met Jason when I was working
14 at Albertsons. He worked at the same Albertsons. Then
15 while I was at Albertsons he got hired by UFCW. He
16 worked under Mickey as well. So -- and he worked with
17 everybody in the building. So he knew everybody there.
18 So that's why I called him. I didn't --
19 Q Where was Jason? Was he at 135?
20 A No. By the time I got hired, he was no longer
21 at Local 135. He was back at Albertsons.
22 Q Okay. So when you called him, what did you
23 and him talk about?
24 A I told Jason -- I was like, I just left a
25 dinner with Mickey, and I'm freaked out. I don't know

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1 what happened. He's like, What are you talking about?
2 I was like, I think he was making advances towards me.
3 But -- and he thought that I was driving. Like, Where
4 are you? I'm on my way home. By my house there was an
5 Albertsons where he worked at. He's like, Meet me at
6 the Panda Express in front of the Albertsons. I said
7 okay.
8 So I drove to the Panda Express. Jason got
9 there shortly. I told him everything that happened.
10 He's like, Rosy, no, you're not wrong. Everything he
11 was talking about, everything that -- the questions --
12 it's inappropriate. He even said, Mickey messed up. He
13 never should have talked to you that way. He's like,
14 You have to tell somebody. I'm like, Who do I tell?
15 It's Mickey. It's not like we have an HR department or
16 something --
17 Q What did he recommend?
18 A He's the one that told me, Go tell Brian.
19 Q Brian who?
20 A Brian Kelly. He's like, Brian Kelly's the
21 only person he cannot fire in that building.
22 Q Okay. Did he tell you why he thought that
23 Brian Kelly was the only person he couldn't fire?
24 A Well, he knew. As far as I know, Mickey can't
25 fire Brian. It has to be the whole board because of

Page 20

1 Brian's position -- he handles the finances. He does
2 the money. Mickey can't just fire him. He has --
3 Q Get board approval?
4 A Yeah, yeah. And Jason knew Brian also.
5 Brian's a good family -- Christian-oriented person.
6 Q Okay. So did you, in fact, call Brian?
7 A The very next day.
8 Q Okay. Now where did you -- you have to wait
9 until I finish. You said the very next day you called
10 Brian.
11 A No.
12 Q When?
13 A The very next day was a workday. So I
14 went --
15 Q You spoke with Brian in person?
16 A Yes.
17 Q Okay. What did you talk about?
18 A The very next day I went to work early,
19 because at that time it was either me or Brian that
20 would open the building. So I knew he would be there
21 early as well. I got there. He was already there.
22 I went into his office and I said, Brian, can
23 I please talk to you. I told him Mickey took me out to
24 eat at El Toritos yesterday. He says, Yeah, he does
25 that with a lot of you guys. I'm like, Well, let me

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1 tell you what happened. So I went and I told him
2 exactly the same thing -- what happened at the dinner,
3 how -- the conversation.
4 And Brian immediately was upset. He said,
5 That is -- that is inappropriate. Yes, he was making
6 advances towards you by the line of conversation he was
7 having with you. We have to do something. I said,
8 Brian, don't. He can fire me. What am I going to do?
9 I need this job.
10 Q What did he say?
11 A He said, You told me about it. We have to
12 talk about it. We have to do something. But then he
13 stopped me and said, We can't talk about this here at
14 work anymore. I'll talk to Marjorie and have you and --
15 Rosangel's my daughter -- come over for dinner. I said
16 okay.
17 Q Who's Marjorie?
18 A His wife.
19 Q Okay. All right. Then did you, in fact, go
20 to his house and talk with him and Marjorie?
21 A I did.
22 Q Okay. Did there come a time when he came to
23 your office and showed you a receipt from El Torito?
24 A Yes.
25 Q Was this before or after you went to his house

Page 22

1 and spoke with him and Marjorie?
2 A After I went to his house.
3 Q Okay. So when you went to his house and spoke
4 with him and Marjorie, what did you talk about?
5 A At his house?
6 Q At his house, yes.
7 A I told him exactly more in detail as far as
8 the dinner, because Brian didn't want to talk so much
9 about it at work. And his wife was part of the
10 conversation. She said, Rosy, you've implicated my
11 husband because he knows about it. She -- both of them
12 told me that I should pursue what had happened, put in a
13 complaint, do something.
14 I asked them both -- I didn't want to because
15 I didn't want to lose my job. And because of the
16 structure of how it is at UFCW, there's nobody to go
17 above Mickey.
18 Q Why did you feel that way?
19 A Because there isn't.
20 Q Did you feel that Mickey controlled all of
21 135?
22 A He does.
23 Q Okay. So that's why you felt uncomfortable
24 making a complaint; is that correct?
25 A Yes.

Page 23

1 Q Okay. So what else did you talk about at
2 Brian Kelly's house?
3 A Marjorie agreed. She said, Rosy, just -- she
4 said, We're not going to say anything either. But she
5 said, As time goes by, memory fogs. Write everything
6 down.
7 Q Did you, in fact, write everything down?
8 A I did. But, you know, I want to say three
9 years ago I just threw everything away. I was just done
10 holding onto this whole event -- incident, so I threw
11 everything away.
12 Q Okay. So let's talk about the time that
13 Brian Kelly came into your office and showed you a
14 receipt from -- El Torito?
15 A Yes, El Torito.
16 Q Did that occur?
17 A Yes.
18 Q When?
19 A It happened maybe two days after the event at
20 his house.
21 Q To your knowledge, why did he show you a
22 receipt from El Torito?
23 A Because -- he came into my office. He showed
24 me the receipt. And he said, Rosy, is the day the
25 dinner happened? I said yes. He flipped over the

Page 24

1 receipt. In Mickey's writing it said "big box," and it
2 had two people's names. I can't remember whose names
3 they were. And I told Brian, That's a lie. That is the
4 date -- the night that he took me to El Toritos.
5 Q Okay. When you said it's a lie, what did you
6 mean by that?
7 A That receipt was not that dinner that Mickey
8 had written in the back of the receipt that he -- he did
9 not have dinner at El Toritos with those people. That
10 dinner was with me. And I know for a fact because it
11 was two separate receipts. And I remember while we were
12 at dinner there was a shift change in servers. So there
13 would be two receipts. It was not what Mickey was
14 claiming that dinner to be.
15 Q So did you feel Mickey was trying to falsify
16 some records?
17 A Yes.
18 MR. FEINBERG: Objection. Calls for a legal
19 conclusion.
20 BY MR. CORRALES:
21 Q And why do you feel that way?
22 A He lied.
23 Q And what's -- what is your understanding of
24 what Mickey was trying to do? In other words --
25 A He was trying --

Page 25

1 Q Let me finish. For example, was he trying to
2 get the union to pay for something that -- like personal
3 expense and use membership dues? Or what did you think
4 Mickey was doing when you said he lied?
5 MR. FEINBERG: Objection. Calls for
6 speculation.
7 BY MR. CORRALES:
8 Q You can answer.
9 A Two things. One thing, obviously, he wasn't
10 paying our dinner out of pocket. He was lying, misusing
11 the members' money saying that this was due to a
12 Wal-Mart dinner when it wasn't. Second, he was trying
13 to hide the fact that it was dinner with me. That's
14 what I felt.
15 Q Okay. So what did Brian Kelly tell you when
16 he showed you the receipt? Did he agree with you that
17 Mickey was trying to hide this dinner meeting that he
18 had with you?
19 A Yes. Brian became angry, actually. Because,
20 like I said, him and his wife both wanted to pursue what
21 had happened with me, wanted me to come forward and
22 press charges. He said, Rosy, this directly involves me
23 now because I know he's misusing money. We have to do
24 something. And, again, I convinced him no. He said
25 okay. I'm going to make a copy of this receipt. You

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1 make a copy of the receipt just in case. And I said
2 okay. Again, I threw everything away a few years ago.
3 I hope Brian still has that receipt. But we both made
4 copies of that receipt.
5 Q Okay. And what was your understanding of
6 Brian's position at 135? Was he like a bookkeeper?
7 Comptroller?
8 A Yes. He's the comptroller.
9 Q Okay. And what do you understand comptrollers
10 are supposed to do?
11 A He handles all the finances.
12 Q So he would be the person that would collect
13 the receipts?
14 A He does for everybody.
15 Q All right. Now, after your meeting with
16 -- your conversation with Brian Kelly, did there come a
17 time when Mr. Kasparian came to you and said something
18 about a rendezvous?
19 A Yes.
20 MR. FEINBERG: Objection. Leading the
21 witness.
22 BY MR. CORRALES:
23 Q What did Mr. Kasparian say to you?
24 A I was in my office. He came downstairs. He
25 came into my office. He closed the door. He said,

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1 Let's continue our rendezvous. I will never forget
2 those exact words because they shook me.
3 At this point I thought it's done. It was
4 just a dinner and he's done. But when he came in my
5 office his exact words were, Let's continue our
6 rendezvous. I felt nervous. I felt panic. I was in
7 shock because I was hoping it was a done deal. And I
8 said okay. My first words out of my mouth were okay.
9 He said, Well, I have to go down for a meeting at
10 Brawley Beef. I'll call you later.
11 Q Okay. Let me ask you this: When he said to
12 you, Let's continue our rendezvous, what did you
13 understand him to be saying to you?
14 A That was a confirmation for me that that
15 initial dinner at El Toritos was sexual advances towards
16 me.
17 Q Okay. And did that make you nervous?
18 A Yes.
19 Q Okay. So why did you say okay?
20 A Because it's Mickey. You can't say no to
21 Mickey. He's my boss.
22 Q All right. So when you said okay and he told
23 you he had to take care of some meeting at -- what was
24 it?
25 A Brawley Beef.

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1 Q Brawley Beef. Okay. He left?
2 A Yes.
3 Q This is in your office?
4 A Yes.
5 Q Okay. What did you do next?
6 A I immediately called Brian. After I told
7 Brian what had happened, he became like my big brother
8 at work. He was more aware when Mickey would come to my
9 office. He was, you know, asking if I was okay. Did he
10 do anything? He just -- he became like my big brother.
11 So immediately after Mickey left my office I
12 called Brian.
13 Q Slow down. You called Brian.
14 A I called Brian.
15 Q What did you say?
16 A Mickey just came out and asked me out again.
17 Q What did Brian say?
18 A What did you say, Rosy? I said yes. I said
19 okay. He said, Why did you say that? Because it's
20 Mickey. He caught me off guard. I didn't know what to
21 say. He's like, Well, you can't go out. I said, I
22 know. And I told him, What do I say? How do I back out
23 without insulting him or making him mad? You know,
24 what --
25 Q What did he say?

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1 A He just said, Well, you can't go. And I said
2 -- told him, you know what? Fine. I'll handle it.
3 I'll handle it. I'm not going. I needed some time to
4 think, like how can I back out of this without, you
5 know, pissing him off or getting me fired for saying no,
6 right?
7 Q Yes. So what did you do?
8 A On my way home -- I left the building the day
9 I left work. On my way home I called Mickey. And I
10 said, Hey, about us going out again, I don't feel
11 comfortable. I don't feel comfortable doing things
12 behind Sally's back. I don't feel comfortable hiding
13 things from Sally. He said, Oh, okay. Okay. I have to
14 go, and just hung up.
15 Q Okay. So when he said to you, Let's continue
16 our rendezvous, you felt that he was continuing to want
17 to date you, right?
18 A Yes. That wording and that he asked me out
19 again confirmed what I initially was going through and
20 trying to figure out that first time we went out. Had
21 it been, hey, just had too many Captain Morgans or
22 whatever and his conversation got -- I was still trying
23 to figure out what was his intention initially in that
24 dinner. So when he came out and asked me out again, it
25 was confirmation he was making sexual advances towards

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1 me.
2 Q All right. So after Mickey said okay and hung
3 up, how did you feel? Did you have any fear?
4 A Yes.
5 Q What was the fear?
6 A That he was going to fire me.
7 Q Why did you feel that way?
8 A Because I basically said no. I denied him.
9 Q Did there come a time -- by the way, was your
10 husband still in prison at this time?
11 A Yes.
12 Q Did there come a time when he was released
13 from prison?
14 A Yes.
15 Q When was that? Do you know?
16 A 2010.
17 Q 2010. Okay. When he came out of prison, did
18 you tell him what happened with Mr. Kasparian wanting to
19 date you or make sexual advances towards you?
20 A Yes.
21 Q What did your husband say in response to that?
22 A He -- I didn't tell my husband right away. I
23 felt like I handled the situation, and I didn't want to
24 involve my husband. So -- but Mickey -- he finally met
25 Mickey. It was a labor meeting -- I think maybe it was

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1 a labor council meeting. And he met Mickey for the
2 first time.
3 Q At the time that he met Mickey at this labor
4 council meeting, had you told your husband?
5 A No, not yet.
6 Q Okay.
7 A But after him meeting Mickey he asked me, Is
8 something wrong? You act very nervous -- you acted --
9 my husband, he knows me well. You act very nervous
10 around him. You act different. Did something happen?
11 Is something wrong?
12 Q Did you think you were nervous around Mickey?
13 A I knew I was. After that event I looked at
14 him completely different.
15 Q What did you say to your husband when he asked
16 you why were you nervous around Mickey?
17 A Initially I said, No reason. But then my
18 husband kept asking -- he knew something was up, so then
19 I told him what happened.
20 Q Okay. You told him everything you told us
21 today about what Mickey did?
22 A Yes.
23 Q And what Mickey said?
24 A Yes.
25 Q How did your husband react to that?

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1 A He was upset. He was more upset the fact I
2 didn't tell him right away. Again, I told him, You
3 weren't here at the time. I felt like I handled the
4 situation. He was upset that I didn't tell him. But --
5 that was the end of it.
6 Q Okay. Did there come a time after this that
7 you and your husband both saw Mickey someplace?
8 A Yes.
9 Q Where was it that you saw Mickey?
10 A Viejas. I can't remember the name of the
11 little lounge or the little -- it was at Viejas. They
12 have like a bar or --
13 Q Okay. Why did you and your husband go to
14 Viejas?
15 A Just went -- trying to go out and have a good
16 time.
17 Q And when you saw Mickey, what was he doing
18 when you first saw him?
19 A Well, Mickey looked like he had been drinking
20 for a little while. He --
21 Q Was he at the bar?
22 A He was at the bar. He had his arm around a
23 woman. I have no idea who she was. He saw us, greeted
24 us. My husband looked at me like, wow, that's your
25 boss? Yeah. So --

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1 Q Where was Sally? Was Sally there?
2 A I didn't know she was there initially. But --
3 then, you know, Mickey saw us. We said hello and
4 everything. And he mentioned Sally was here, that she
5 was at the slots somewhere. And then I can't remember
6 if he went to go get Sally or Michael -- his son was
7 there as well -- if Michael came -- I don't know. But
8 then Sally ended up being there as well.
9 Q Okay. Did there come a time when your husband
10 began talking to your husband [sic]?
11 A Yes.
12 Q What did he say or do?
13 A My husband said that -- well, before -- Mickey
14 kept trying to buy my husband a drink. My husband was
15 refusing. Then at some point Mickey made a remark to my
16 husband that --
17 Q Wait, wait, wait, wait, wait.
18 So you're saying that your -- Mickey tried to
19 buy your husband drinks?
20 A Yes.
21 Q And were you there when you saw this?
22 A Yes.
23 Q Okay. And then did there come a time when
24 your husband and Mickey went out of your earshot where
25 you couldn't hear the conversations?

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1 A Yes, yes.
2 Q Okay. What, if anything, did your husband
3 tell you what happened when he was with Mickey at the
4 bar?
5 A He said Mickey gave him a smart remark like,
6 It's a good thing you came home when you did.
7 Q Okay. Now, what did you understand happened
8 when Mickey said, It's a good thing you came home when
9 you did? What did you understand happened when Mickey
10 said that to your husband?
11 A My husband head-butted him.
12 Q Okay. Is this what your husband told you?
13 A Well, I saw the head-butt.
14 Q Oh, you saw it?
15 A Yeah, I saw it happen.
16 Q Okay. And did your husband tell you that's
17 why he head-butted him, because of that remark?
18 A Yes.
19 Q Okay. And did he tell you he was upset
20 because Mickey had said that?
21 A Yes.
22 Q What did you understand that to mean when
23 Mickey said, It's a good thing you came home when you
24 did, to your husband? What did you understand that to
25 mean?

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1 A That he was making advances towards me like
2 started throwing cheap shots, I guess.
3 Q Is that what your husband felt as well?
4 A Yes.
5 MR. FEINBERG: Objection. Calls for
6 speculation.
7 BY MR. CORRALES:
8 Q Is that what he told you?
9 A Yes.
10 Q Okay. So when that occurred, what happened
11 next?
12 A Went home. I was upset with my husband.
13 Q Let me stop you. As I understand it, the
14 police were called; is that true?
15 A Oh, yes, yes.
16 Q Were you there when the police came?
17 A Yes.
18 Q Okay. What happened when the police came?
19 A I'm trying to think if it was just security
20 from Viejas or the police. I can't -- everything was
21 just a mess.
22 Q Was your husband arrested?
23 A No.
24 Q Okay. Did you go home with your husband?
25 A Yes. Well -- yes.

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1 Q As far as you know, Mickey at that point did
2 not call the police?
3 A Right. It was security there. And at that
4 point he did not press charges.
5 Q How do you know he didn't press charges?
6 A I don't think they would have let my husband
7 come home.
8 Q Okay. Okay. That's fine.
9 A I don't know.
10 Q All right. So did -- when you saw your
11 husband hit Mickey with his head -- is that called a
12 head-butt?
13 A Yes.
14 Q When you saw that happen, what did you see
15 happened to Mickey's face or nose? Did it bleed?
16 A Yes.
17 Q Okay. What else did you see happen, if
18 anything?
19 A Nothing. Mickey just kind of went -- held his
20 nose. There was blood. I ran over. I think I gave him
21 some napkins. I was trying to understand like what just
22 happened, like trying to ask my husband what happened.
23 Everything just happened so fast after that.
24 Q All right. So you went home.
25 And was there a workday the next day?

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1 A No.
2 Q When was the next time you had to go back to
3 work?
4 A Monday. I called out sick.
5 Q So you called out sick on Monday. Why?
6 A Because of everything that had happened. I
7 was pregnant at the time. It was a lot going on. I was
8 arguing with my husband. I didn't comprehend what had
9 happened to set him off. So I was upset because I felt
10 like I had handled the situation with Mickey and --
11 Q You didn't condone what your husband did,
12 correct?
13 A No.
14 Q And you didn't also condone what Mickey said
15 to him, if that's what he said, It's a good thing you
16 came --
17 MR. FEINBERG: Objection.
18 BY MR. CORRALES:
19 Q -- home when you did? You didn't condone that
20 either, did you?
21 A Correct. No.
22 Q Okay. So you were stressed out?
23 A Yes.
24 Q You called in sick?
25 A Yes.

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1 Q And then did you go to work the following
2 Tuesday?
3 A Yes.
4 Q What happened when you went to work on
5 Tuesday?
6 A I was told -- honestly, I can't remember if I
7 went to my office first or not. But I was told to go
8 upstairs --
9 Q When you say you were told to go upstairs,
10 who told you that?
11 A Either Veronica at the member liaison desk or
12 Francine directly called me or came down, told me. I
13 can't remember. But I was summoned upstairs.
14 Q Okay. When you came to the office building,
15 was it empty?
16 A No.
17 Q Okay. There were people there?
18 A Yes. Business as usual.
19 Q All right. And you were called upstairs.
20 And did you go upstairs?
21 A Yes.
22 Q Where did you go?
23 A I went -- first, Francine always opens the
24 door. I went to Francine's little section first. And
25 then I went to the side conference room like a

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1 conference table.
2 Q Were you directed to go to the conference
3 room?
4 A Yes.
5 Q When you entered the conference room, who, if
6 anybody, was present?
7 A It was the board -- I guess the executive
8 board, Mickey. The people I know for sure were there
9 was the lawyer.
10 Q Which lawyer?
11 A Michael Four.
12 Q The one that's here today?
13 A Yes.
14 Q Michael Four? All right.
15 A Rosalyn, Tom Elbert, Brian, German,
16 Francine --
17 Q Okay.
18 A Mickey, obviously.
19 Q Francine Woods? Is it Wood or Woods?
20 A Wood -- Wood.
21 Q Wood. Okay.
22 A Yeah.
23 Q You said Mickey, Francine Wood.
24 And who else?
25 A So it was German Ramirez, Tom Elbert, Rosalyn,

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1 the lawyer, Mickey, Francine. I think that was it.
2 Q That's all you remember?
3 A Yes, that's all I remember.
4 Q All right. And were you asked to sit down?
5 A Yes.
6 Q Did you sit down?
7 A Yes.
8 Q What happened after you sat down? By the way,
9 who ran the meeting?
10 A Mickey.
11 Q And what did Mickey say?
12 A He said -- I can't remember how he started it.
13 Kind of like he didn't know what -- I can't remember
14 what -- exactly how he started it. But at some point he
15 opened it for everybody. I do remember clearly. He
16 opened it to everyone. And everyone that was there --
17 he gave the opportunity for everybody that was there to
18 say what an awful person I was.
19 Q He asked everybody to make a comment?
20 A Yes. He asked like for everybody to speak,
21 you know, for them to say something.
22 Q And everybody that spoke said something
23 negative about you?
24 A Yeah. The only person that I remember didn't
25 say anything negative was Tom Elbert. Tom Elbert just

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1 asked -- at any point in time, was there anything that
2 you could have done to prevent what happened? And I
3 said, No. It was out of my control. I had no idea that
4 was going to happen.
5 Q So what was discussed at that meeting? Was it
6 the fact that your husband head-butted Mickey?
7 A Yes, the event that happened.
8 Q The event?
9 A Yes.
10 Q Okay. And so they asked everyone to make a
11 comment.
12 Did they make a comment about you and your
13 husband?
14 A Yeah. Well, Tom Elbert said that. Brian
15 said, How do we know that this won't happen to any of
16 us? I remember telling Brian -- knowing what had
17 happened prior with Mickey, I told him, Brian, you met
18 my husband twice. Did you feel threatened? Did you --
19 anything happen? Immediately -- Brian didn't say
20 anything.
21 And then -- I can't remember if German spoke
22 or not. I don't know. The lawyer obviously didn't
23 speak. And then Rosalyn just tore me to shreds. She
24 just went off about what an awful person I was, what an
25 awful mother I was, what an awful mother I was to have

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1 the type of -- my husband, the type of person he is,
2 around my own kids. She just tore me to shreds.
3 And I took it because at this time I knew
4 Mickey was going to fire me. As prideful as he is, I
5 knew my job was done. And at this point I didn't think
6 any charges were being pressed against my husband. So I
7 figured I'm going to lose my job and my husband. So I
8 just shut it up and I took whatever they told me.
9 Q You didn't want your husband to be arrested
10 again?
11 A Right. Right.
12 Q So that's one of the reasons why you didn't
13 say much?
14 A Right.
15 Q All right. Did you say something to the
16 effect, I'm a good employee?
17 A All I said was, I hope that the action that my
18 husband -- you know, what happened doesn't reflect on
19 me. I'm a good employee. I've never had any issues at
20 work. I mean --
21 Q During this meeting in the conference room,
22 did Brian Kelly say anything about what you told him
23 that Mickey did in making sexual advances towards you?
24 A No.
25 Q During the meeting did Mickey say anything to

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1 the effect, Well, I don't know why your husband did what
2 he did?
3 A Yes.
4 Q Okay. And at that time when he said, I don't
5 know why your husband did what he did to me, you knew
6 that he had told your husband, It's a good thing --
7 quote, It's a good thing you came home when you did?
8 MR. FEINBERG: Objection. Assumes facts not
9 in evidence. Calls for a conclusion.
10 BY MR. CORRALES:
11 Q Is that correct?
12 A Yes. I knew that -- in my mind it's like you
13 hypocrite. You know what you tried to do with me, and
14 now you're going to act like a victim. That's what was
15 going on in my mind at the time. You knew you were
16 inappropriate with me. And now you're going to fire me?
17 Q Now, when Mickey said that he didn't know why
18 your husband did what he did, he didn't say anything in
19 that meeting about the remark that he made to your
20 husband?
21 MR. FEINBERG: Objection. Leading. Assumes
22 facts not in evidence.
23 BY MR. CORRALES:
24 Q Did he?
25 A No.

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1 Q Okay. So when Mickey said in this meeting in
2 the conference room that he didn't know why your husband
3 did what he did, did you think that Mr. Kasparian was
4 being truthful?
5 A No.
6 Q Okay. That's because of what you told us
7 before about what your husband said --
8 MR. FEINBERG: Objection. Leading.
9 BY MR. CORRALES:
10 Q -- that he said to him; is that correct?
11 A Yes.
12 MR. CORRALES: Counsel, please try to wait
13 until I finish.
14 MR. FEINBERG: I can't because she answers on
15 the very last second.
16 MR. CORRALES: No. Hey, hey, hey, hey.
17 Settle down. Don't get violent with me. I'm the wrong
18 person to get violent with.
19 MR. FEINBERG: Why?
20 MR. CORRALES: Because I am. Don't try and
21 get violent with me.
22 MR. FEINBERG: Are you threatening me?
23 MR. CORRALES: Are you threatening me?
24 MR. FEINBERG: No, not at all.
25 MR. CORRALES: You need to keep quiet.

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1 MR. FEINBERG: No, I do not.
2 MR. CORRALES: Make your objections suitable
3 to this deposition. And do not raise your voice to me.
4 Is that understood? I do not like it when people raise
5 their voice --
6 MR. FEINBERG: I will not be lectured.
7 MR. CORRALES: Fine. I don't like it when
8 people raise their voice at me.
9 MR. FEINBERG: Nobody does.
10 MR. CORRALES: All right. Okay. Thank you.
11 Back on the record.
12 Could you repeat the question, please.
13 MR. FEINBERG: Was that off the record?
14 MR. CORRALES: Are you talking to me again?
15 MR. FEINBERG: I was talking to her.
16 MR. CORRALES: Okay. Thank you.
17 Could you read that back, please, question and
18 answer.
19 (Question and answer read back by the
20 reporter.)
21 BY MR. CORRALES:
22 Q That is -- and when I make reference to what
23 your husband told you about what Mickey had said, it's
24 about what Mickey had said at the bar before he got his
25 head butted?

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1 A Yes.
2 Q Okay. Did you talk to Brian Kelly anytime
3 after this meeting in the conference room?
4 A I had tried to reach out to a number of
5 employees after the incident happened, not before I
6 got -- before I got fired.
7 Q Okay.
8 MR. FEINBERG: Objection. Answer is
9 nonresponsive to the question.
10 BY MR. CORRALES:
11 Q Go ahead and finish your answer.
12 A I -- Brian was one of the people I tried to
13 reach out to. He didn't speak to me. After -- while I
14 got fired -- well, I was getting fired. His question
15 upset me because he was the one person that knew about
16 Mickey's advances towards me before. So I never reached
17 out to him again.
18 Brian, maybe a month later, called me. And
19 he's like, Rosy, I'm sorry I couldn't talk to you
20 before. Because, like I said, I had tried to contact
21 him before I got fired. He's like, I'm sorry I couldn't
22 talk to you before. Mickey's really on us about talking
23 to you. He's watching everything.
24 And I tried to be cool. I'm like, Okay; I
25 understand. Asked how Marjorie was, how his kids were.

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1 Then after that I just broke down and I started crying.
2 I said, Brian, I'm sorry I can't talk to you. You're
3 the one person that I told that knew everything. And
4 for you to handle my firing the way you did was really
5 upsetting. And I hung up on him. And I haven't talked
6 to him since.
7 Q Okay. Did you talk to a person by the name of
8 a Toni Lira?
9 A Yeah. She's deceased. She --
10 Q What did you tell her?
11 A I told her what had happened. She was one of
12 the first people that called me right after I got fired.
13 Because, again, many people just -- I had leprosy.
14 Everybody stopped talking to me. One of the few people
15 that continued talking to me was her, Toni. She called
16 me like, Rosy, what happened?
17 While I was getting fired -- I didn't know,
18 obviously, because I was upstairs -- I guess the whole
19 building shut down. They called them into the meeting
20 room upstairs. They told us that -- I don't know what
21 was said. But she's like, Are you okay? Are you okay?
22 And I told her what happened.
23 Q Did you tell her everything that happened with
24 Mickey trying to make sexual advances towards you?
25 A Yes. I told her everything.

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1 Q And did Toni work for 135 at the time you
2 spoke with her?
3 A Yes.
4 Q How long did she work there after you spoke
5 with her?
6 A Oh --
7 Q How much longer?
8 A She continued working there. From my
9 understanding until she passed.
10 Q Okay. And when did she pass away? Do you
11 know?
12 A I can't remember.
13 Q Was it recently?
14 A At least a couple years.
15 Q Okay. And what was her position at 135?
16 A Membership clerk. And I talked to her --
17 because she did my taxes for a couple years too. So she
18 still did my taxes. And I remember her -- now that
19 you're asking about it, I remember a number of times she
20 would call me and she'd be like, Man, Mickey keeps
21 coming down to my desk and trying to explain what
22 happened like he doesn't understand. He must have a
23 guilty conscious.
24 Toni was really forward type of person. And
25 she's like, He keeps coming down to my desk and trying

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1 to explain what happened. He must have a guilty
2 conscious. She would kind of laugh at him like --
3 Q What did she say that Mickey would say to her
4 when she said he would try to explain what happened?
5 A He would be -- I can't remember. I just
6 remember he kept coming down and just -- he -- he did a
7 number of times. He keeps coming down to my desk trying
8 to explain what happened like he doesn't understand what
9 happened like why -- like trying to -- she --
10 Q What happened with you being fired?
11 A Yes. Yes. Like -- yeah. My husband like
12 hitting him. Mickey doesn't understand what happened.
13 Like he keeps -- I remember her saying, He must have a
14 guilty conscious because he keeps trying to come over
15 and explain things to me. It has nothing to do with me,
16 but he keeps coming down talking about it.
17 Q Okay. Okay. To your knowledge, did
18 Toni Lira ever tell Mickey what you told her?
19 A No. If he even knew that she talked to me,
20 she'd be fired probably.
21 Q Why do you say that if Toni -- excuse me. If
22 Mickey knew that Toni had been talking to you that she
23 would be fired, why did she say that?
24 A Because, again, I was pregnant at the time.
25 And the girls had talked about doing a baby shower for

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1 me, you know, the girls in my department. I think it
2 was Debbie that told me, There's no -- I think one of
3 the girls had talked about maybe doing a baby shower.
4 Mickey was upset about it, like any contact with me.
5 And Brian told me when he called me a month
6 after -- he's like, Mickey's on us. He doesn't want
7 anybody having contact with you. It was -- like the
8 people that did contact me were doing it without him
9 knowing.
10 Q This is after you had been fired?
11 A After I had been fired.
12 Q When you were working at 135, did you have an
13 occasion to observe Mickey interact with other
14 employees?
15 A Yeah.
16 Q What was he like? Did he use the "F" word a
17 lot?
18 A Oh, yeah.
19 Q Did he -- did he use the "F" word a lot with
20 women?
21 A Yeah. It didn't matter male or female.
22 Q To your knowledge, did he tell any dirty jokes
23 in front of women?
24 MR. FEINBERG: Objection. Irrelevant to this
25 case.

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1 BY MR. CORRALES:
2 Q You can answer.
3 A No.
4 Q Okay. Did you feel as if Mickey was abusive
5 in his position as president?
6 MR. FEINBERG: Objection. Vague and
7 ambiguous.
8 THE WITNESS: Yes. Definitely micromanaging.
9 And he would like try to control situations that didn't
10 even have anything to do with work. For example, my
11 baby shower. That has nothing to do with work. He was
12 like -- I heard that he was fully upset about anybody
13 talking about throwing me a baby shower. And that has
14 nothing to do with work. He's very controlling,
15 period.
16 BY MR. CORRALES:
17 Q His personality?
18 A Yes.
19 Q Okay. Before we began with the deposition,
20 did you and I meet?
21 A Briefly, yes.
22 Q We met for about a half hour?
23 A Yes.
24 Q Did you -- was there anything that I said to
25 you that suggested that you should say something that

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1 was untrue?
2 A No.
3 Q Before we began the deposition, were you
4 contacted by anyone from -- well, were you contacted by
5 anyone from my office about your deposition?
6 A Today?
7 Q Yes.
8 A No.
9 Q To coordinate your deposition?
10 A Oh, yeah, Heather. Heather's the one that
11 told me what time to be here.
12 Q So before today did you and I talk?
13 A No. I never met you before.
14 Q Okay. Did you know a person by the name of
15 Darryl Fountain?
16 A Yes.
17 Q Who's he?
18 A He's one of the representatives at UFCW.
19 Q Okay. Did you -- was he at that conference
20 room -- in the conference room with you?
21 A When I got fired?
22 Q Yes.
23 A No.
24 Q Did you ever learn that Mr. Darryl Fountain
25 falsified records -- time records?

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1 MR. FEINBERG: Objection. Irrelevant to this
2 case.
3 BY MR. CORRALES:
4 Q Did you ever hear about that?
5 A No.
6 Q No one ever told you anything about that?
7 A No.
8 MR. CORRALES: Okay. All right. Those are
9 all the questions I have. Thank you. Before I hand it
10 over, I need to talk to my client.
11 Off the record.
12 (Recess taken.)
13 MR. CORRALES: Back on the record.
14 BY MR. CORRALES:
15 Q Ms. Miner, I'll ask you another question --
16 line of questions about Darryl Fountain.
17 Did there come a time when -- after you were
18 terminated at 135 that you saw Darryl Fountain at the
19 beach?
20 A Yes.
21 Q Okay. And did you -- what did you tell
22 Darryl Fountain, if anything, about what had happened to
23 you?
24 A I told him everything. By then when I saw
25 Darryl, my husband was already back in prison. When my

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1 husband went to prison, I told everybody everything.
2 And I did run into Darryl at the beach, and I told him
3 everything that happened.
4 Q When you say you told him everything that
5 happened, did you tell him everything that happened when
6 Mr. Kasparian tried to make sexual advances towards you?
7 A Yes.
8 Q Did you tell him about all of the things that
9 your husband told you what Mr. Kasparian said about it's
10 good thing you weren't home --
11 A I think -- yes.
12 Q It's a good thing you came home when you did.
13 A Yes. I told Darryl everything.
14 Q Okay. All right. Everything you said today?
15 A Yes.
16 Q And what did Mr. Fountain say in response?
17 A He didn't say much. He mostly listened.
18 Mostly listened. He was just shocked like wow -- like
19 wow. He didn't remark on anything. He didn't give his
20 opinion on it. He was just in shock.
21 Q Okay.
22 A I had told him everything. He was just like
23 wow.
24 Q All right. Did he -- did you talk to him
25 again at any time afterwards?

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1 A Yeah. I just saw him actually two weeks ago
2 at Albertsons.
3 Q Okay. What did you talk about?
4 A I was talking to one of the meat guys that I
5 used to work with -- one of the meat cutters at
6 Albertsons. He was asking me questions about insurance.
7 He was having a baby. So I was trying to answer his
8 questions.
9 When I turned and I see Darryl and Darryl was
10 trying to avoid me -- he like turned trying to run away
11 from me. I'm like, Hey, Darryl, come over here. I'm
12 doing your job. Come help me. You know, because he was
13 asking questions, you know, Darryl's job. Darryl helps
14 the members.
15 Q So what did you talk about?
16 A All we talked about was -- I just asked him
17 questions as far as helping the meat cutter. His name
18 was Danny. We were helping Danny. He had questions
19 about going on leave and he wanted to transfer to
20 another Albertsons and Darryl was just, you know,
21 helping me --
22 Q Did you mention anything that you told him
23 before about what happened to you?
24 A No. He just -- I just asked him about his
25 ex-wife, Diana -- because I had known her -- like how is

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1 she or -- you know, because they had a tough split up, I
2 guess, I heard. He kind of told me that too along at
3 the beach when I first -- when I'd first seen him, he
4 told me that him and Diana were having problems. He
5 said -- he said he's seeing somebody else now.
6 But he was nervous. He was trying to get away
7 from me. Before we split he was just like, We were
8 always cool, Rosy. You and I were always cool. Like,
9 you know, we were. We were. So -- and that was --
10 MR. CORRALES: Okay. All right. That's all
11 the questions I have. Thank you very much. These other
12 lawyers might have some questions for you.
13 Do you want to sit here? Who's asking
14 questions?
15 MR. FEINBERG: Me.
16 MR. CORRALES: Do you want to sit here?
17 MR. FEINBERG: No.
18
19 EXAMINATION
20 BY MR. FEINBERG:
21 Q So, Rosy, my name is Michael Feinberg. I'm
22 the attorney for Local 135 and Mr. Kasparian in this
23 lawsuit brought by Isabel Vasquez.
24 Before you came here today to testify in your
25 deposition, did you review any documents of any kind

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1 that relate to this lawsuit?
2 A No.
3 Q Did you look at the complaint filed by
4 Isabel Vasquez against the union and Mickey Kasparian?
5 A No.
6 Q Have you ever seen it?
7 A I've seen it.
8 Q So you know what it says relative to you?
9 A Talks about the incident, but I don't know the
10 details of what it says.
11 Q Okay. Have you talked about -- have you
12 talked with anyone about your potential testimony today
13 prior to coming here today?
14 A No.
15 Q Like your husband even?
16 A No.
17 Q Really? You haven't talked to your husband at
18 all about what you're going to say here today?
19 A No.
20 Q Okay. Talk to Isabel about what you're going
21 to say here today?
22 A No.
23 Q Have you talked to Isabel in the past about
24 being a witness in this case?
25 A No.

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1 Q So you were subpoenaed to be here today?
2 A Yes.
3 Q Okay. Prior to being subpoenaed were you
4 asked if you would attend voluntarily?
5 A I don't think so.
6 Q So no one called you up and said, We'd like to
7 take your deposition; would you be willing to show up?
8 A A law office, yes.
9 Q Did they say anything about needing a subpoena
10 to get you?
11 A Oh, I think in the e-mail Heather asked if I
12 needed a subpoena for my work. I told her it's not
13 necessary but send it just in case.
14 Q Okay. So you were willing to come regardless
15 of the subpoena; is that right?
16 A Yes.
17 Q Okay. So as I understand it, you started work
18 at Local 135 in 2004?
19 A Yes. It was after the strike.
20 Q And you were terminated, is this true, on
21 March 8, 2011?
22 A It was February, March of 2011, yes.
23 Q Do you recall that it was, in fact, March 8th,
24 2011?
25 A I recall that it was February, March of 2011.

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1 Q So you don't have a specific recollection?
2 A I didn't go back and look at the paperwork.
3 Q Okay. And this event that you described at a
4 restaurant with Mickey --
5 A Yes.
6 Q -- wasn't that back in March of 2008?
7 A What? Say that again.
8 Q This event that you described going to a
9 restaurant with Mickey, wasn't that back in March of
10 2008?
11 A I couldn't tell you what day it was.
12 Q Well, how about just saying whether it was, in
13 fact, 2008 or 2009.
14 A Yes, I would say 2008 or 2009.
15 Q Well, can you say whether it was 2008 or
16 whether it was 2009? Do you know?
17 A No.
18 Q Okay. You don't know?
19 A I can't recall the date.
20 Q That's fair. It's a long time ago.
21 A It was.
22 Q I understand.
23 Now, you said that Rosalyn Hackworth was your
24 supervisor?
25 A Yes.

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1 Q That was when you were as a insurance
2 department head, correct?
3 A Yes.
4 Q Okay. Was she your supervisor when you were a
5 member liaison?
6 A My direct supervisor, I guess, would have been
7 Joan at the time.
8 You're talking about immediate supervisor?
9 Q Yes.
10 A I would say it would be Joan.
11 Q And you didn't move from being member liaison
12 directly to being insurance department head, right? You
13 got some job with the Local that was in between there.
14 A Insurance clerk.
15 Q Right. And when you were insurance clerk,
16 there was someone else who was the insurance department
17 head?
18 A Joan.
19 Q What is her last name?
20 A I can't remember her last name.
21 Q Okay. And then when you became the insurance
22 department head, then you reported to Ros?
23 A Yes.
24 Q Rosalyn Hackworth?
25 A Right.

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1 Q Okay. And she remained your supervisor until
2 the time you were terminated?
3 A Yes.
4 Q In this incident where you went to a
5 restaurant with Mickey Kasparian, you had gone to him to
6 want to talk about a situation with Martha Lucero?
7 A Yes. At work.
8 Q At work, right.
9 You went to him at work to describe a
10 situation you had with Martha at work?
11 A Yes.
12 Q Okay. Did you -- were there any other matters
13 that you wanted to discuss with Mr. Kasparian?
14 A No.
15 Q Perhaps your future with the union?
16 A No.
17 Q How do you move up in the union from being an
18 insurance department head to being a union
19 representative? Was that on your agenda?
20 A No. I was a single mom. I didn't have time
21 to be a rep.
22 Q Still it's a lot more money.
23 A I was a mom first.
24 Q Okay. And you said he was busy; he couldn't
25 talk then; and he suggested that you go out to eat?

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1 A Yes.
2 Q Okay. You said you went to El Torito?
3 A Correct.
4 Q It wasn't TGIF?
5 A No.
6 Q Okay. And so what did you order to eat there?
7 A It was appetizers.
8 Q What?
9 A Appetizers.
10 Q What appetizers?
11 A Tacos -- little tacos maybe.
12 Q You said you had alcoholic drinks?
13 A Yes.
14 Q What kind of drinks?
15 A Beer.
16 Q Just beer?
17 A Beer.
18 Q You talked about Martha Lucero and your
19 concerns there? Yes?
20 A Yes.
21 Q Okay. And at some point the two of you -- I'm
22 not saying who initiated the conversation. The two of
23 you talked about the fact that your husband was
24 incarcerated?
25 A I know for a fact Mickey initiated that

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1 because up to that point I didn't want anybody to know.
2 I didn't want my husband to reflect on -- his action
3 reflect on my employment. So I know for a fact he
4 brought it up because I was surprised that he even knew.
5 Q Okay. So you hadn't told anybody in the
6 office that your husband was in prison?
7 A A few people knew.
8 Q Who?
9 A Cristi Montano because she knows my -- she
10 actually knows my husband's family.
11 Q Anyone else?
12 A Debbie.
13 Q What is her last name?
14 A Principe.
15 Q Okay. Anyone else?
16 A That's it.
17 Q Okay. Isn't it true that by this time
18 Rosalyn Hackworth also knew that your husband had
19 been -- was in prison?
20 A I don't know that to be a fact, no.
21 Q Did you believe that to be the case at the
22 time you went out with Mickey -- out for a meal with
23 Mickey?
24 A He said Ros told him so --
25 Q Isn't it true that you told Mickey that your

Page 64

1 husband was in prison?
2 A No.
3 Q Not the other way around?
4 A No, it's not true.
5 Q Okay. Ever talk to Terry Hunt since you left
6 the employ of Local 135?
7 A Yes.
8 Q When was the last time you spoke to Terry?
9 A The one and only time I spoke to Terry was at
10 Isabel and Terry's wedding.
11 Q Did you discuss your circumstances -- the
12 circumstances of your departure from Local 135 with him?
13 A No.
14 Q Okay. Have you ever had that conversation on
15 that topic with Isabel?
16 A About why I got terminated?
17 Q Yeah.
18 A Yes.
19 Q When was that?
20 A When she came to light about what happened to
21 her.
22 Q Okay. So did someone contact you in December
23 and ask you why you had left the employ of
24 Local -- December 2016 and ask why you had left Local's
25 employ?

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1 A Who?
2 Q I'm asking you did anyone -- Isabel, her
3 attorneys, Sandy Naranjo -- contact you in or around
4 December 2016 to ask you about the circumstances of your
5 termination by Local 135?
6 A I think it was the law office that contacted
7 me. I don't know if it was December of 2016. But the
8 law offices contacted me, yes.
9 Q And did you have an interview with the law
10 office? That would be Mr. Gilleon's firm?
11 A Yes.
12 Q Did you have an interview with Mr. Gilleon's
13 firm?
14 A No.
15 Q Just on the phone?
16 A Yes.
17 Q And who did you talk to?
18 A I can't remember if it was him directly or
19 someone in his law office.
20 Q Okay. And do you know why they were calling
21 you?
22 A They wanted to know what had happened to me.
23 Q Did they -- was there any indication that they
24 knew something had happened to you?
25 A Yeah.

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1 Q Other than you having been fired.
2 A No.
3 Q Did anyone say that they knew that something
4 had happened between you and Mr. Kasparian?
5 A No. They asked me questions what happened.
6 Q Okay. So they wanted to know --
7 A What happened.
8 Q -- what led up to your being terminated?
9 A Yes. They were asking me what happened.
10 Q Okay. What did you tell them?
11 A What happened. What I said here.
12 Q All of this?
13 A Not in detail, no.
14 Q Okay. So do you recall who -- you don't
15 recall who you spoke to?
16 A Huh-uh.
17 Q That was "no"?
18 A No. Sorry.
19 Q Was that a man or a woman?
20 A It was a man.
21 Q Okay. Did you ever meet any of the other
22 attorneys from Mr. Gilleon's office?
23 A No.
24 Q So you never had gone over there to be further
25 interviewed?

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1 A Never.
2 Q And until today you haven't met Mr. Corrales;
3 is that right?
4 A No. That is right.
5 Q Okay. Did you ever talk to someone named
6 Samuel Clemens?
7 A Not that I recall.
8 Q Okay. In your discussion with Mr. Gilleon's
9 office, did you bring up Brian Kelly?
10 A I did.
11 Q What did you tell them about Brian Kelly?
12 A What I said here.
13 Q Can you tell me what you told them.
14 A I told them that Brian Kelly was the one that
15 I told what happened to.
16 Q Did you tell them that Mr. Kasparian had used
17 union funds to go out to a meal with you?
18 A I did.
19 Q Did you mention drinks?
20 A I don't know.
21 Q Okay.
22 A I didn't specify what we ate. I just said he
23 used funds.
24 Q Did you tell the attorney from Mr. Gilleon's
25 office that Mr. Kasparian had propositioned you for a

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1 sexual relationship?
2 A I said that he had made advances towards me.
3 I said that his questioning in the conversation was
4 sexually charged.
5 Q Did you tell the attorney for Mr. Gilleon's
6 office that you had asked Mr. Kelly not to do anything
7 about your concerns?
8 A I can't remember if I said that to them or
9 not.
10 Q So -- you mentioned Jason Nocon?
11 A Yes.
12 Q Other than Jason was there anyone else who
13 shared with you about Mr. Kasparian's ability to
14 terminate Mr. Kelly or any limits on his ability to do
15 so?
16 A I mean, it was -- you're asking if I already
17 knew that Brian is the one that -- is the only one that
18 Mickey can't fire?
19 Q Did you know that on your own?
20 A Yeah.
21 Q How did you know that?
22 A It had been talked in the office. I think
23 Mickey even said it one time.
24 Q Oh. So you didn't learn this from Jason?
25 A Jason?

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1 Q Nocon.
2 A No. I had already known that. That's
3 knowledge. That's not a secret.
4 Q Okay. When you went to Brian Kelly's house to
5 discuss what had happened -- what you claimed happened
6 with Mr. Kasparian, you said Brian and his wife both
7 wanted you to report the incident, right?
8 A Yes.
9 Q And did they want you to report it to
10 Ros Hackworth?
11 A No.
12 Q Who did they want you to report it to?
13 A They wanted me to bring charges.
14 Q Before the union or before like the Department
15 of Fair Employment & Housing?
16 A Yes, to both.
17 Q Both.
18 A They didn't go into specific detail as to
19 what. But he come forward -- and Brian knows. It would
20 have to be out of Local 135. It wouldn't be Rosalyn.
21 It would have to be out -- like out of the Local.
22 Q Were you close to Rosalyn?
23 A Was I close with Rosalyn?
24 Q Yes.
25 A We had an okay working relationship. But I

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1 was not close to her.
2 Q You didn't socialize?
3 A No.
4 Q So she wasn't -- why would she not be someone
5 you could go to about this issue?
6 A Mickey controls everybody there. It wouldn't
7 have been -- it wouldn't have been where I can tell
8 Rosalyn and Rosalyn would confront Mickey. It
9 would -- Mickey controls Rosalyn.
10 Q Now you understood that Mickey couldn't fire
11 Brian?
12 A Yes.
13 Q Did you also understand that Mickey couldn't
14 fire Rosalyn?
15 A No.
16 Q She was an elected official, right?
17 A Yes.
18 Q So was it your understanding that an elected
19 official can be terminated?
20 A I did not know that he -- so you're saying
21 Mickey cannot terminate Rosalyn?
22 MR. CORRALES: Wait, wait, wait, wait, wait.
23 He's not saying anything. He's just asking questions.
24 BY MR. FEINBERG:
25 Q I'm only asking what you know.

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1 A Okay.
2 Q To your knowledge, was the secretary/treasurer
3 a position from which Rosalyn could be fired?
4 A I don't know.
5 Q You don't know?
6 A I don't know.
7 Q Okay. You said you wrote down on paper what
8 had happened between you and Mr. Kasparian.
9 A Yes.
10 Q At the restaurant.
11 A Yes.
12 Q And that you have since thrown those notes
13 away.
14 A Yes.
15 Q Okay. Did you make any computerized copy of
16 those notes?
17 A No. It was notebook.
18 Q Right. But did you scan and copy them into a
19 computer?
20 A No.
21 Q Did you show anyone those notes?
22 A No. They were my own.
23 Q So other than your telling us that they
24 existed, would anyone else know that those notes
25 existed?

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1 A No. I never showed them to anyone.
2 Q Okay. Did you show anyone else this big box
3 receipt you referred to?
4 A No.
5 Q And that was thrown away as well?
6 A That was thrown away.
7 Q Okay. So the incident where -- you described
8 an incident where Mickey comes into your office and says
9 that he wants to continue your rendezvous.
10 Those are, more or less, your words, right?
11 A Those are his exact words.
12 Q Those are your words today?
13 A Yes.
14 MR. CORRALES: I think that misstates what she
15 said. I think he said --
16 THE WITNESS: He said.
17 MR. CORRALES: -- that he wants to continue
18 with our rendezvous, not your rendezvous. Our
19 rendezvous is what she said.
20 BY MR. FEINBERG:
21 Q Fair enough?
22 A Yeah.
23 Q Okay. You said no?
24 A I said yes. I said okay.
25 Q Later you called him back and said no?

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1 A Later I said, I do not feel comfortable with
2 going somewhere and Sally not knowing.
3 Q Right. So you said you weren't going to go
4 and he said okay?
5 A Yes.
6 Q All right. And this would have been how soon
7 after this meal at the restaurant?
8 A Within a week. Couldn't have been more than a
9 week and a half.
10 Q So within a week and a half of the event that
11 occurred either in 2008 or 2009, as you've said, right?
12 A Yes, yes.
13 Q And then nothing happened between you and
14 Mr. Kasparian for two years.
15 A Correct.
16 Q Okay. So at some point in time did you feel
17 secure in your employment?
18 A No.
19 Q Why?
20 A Because I told Mickey no. I didn't know if he
21 was going to retaliate against me now, against me later.
22 That's why Marjorie -- at the time when I went to
23 Brian's home, that's why his wife recommended I write
24 everything down. She said, As time goes by, memories
25 fade, so write everything down. That's why Brian told

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1 me, I'm going to make a receipt. You make a receipt. I
2 didn't know how mad he was. No, I was never secure in
3 my employment after that incident.
4 Q At least two years pass --
5 A Yes.
6 Q -- between this incident and your termination?
7 A Yes.
8 Q And during that time period, are you saying
9 that Mr. Kasparian said anything to you that was
10 inappropriate?
11 A No.
12 Q Okay. And he didn't make any further alleged
13 sexual advances during that time period?
14 A No.
15 Q Okay. Now your husband was in prison.
16 A Yes.
17 Q For what?
18 A When I got hired at Local 135, it might have
19 been drug-related.
20 Q That was 2004.
21 A Okay.
22 Q I'm asking you. You got hired in 2004, right?
23 A Oh, I got hired. I didn't know you were
24 asking me about hired. Yes, I got hired in 2004.
25 Q Wait. I asked if he was in prison and I asked

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1 what for and you said, When I -- let's start over.
2 A Yeah.
3 Q What did he go to prison for -- what was he in
4 prison for at the time of this alleged meal in 2008 or
5 2009?
6 A I think it might have been drug-related. But
7 I don't know.
8 Q Okay. Was there a trial?
9 A I don't know.
10 Q Did you attend?
11 A I don't know.
12 Q You don't know if you attended?
13 A Oh, trial? No, I never attended a trial.
14 Q Okay. So you know you didn't attend, right?
15 A Right.
16 Q Was it for drug dealing?
17 A I don't know.
18 Q Okay. Was your husband a drug dealer?
19 A No.
20 Q How do you know?
21 A Because I know.
22 Q But you don't know what he went to prison for?
23 A Correct.
24 Q Okay. Was he a gang member?
25 A When he was younger.

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1 Q He's got a lot of gang tattoos on him, right?
2 Is that a "yes"?
3 A Yes.
4 Q And you're saying he wasn't in a gang by the
5 time 2008 or 2009 rolled around?
6 A That's correct.
7 Q But he was dealing drugs.
8 A No.
9 Q So what was the drug-related offense?
10 A I just told you I don't even know if it was
11 drugs, so I don't want to answer something I don't for a
12 fact.
13 Q Okay. Was it a felony?
14 A Yes.
15 Q So he was sent to prison, not jail.
16 A Correct.
17 Q For how long?
18 A I can't remember the length of the term.
19 Q How long was he gone for?
20 A I can't remember. Maybe four years.
21 Q Why don't you think carefully about this. You
22 described in great detail the events that occurred in
23 2008 or '09 concerning Mr. Kasparian, but you're
24 claiming you cannot remember what your husband went to
25 jail for.

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1 MR. CORRALES: Okay. That's argumentative.
2 There's no question pending.
3 MR. FEINBERG: I haven't got to the
4 question.
5 MR. CORRALES: You don't have to answer a
6 statement when he argues to you. Wait for a question.
7 MR. FEINBERG: I haven't asked a question
8 yet.
9 BY MR. FEINBERG:
10 Q Are you clear that you don't remember what he
11 went to jail for?
12 A I said it could have been drug-related.
13 Q Could have been?
14 A Yes.
15 Q What else could it have been?
16 MR. CORRALES: Calls for speculation.
17 BY MR. FEINBERG:
18 Q If you know.
19 A It could have been another previous charge
20 that he had. That's why I can't tell you if I know. It
21 could have been a previous charge.
22 Q What was that?
23 A I think it was possession of a gun or -- I
24 think.
25 Q Did you ever see the gun around the house?

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1 A No.
2 Q Why is that so surprising?
3 A I don't like guns.
4 Q Okay. Now, you described a situation where
5 you and your husband attended -- or came to the
6 San Diego Labor Council meeting, right?
7 A Yes.
8 Q Was it a delegates meeting?
9 A It probably was, yes. I couldn't remember
10 what labor --
11 Q You brought your daughter with you?
12 A I can't remember if my daughter was there.
13 Q Isn't it true that before the meeting Mickey
14 was walking to the building and you saw him and called
15 him over to your car?
16 A No. I think Mickey was walking where we were.
17 I don't remember calling him over. I think we kind of
18 crossed paths.
19 Q Weren't you in your car at the time he walked
20 by?
21 A I don't remember if I was in my car or out of
22 the car. I think me and my husband were getting out of
23 the car and Mickey was passing by. Kind of like crossed
24 paths.
25 Q Isn't it true that you called him over and

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1 introduced him to your husband?
2 A I introduced him. I don't remember calling
3 him over. Like I said, he was crossing our path.
4 Q And Mickey pointed out it was going to be long
5 meeting, right?
6 A I think so, yes.
7 Q And he suggested that rather than have your
8 husband and your daughter wait in the car for that whole
9 time that they could come inside?
10 A Yes.
11 Q And they did?
12 A I think so, yes.
13 Q You said your husband later -- after this
14 meeting you told your husband what you claim had
15 happened between you and Mickey back in 2008 or 2009?
16 A Yes.
17 Q And he was upset?
18 A He was upset that I didn't tell him when it
19 happened.
20 Q Because he thought you had actually done
21 something with Mr. Kasparian, right?
22 A No.
23 Q Why not?
24 A Because my husband -- if -- he believes me.
25 He believes me.

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1 Q But he was upset with you for being dishonest?
2 A He was just upset that I didn't tell him when
3 it happened.
4 Q So he was upset with you for being dishonest?
5 A No. He was upset that I didn't rely on him to
6 help me through it.
7 Q Okay. Why didn't you tell him right away?
8 A He was in prison.
9 Q Didn't you go and visit him?
10 A Yeah, of course.
11 Q So why didn't you tell him when you went to
12 visit?
13 A I didn't want to bring him into my work. I
14 felt like I handled it. And I didn't want to upset him.
15 He's in prison. He can't help me. He can't do
16 anything. So I didn't want to add that stress to him.
17 Q He got released from prison in 2010, right?
18 A Yes.
19 Q And after he got released from prison, isn't
20 it true that he drove you to work virtually every single
21 day?
22 A We only had one car.
23 Q Isn't it true that he drove you to work every
24 single day?
25 A No.

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1 Q Or virtually so?
2 A No.
3 Q Okay. And isn't it true after he drove you to
4 work he would wait there for about 15, 20 minutes in the
5 parking lot?
6 A No.
7 Q And isn't it true that he came back and took
8 you to lunch on a daily basis?
9 A At times, yeah.
10 Q On a daily basis?
11 A Not daily, no. But at times, yes.
12 Q And then at the end of the day -- he would
13 pick you up at the end of the day?
14 A If he had the car, he would pick me up.
15 Q Okay. Well, if there's only one car, didn't
16 he take it every day?
17 A Not every day.
18 Q Most days?
19 A Not every day.
20 Q Most days?
21 A I can't remember if it was most days.
22 Q Now, let's talk about the situation at the
23 Viejas Casino for a little bit.
24 A Okay.
25 Q You and your husband were there with another

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1 couple; isn't that right?
2 A No. My nephew.
3 Q Sorry?
4 A My nephew was with us.
5 Q Was your nephew with another person?
6 A No.
7 Q So just the three of you?
8 A Correct.
9 Q While you were there did you -- how old is
10 your nephew?
11 A 21, 22.
12 Q Okay. So while you were there did your nephew
13 pick up a female companion?
14 A No.
15 Q So there weren't four of you sitting together
16 at any point?
17 A No.
18 Q Okay. And isn't it true that you were in the
19 restaurant or bar area and saw Mickey come in?
20 A No.
21 Q Okay. So isn't it true that you called him
22 over and asked him how contract talks were going?
23 A No. Sorry. This is -- no, it's not true.
24 MR. CORRALES: It's okay.
25 ///

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1 BY MR. FEINBERG:
2 Q Did you reintroduce him to your husband at the
3 time and say, You remember Matthew, words to that
4 effect?
5 A Yes.
6 Q And they shook hands?
7 A Yes.
8 Q And Mickey's son Michael was with him at the
9 time, right?
10 A No. Mickey had his arm around some woman at
11 the bar when we walked in.
12 Q Someone you knew?
13 A No.
14 Q You said that Mickey offered to buy drinks?
15 A Yes.
16 Q And your husband turned him down, right?
17 A Yes.
18 Q Did Mickey then go walk around to the other
19 end of the bar?
20 A I don't know.
21 Q Well, when your husband approached him, which
22 I gather you observed?
23 A Oh, no. We stayed in the near -- it's not
24 like if Mickey came and offered him drinks and then took
25 off on his business, no. We were -- because Sally then

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1 came. So we were kind of like still together, not
2 sitting at the table all together. But we were all
3 still hanging out.
4 Q Oh, okay.
5 A It's not like Mickey came, offered my husband
6 to buy a drink and then said, Okay; bye; I'm going to go
7 back to my business, no. We were also kind of hanging
8 out because then Sally came.
9 Q Okay. So let me be clear. Mickey and Sally
10 and Michael were sitting somewhere with you and your
11 husband and your nephew?
12 A We were all kind of, yes, hanging out, not
13 just sitting at a table all together. We were all kind
14 of around each other still.
15 Q In the bar area?
16 A No. By this time it was like a table away
17 from the bar.
18 Q So a table in the bar area?
19 A Yes.
20 Q Were you all seated?
21 A I was.
22 Q Was Sally?
23 A I'm sure she was. I think so.
24 Q But at some point your husband and Mickey were
25 apart from you?

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1 A Correct.
2 Q When this altercation took place?
3 A Correct.
4 Q How far away were they?
5 A If I recall correctly, maybe from where my
6 husband is sitting to where the window is.
7 Q 15, 20 feet?
8 A Is that 15, 20 feet?
9 Q I'm asking you to estimate. I can't --
10 A I'm bad at feet and measurements. I'm just
11 bad at that. So I'm just saying about this distance.
12 Q But the court reporter can't take that down.
13 So if we are going to have an estimate, you have to
14 provide it.
15 A Is that 15 feet?
16 MR. CORRALES: If you don't know, you just
17 tell him you don't know.
18 THE WITNESS: I don't know.
19 BY MR. FEINBERG:
20 Q Okay. Relative to where you were sitting,
21 were Mickey and your husband at the other end of the
22 bar?
23 A They were at the bar.
24 Q And that was some distance from where you were
25 sitting, right?

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1 A Yes.
2 Q Because you said you couldn't hear what was
3 said.
4 A No. And then there's music, so I -- no.
5 Q Who walked over to the bar first --
6 A I don't remember.
7 Q -- Mickey or your husband?
8 A I don't remember.
9 Q Isn't it true that Mickey went to the bar and
10 your husband followed him?
11 A No. But I don't remember. I don't think so.
12 I'm sure this is on camera. I don't know. I don't
13 remember.
14 Q Why are you sure it's on camera?
15 A Because after the charges happened, I'm pretty
16 sure that my husband said that his parole officers had
17 seen a video. So I'm sure this was on camera. I don't
18 know who was there first.
19 Q Was his parole revoked as a result of this
20 incident?
21 A Yes.
22 Q He had to go back to prison?
23 A Yes.
24 Q Over this?
25 A Over this.

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1 Q Right. By the way, you've never been
2 disciplined by the union, right?
3 A No.
4 Q And earlier you mentioned Debbie Principe?
5 A Yes.
6 Q During the period in or around December of
7 2016, did you talk to Debbie about what had occurred
8 with you and Mickey at Local 135?
9 A No.
10 Q Had you talked to her about it previously?
11 A Yes.
12 Q When?
13 A After I got fired she was a big support for
14 me, helping me through that time. So she knew about the
15 incident.
16 Q She knew of the incident?
17 A Yes.
18 MR. FEINBERG: We're going to take a short
19 break.
20 MR. CORRALES: Sure.
21 MR. FEINBERG: Off the record.
22 (Recess taken.)
23 MR. FEINBERG: Back on the record.
24 BY MR. FEINBERG:
25 Q You're still under oath.

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1 A Yes.
2 Q Let's talk about this incident at the Viejas
3 Casino and the bar.
4 From the time that you first saw Mickey to the
5 time of the head-butting, about how much time passed?
6 A I can't recall exactly. But maybe an hour.
7 Q Okay. So during that time period, were -- was
8 Mickey in and out of the bar?
9 A I don't know.
10 Q Well, you were there.
11 A I wasn't watching him the whole time.
12 Q Okay. The exit to the bar is right behind the
13 table that you were at?
14 A I don't know.
15 Q Okay. At some point you said Sally came into
16 the bar area?
17 A Yes.
18 Q Did she sit with you?
19 A Yes.
20 Q To your right or left?
21 A I don't know.
22 Q Well, try and visualize the scene.
23 A I don't know.
24 Q You're sitting at a table.
25 The table has how many chairs at it?

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1 A I don't know.
2 Q Well, how many people are sitting?
3 A I don't know.
4 Q Who's there?
5 A I could tell you who's there, but I don't know
6 who's sitting.
7 Q Who's there?
8 A It was me, my husband, Mickey. I think
9 Michael was there at some times and my nephew. Me and
10 my husband got up and danced a couple of times. So I
11 couldn't tell you where everybody was at exactly at
12 every moment.
13 Q And Sally was there too?
14 A Sally was there.
15 Q She was sitting with you?
16 A At some -- during some point in time she sat
17 with me.
18 Q Okay. Do you know if Michael was there the
19 whole time?
20 A No.
21 Q You don't know?
22 A I don't know.
23 Q Okay. So when the -- after the head-butting
24 incident, did you see what happened to Mickey?
25 A Immediately after?

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1 Q Well, after he was -- did people come to help
2 him?
3 A Yeah. I was -- I think I gave him some
4 napkins because he was bleeding.
5 Q Were you screaming at that point?
6 A No.
7 Q Just asking.
8 Was anyone?
9 A There was -- it was a bit chaotic. I couldn't
10 tell you who was yelling.
11 Q Did security come?
12 A Yes.
13 Q Was he escorted to a back room?
14 A Yes.
15 Q How do you know? Did you see him go?
16 A He my husband or he Mickey?
17 Q Mickey.
18 A Yes. I didn't see him go. But, yes, he went
19 to the back area.
20 Q Okay. So out of the bar?
21 A Yes.
22 Q Okay. At some point in time, did you go into
23 that room?
24 A Yes.
25 Q You talked to Mickey?

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1 A Yes.
2 Q Was Sally present?
3 A Yes. Sally yelled out, What? Does he think
4 you guys had an affair? Yeah, Sally was there.
5 Q Did Sally ask why did your husband do this?
6 A No. She just asked. Like she yelled. If you
7 know Sally she's loud. She said, What? Does your
8 husband think you guys had an affair? She just said
9 that out of nowhere.
10 Q What was your response?
11 A I didn't answer it. It was chaotic. It
12 wasn't like we were sitting having a conversation. It
13 was chaotic. She yelled it out at some point.
14 Q It was chaotic in the back room? How many
15 people were there?
16 MR. CORRALES: Is that a yes or no?
17 THE WITNESS: Sorry. It was chaotic for me,
18 yes.
19 BY MR. FEINBERG:
20 Q How many people were in the back room when you
21 were there?
22 A I don't remember.
23 Q Was security still in the room?
24 A I think security was there. Michael was
25 there. Sally was there.

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1 Q And Mickey?
2 A Yeah. But I think somebody was attending to
3 Mickey's nose. I think somebody else was there. It
4 just all happened very quickly after that.
5 Q You were pretty distressed, right?
6 A Yes.
7 Q Because you thought your husband was going to
8 get arrested, right?
9 A I was distressed over the whole event.
10 Q Weren't you begging Mickey not to press
11 charges?
12 A I told him, Don't press charges.
13 Q Did you say, Please don't press charges; he'll
14 go back to prison?
15 A I think I said, Please don't press charges.
16 Q But you're not sure?
17 A No. I remember saying, Don't press charges.
18 Q Do you recall saying anything else?
19 A No.
20 Q All right. So on Saturday, the next day, did
21 you place any calls to Mickey Kasparian?
22 A To him directly? No.
23 Q I'm sorry?
24 A To Mickey?
25 Q To Mickey himself.

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1 A No.
2 Q Okay. How about on Sunday?
3 A No.
4 Q Did you leave a voice mail message saying that
5 your husband was staying with your mother and not with
6 you?
7 A No. I called out sick. I don't think I --
8 Q I'm talking about over the weekend.
9 A Yeah, yeah. I'm trying to remember. I don't
10 -- I called out sick. But I can't remember if I
11 mentioned my husband's whereabouts.
12 Q Over the weekend did you leave any voice mail
13 messages for Mickey on his cell phone?
14 A No.
15 Q Ultimately, were charges pressed against your
16 husband?
17 A Yes.
18 Q And did he go on the run?
19 A Yes.
20 Q He went down to Mexico, right?
21 A I don't know.
22 Q Where was he found?
23 A He was found over there, yes.
24 Q So you knew he went to Mexico?
25 A Yes -- well, yes.

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1 Q Was he then brought back to the states?
2 A Yes.
3 Q Obviously, he's out of prison now because he's
4 sitting here in the office.
5 How long has he been out of jail or prison?
6 A Two years.
7 Q Is he on parole now?
8 A No, he's off parole.
9 Q After the meals with -- let's go back to the
10 bar for a moment.
11 You said that when you first saw Mickey he was
12 in the bar and he had his arm around another woman?
13 Yes?
14 A Yes.
15 Q Where did she go?
16 A I have no idea.
17 Q Did you see her leave?
18 A I have no idea where she went.
19 Q Did you see her leave?
20 A No.
21 Q At some point Michael came into the bar?
22 A Yes.
23 Q Had Mickey gone and returned with Michael, or
24 was Mickey in the bar still with this woman when Michael
25 returned?

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1 A No. Shortly after we got there, I didn't see
2 that woman again.
3 Q When you got there and you saw Mickey with
4 this woman, did you exchange words with her at that
5 point?
6 A I think so.
7 Q Okay. And he's sitting there in the bar with
8 his arm around a woman.
9 A He's standing in front of the bar. He wasn't
10 sitting. He was standing.
11 Q He has his arm around this woman?
12 A Yes.
13 Q And what color hair did she have?
14 A I think it was dark.
15 Q And did you -- were you introduced?
16 A Yeah, yeah, yeah, we were, actually.
17 Q Who did he introduce her as?
18 A I have no idea. I don't remember.
19 Q Even if you don't remember her name, did
20 Mickey explain who she was?
21 A He introduced us. I cannot remember her name.
22 I can't remember if he said who she was.
23 Q Like somebody's sister or a friend or --
24 A He introduced us. I cannot remember her name.
25 I can't remember if he gave an explanation of who she

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1 was.
2 Q And you don't remember what happened to her?
3 A No.
4 Q Okay. So when you were sitting in the
5 bar/restaurant and Sally came in, this woman was no
6 longer there?
7 A After he -- we [sic] eventually introduced us
8 to that woman, I know not the whereabouts.
9 Q After the meeting at Local 135 where you were
10 terminated, were you walked out of the building?
11 A I was escorted out, yes.
12 Q Allowed to get your things from your desk?
13 A Yes. By an off-duty officer -- I think it was
14 an off-duty officer and Rosalyn.
15 Q I think you said -- but I may be wrong. But
16 this is prefatory. I'm not asking you yet.
17 I think you said that you spoke to a number of
18 people at the Local about you being fired after you were
19 fired; is that true?
20 A Yes.
21 Q Who did you speak to?
22 A I spoke to Toni.
23 Q This is Toni Lira Duran?
24 A Yes.
25 Q And who else?

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1 A Debbie Principe.
2 Q And who else?
3 A That's it.
4 Q Just two people?
5 A Yes.
6 Q Well, Debbie Principe is someone you had asked
7 to be transferred away from so you didn't have to work
8 together, right?
9 A No.
10 Q How would you describe your relationship with
11 Debbie before you left the Local?
12 A Good.
13 Q Did you ever have any complaints about Debbie
14 that you expressed to Mickey?
15 A When I got the position -- my insurance
16 position, she was hurt. She thought she was going to
17 get the insurance position. But I was specifically told
18 by Francine to bid for the position by Mickey. So I
19 ended up getting the position. Debbie was hurt, yes.
20 Q When Debbie was hurt, she was angry at you?
21 A No, never at me.
22 Q Did she ever create any problems for you?
23 A She was -- Debbie's the type of person that
24 wears her heart on her sleeve. So she was hurt that she
25 did not get the position, and it showed around the

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1 office.
2 Q Did that make life difficult for you for a
3 time?
4 A For a couple of days, yes. But then me and
5 Debbie talked it out. And I think Rosalyn may have been
6 involved with the conversation. And then it was settled
7 and it was done.
8 Q Did you ask for some kind of work relocation
9 for either one of you so that you didn't have to deal
10 with her?
11 A No.
12 Q Was there a change in her or your work
13 location?
14 A Debbie went to membership at some point, but I
15 can't remember when. It had nothing to do with me. Me
16 and Debbie -- after we talked we were fine.
17 Q So have you remained friends to this day?
18 A Yes.
19 Q Do you know if Debbie shared your story about
20 Mickey with Isabel?
21 A I don't know.
22 Q Well, when the lawyers called -- Isabel's
23 lawyers called you to ask you about the reason for your
24 termination, did you ask, Why are you asking me?
25 A No.

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1 Q Didn't it occur to you that it was odd to come
2 out of the blue after all those years?
3 A No.
4 Q Why?
5 A Because after my husband went to prison, I
6 finally spoke. So they could have heard from many
7 people. I no longer tried to keep it a secret. So
8 I -- no, it was not a surprise to me that they knew my
9 story.
10 Q So how long was it after you were terminated
11 that your husband went back to prison?
12 A How long was it after I was terminated that my
13 husband went to prison? A year.
14 Q So he was on the run for about a year?
15 A No. It was courts. And then I was pregnant
16 -- when I was actually fired, I was pregnant at the
17 time. So they extended some of the court dates, the
18 judge, so he could be here for our child's birth. So,
19 no, he was not on the run for a year.
20 Q So when you say that after your husband went
21 to prison then you became more open about talking about
22 things -- so that's about a year after you were
23 terminated?
24 A About a year.
25 Q 2012 sometime?

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1 A Yes.
2 Q And at that point who did you reach out to?
3 A Oh, I didn't reach out to anyone. It was
4 just -- I didn't purposely start calling people
5 immediately. It was -- I guess we talked.
6 Q So who during that time period, a year after
7 your termination -- who from Local 135 were you still in
8 touch with?
9 A Debbie, Toni.
10 Q The second one?
11 A Toni. That's it.
12 Q Just those two?
13 A Yeah.
14 Q I'm sorry. I must have misunderstood. I
15 thought you had talked to Toni much earlier?
16 A Oh, yeah. Well, you asked who I was still in
17 contact with. Up until Toni's death I was -- continued
18 being in contact with her.
19 Q I understood you to say that after your
20 husband went to prison you felt freer to talk about what
21 happened at Local 135 with other people? Yes?
22 A Yes.
23 Q Who are those other people?
24 A For example, Darryl Fountain. If -- like I
25 said, I didn't call anybody purposely. If I happened to

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1 see them, if it -- I would tell them what happened.
 2 Perfect example is Darryl Fountain. I saw him at the
 3 beach later and I told him.
 4 Q So what I'd like to know besides
 5 Darryl Fountain and Toni Lira Duran and Debbie Principe
 6 who else have you shared your story with?
 7 A I can't think of -- I can't think of anybody
 8 else.
 9 Q Okay. Have you actually talked to Isabel
 10 about what happened to you?
 11 A No.
 12 Q Have you spoken to Sandy Naranjo about what
 13 happened to you?
 14 A No.
 15 Q Have you spoken to Anabel Arauz about what
 16 happened to you?
 17 A No. I don't even --
 18 Q Do you know Anabel?
 19 A I actually didn't meet them until Isabel's
 20 wedding. I never met them before.
 21 Q How about Odete?
 22 A Odete -- I worked with Odete.
 23 Q So after you left Local 135, at any time have
 24 you discussed --
 25 A After Odete --

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1 Q Let me finish the question.
 2 A Sorry.
 3 Q After you left Local 135, have you discussed
 4 the circumstances leading up to and including your
 5 termination with Odete Kaufmann?
 6 A No.
 7 Q At any time?
 8 A No.
 9 MR. FEINBERG: Off the record.
 10 (Recess taken.)
 11 MR. FEINBERG: Back on the record.
 12 No further questions.
 13 MR. CORRALES: I propose that we relieve the
 14 court reporter of her duties under the Code; that the
 15 original transcript be sent to -- do you have any
 16 problem having it sent to her?
 17 MR. FEINBERG: Yeah. I think we should
 18 relieve the court reporter under the Code.
 19 MR. CORRALES: You're not agreeable to
 20 stipulating?
 21 Off the record.
 22 (Discussion held off the record.)
 23 MR. CORRALES: Back on the record.
 24 No stipulation. We're going to go by Code.
 25 And the court reporter will explain to the witness her

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1 opportunities and responsibilities in signing the
 2 transcript.
 3 (TIME NOTED 12:27 p.m.)
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Page 104

1 DECLARATION UNDER PENALTY OF PERJURY
 2
 3 I, ROSANGEL MINER, do hereby declare under
 4 penalty of perjury that I have read the foregoing
 5 transcript; that I have made any corrections as appear
 6 noted, in ink, initialed by me, or attached hereto; that
 7 my testimony as contained herein, as corrected, is true
 8 and correct.
 9 EXECUTED this _____ day of
 10 _____, 2017, at
 11 _____, _____
 12 (City) (State)
 13
 14
 15
 16 _____
 17 ROSANGEL MINER
 18
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1 DEPONENT'S CHANGES OR CORRECTIONS
2 Note: If you are adding to your testimony, print the
3 exact words you want to add. If you are deleting from
4 your testimony, print the exact words you want to
5 delete. Specify with "Add" or "Delete" and sign this
6 form.

7
8 DEPOSITION OF: ROSANGEL MINER
9 CASE: VASQUEZ V. KASPARIAN
10 DATE OF DEPOSITION: OCTOBER 27, 2017

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

1
2
3 I, CHRISTINE MILKOVITS, a Certified Shorthand
4 Reporter of the State of California, do hereby certify:
5 That the foregoing proceedings were taken
6 before me at the time and place herein set forth; that
7 any witnesses in the foregoing proceedings, prior to
8 testifying, were administered an oath; that a record of
9 the proceedings was made by me using machine shorthand
10 which was thereafter transcribed under my direction;
11 that the foregoing transcript is a true record of the
12 testimony given.

13 Further, that if the foregoing pertains to the
14 original transcript of a deposition in a Federal Case,
15 before completion of the proceedings, review of the
16 transcript [] was [] was not requested.

17 I further certify that I am neither
18 financially interested in the action nor a relative or
19 employee of any attorney or any party to this action.

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

22
23 Dated: 11/3/2017

Christine Milkovits

Christine E. Milkovits
CSR No. 12650

1 DEPONENT'S CHANGES OR CORRECTIONS
2 Note: If you are adding to your testimony, print the
3 exact words you want to add. If you are deleting from
4 your testimony, print the exact words you want to
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25	Deponent's Signature _____		Date _____

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