

19TH JUDICIAL DISTRICT COURT
PARISH OF EAST BATON ROUGE
STATE OF LOUISIANA

BETHANY A. GAUTHREAUX

NO. 640700

VS.

SECTION 24

STATE OF LOUISIANA,
THROUGH THE DEPARTMENT
OF HEALTH AND HOSPITALS, ET AL

Testimony of

BETHANY A. GAUTHREAUX

taken on Monday, September 19, 2016, before
Kimberly L. Gibney, Registered Professional
Reporter, at the Law Office of Jill Craft &
Crystal Bounds, 509 St. Louis Street, Baton
Rouge, Louisiana.

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Witness

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BETHANY A. GAUTHREAUX

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By Mr. Blanchfield

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By Ms. Bounds

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Exhibit

Description

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Exhibit 1

6-18-13 E-mail From Weldon Hill to Bethany

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Exhibit 2

Position Description

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Exhibit 3

7-28-2014 EEOC Form

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Exhibit 4

10-1-2014 Charge of Discrimination

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Exhibit 5

Citation - Eight page document

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S T I P U L A T I O N

It is stipulated and agreed by and among Counsel that the deposition of BETHANY A. GAUTHREAUX, on Monday, September 19, 2016, is hereby being taken under the Louisiana Code of Civil Procedure for all purposes as permitted under law.

The witness waives the right to read and sign the deposition. The original is to be delivered to and retained by Andrew Blanchfield, Esq., for proper filing with the Clerk of Court.

All objections, except those as to the form of the questions and/or the responsiveness of the answers, are reserved until the time of the trial of this cause.

1 BETHANY A. GAUTHREAUX,
2 13408 Meadow Crossing Drive in Walker, Louisiana
3 70785, having been called as a witness, being
4 duly sworn, testified as follows:

5 MS. BOUNDS: Before you get
6 started, usual stipulations. We reserve
7 objections except to the form of the question
8 and responsiveness of the answer.

9 MR. BLANCHFIELD: Good. Okay.

10 EXAMINATION

11 BY MR. BLANCHFIELD: (Commencing at 9:34 a.m.)

12 Q. Ms. Gauthreaux, my name is Drew
13 Blanchfield. I represent the three defendants
14 in this matter, and I'm here today to take your
15 deposition.

16 Have you ever given a deposition
17 before?

18 A. No, sir.

19 Q. Have you ever taken a deposition like
20 I'm doing?

21 A. No, sir.

22 Q. Just a few basic ground rules, and I'm
23 sure Ms. Bounds has probably discussed some of
24 them with you, but I'm here to ask you
25 questions. Let me get my whole question out

1 before you answer it. I'm going to let you
2 finish your answer before we move on to the next
3 question. This young lady is taking down
4 everything that we say, so we're going to try
5 not to talk at the same time. Okay?

6 A. Okay.

7 Q. And if you could try to verbalize your
8 responses. Sometimes in normal language we have
9 a tendency to say things like huh-uh and uh-huh
10 so we'll try to avoid that. Okay?

11 A. Okay.

12 Q. And if you want to take a break at any
13 time during this deposition, tell me, and we'll
14 just take a break. Okay?

15 A. All right.

16 Q. All right. Can you state for me your
17 full name and home address.

18 A. Sure. Name is Bethany Gauthreaux.
19 Address is 13408 Meadow Crossing Drive in
20 Walker, Louisiana 70785.

21 Q. And how long have you lived at that
22 address?

23 A. Five years.

24 Q. And who lives there with you?

25 A. My husband and two daughters.

1 Q. What is your husband's name?

2 A. John Gauthreaux.

3 Q. And when were you married to John?

4 A. December of 2010.

5 Q. Okay. And your daughters, could you
6 give me their names and ages?

7 A. Zoey Gauthreaux is two and a half. And
8 Hannah Gauthreaux is seven months.

9 Q. And what is Zoey's date of birth?

10 A. February the 6th of 2014.

11 Q. And Hannah's birthday?

12 A. February 8th of 2016.

13 Q. Are you currently employed?

14 A. No, sir.

15 Q. Have you been employed since leaving the
16 Department of Health and Hospitals?

17 A. No.

18 Q. Where did you go to high school?

19 A. I went to Ponchatoula High School.

20 Q. What year did you graduate?

21 A. 2001.

22 Q. Did you grow up in that area,
23 Ponchatoula area?

24 A. Yes.

25 Q. What did you do in 2001? Did you have

1 further formal education?

2 A. I went to Southeastern.

3 Q. And you received a degree from
4 Southeastern?

5 A. Yes, sir.

6 Q. What year?

7 A. I think it was 2004, 2005.

8 Q. What was the degree in?

9 A. It was a Bachelor in social work.

10 Q. And what did you do after that?

11 A. After that I went to SUNO, Southern
12 University of New Orleans, and got a Master's
13 degree in social work.

14 Q. What year did you receive that degree?

15 A. I think it was 2005.

16 Q. Did you work while obtaining that
17 degree?

18 A. No. I worked probably for three months
19 at Target, I think, before I went to SUNO, but
20 not while I was obtaining the degree.

21 Q. Okay. And after obtaining that degree
22 in 2005, what did you do?

23 A. I went on to work at North Oaks Medical
24 Center as a Social Worker II in case
25 management.

1 Q. That would have been around '05 or
2 '06?

3 A. (Indicating.) Yes, sir.

4 Q. As a case manager?

5 A. Yes.

6 Q. And what is a case manager? What were
7 your duties there?

8 A. I did discharge planning on the
9 telemetry south unit for 30 patients.

10 Q. That was a full-time job?

11 A. Yes, sir.

12 Q. How long did you work there?

13 A. I was there for about a year and a half.

14 Q. And what did you do after leaving there?

15 A. I went to law school at Southern Law
16 Center.

17 Q. During the day, or?

18 A. I started out at nighttime doing the
19 part-time evening program.

20 Q. And what year was that? What was your
21 first year in law school?

22 A. I think I started August of 2008.

23 Q. What made you decide to leave the
24 profession as a social worker and go to law
25 school?

1 A. I had always wanted to go to law school.
2 It had been something I had talked about since I
3 was 13.

4 Q. Did you enjoy your job at North Oaks?

5 A. I did.

6 Q. Was there something that you had planned
7 to do once you started law school, once you got
8 your law degree?

9 A. I had originally wanted to be a family
10 attorney, but seeing what the state benefits
11 were, I ultimately applied for a position at
12 TPL.

13 Q. Okay. You started your law -- working
14 toward your law degree in 2008. When did you
15 get the degree?

16 A. I know I was admitted in August of 2012.
17 I think it was in May of 2012 that I got the
18 degree.

19 Q. You were sworn in, in August of '12?

20 A. October.

21 Q. October.

22 A. October of 2012 is when I was admitted.

23 Q. Are you currently a licensed attorney in
24 Louisiana?

25 A. Yes, sir.

1 Q. You maintain your annual CEL
2 requirements?

3 A. Yes.

4 Q. You mentioned the benefits, state
5 benefits. What were you specifically referring
6 to?

7 A. For retirement. The health insurance as
8 well. But during the course that I worked for
9 the state, I didn't have the state health
10 insurance.

11 Q. Did you have health insurance while you
12 were attending Southern University?

13 A. I don't believe I did.

14 Q. What's your husband do for a living?

15 A. He is a technician at Volkswagen.

16 Q. How long has he worked in that capacity?

17 A. I think he's been there for almost ten
18 years.

19 Q. You met him while you were working at
20 North Oaks?

21 A. No, sir. I met him while I was in law
22 school.

23 Q. Did he have health insurance?

24 A. He did.

25 Q. Were you on his policy?

1 A. No.

2 Q. Why not?

3 A. When I got married, I did get on his
4 policy. He was a firefighter for St. George at
5 that time. So we were on his policy.

6 Q. When Zoey was born in 2014, were those
7 medical bills covered by your husband's health
8 insurance?

9 A. They were.

10 Q. And was that through the fire
11 department?

12 A. Yes.

13 Q. How did you learn of the position at
14 DHH?

15 A. Through the Louisiana Civil Service job
16 posting on the website.

17 Q. Were there any other jobs that you
18 interviewed for around that time frame?

19 A. None other than I interviewed for.

20 Q. Did you know anyone at that time -- this
21 is 2014?

22 A. Did I know anybody?

23 Q. At the DHH.

24 A. No.

25 MS. BOUNDS: In 2014?

1 Q. I'm sorry. When did you hire on? It
2 was June 2013?

3 A. June 2013.

4 Q. Did you know anyone working at DHH in
5 2013?

6 A. Huh-uh, no.

7 MS. BOUNDS: Thank you. That's
8 okay.

9 Q. You were -- when did you first interview
10 with DHH?

11 A. I think it was early in June of 2013
12 that I interviewed.

13 Q. Who did you interview with?

14 A. I interviewed with Weldon Hill, Kim
15 Sullivan, and there was a student in the room as
16 well, but I don't know her name.

17 Q. How long did the interview take?

18 A. Probably less than 30 minutes.

19 Q. And how long was it before you were
20 offered a job?

21 A. I was offered the job that same day,
22 probably about 4 o'clock that day. Weldon
23 called me.

24 (Exhibit No. 1 marked for
25 identification.)

1 Q. I'm going to show you an e-mail I'll
2 mark as Exhibit 1 and ask you if you recognize
3 that. Do you recall receiving that?

4 A. Yes.

5 Q. Was that the -- you said he called you.
6 Did he call you and send an e-mail?

7 A. Yes. He had called me.

8 Q. And that allenb_83@yahoo, that was your
9 personal e-mail?

10 A. Yes.

11 Q. All right. And he mentions the
12 appointment, the conditional offer upon
13 fulfillment of conditions of employment which
14 were given to you at the interview. Do you
15 remember receiving those?

16 A. I remember being told I'd have to submit
17 to a drug screening.

18 Q. Do you remember if you were given any
19 conditions, printed written conditions, of
20 employment?

21 A. Yes.

22 Q. You do recall that?

23 A. I believe they gave me some information.

24 (Exhibit No. 2 marked for
25 identification.)

1 Q. Okay. I'm going to show you Exhibit 2.
2 It's a position description with duties and
3 responsibilities. I apologize, I got a lousy
4 copy, but ask you if you recognize that.

5 A. Yes.

6 Q. Okay. Do you know if you were given any
7 other written conditions or literature in
8 conjunction with the job offer in June of
9 2013?

10 A. I don't remember.

11 Q. Okay. Were you told kind of what your
12 job would entail at that time?

13 A. There was a description.

14 Q. Okay. Tell me, what do you remember
15 about that?

16 A. I remember it stated I would be working
17 third-party liability, Medicaid, the typical
18 going to court, mediation.

19 Q. Okay. And it was something that you
20 thought you would do okay in and thrive in?

21 A. Yes, sir. I had worked with Medicaid
22 while I was a social worker at the hospital. It
23 was something I felt comfortable with.

24 Q. Okay. So this was your first job as a
25 licensed lawyer?

1 A. Yes.

2 Q. And when did you start?

3 A. It was either June 23rd or the 26th. I
4 don't remember the exact date.

5 Q. You were pregnant at that time, June
6 2013?

7 A. Yes.

8 Q. You knew that you were pregnant --

9 A. Yes.

10 Q. -- back in June of 2013?

11 A. (Indicating.)

12 Q. You knew that you would take maternity
13 leave when you interviewed with DHH?

14 A. I knew I was pregnant. I hadn't thought
15 necessarily ahead of whether or not maternity
16 leave.

17 Q. When did you decide to take maternity
18 leave?

19 A. You mean how long I had been working
20 there?

21 Q. Yes, if you know.

22 A. Weldon had asked me how long I had
23 planned to take. I remember telling him I
24 wanted to do the 12 weeks.

25 Q. Do you remember when you told them -- do

1 you remember when you informed them that you
2 were pregnant? You didn't tell them you were
3 pregnant when you interviewed.

4 A. Not at the interview I didn't.

5 Q. All right. At some point you told them
6 you were pregnant and you wanted to take
7 maternity leave. Correct?

8 A. I told Weldon at about 17 weeks that I
9 was pregnant.

10 Q. At 17 weeks, when would that have been
11 about, approximately what month?

12 A. Probably about three to four months into
13 the job.

14 Q. So somewhere around September or
15 October-ish?

16 A. Or August.

17 Q. You're not sure?

18 A. I'm not.

19 Q. Sometime either August, September, or
20 October, you don't know?

21 A. Or sometime in August or September.

22 Q. Okay. And you told -- you told
23 Weldon?

24 A. I told Weldon.

25 Q. And you told him that you were going to

1 take 12 weeks of maternity leave?

2 A. He had asked how -- how long I had
3 wanted to take maternity leave, and I had told
4 him 12 weeks.

5 Q. Okay.

6 A. It didn't come up at that conversation.

7 Q. All right.

8 A. He didn't ask when I first told him that
9 I was pregnant.

10 Q. Okay. What was your understanding with
11 respect to maternity leave policy of DHH for
12 someone in your position of hire?

13 A. I knew being a job appointment my job
14 was not secure. I wasn't entitled to FMLA
15 because I hadn't been there for a year.

16 Q. Did you discuss that issue with anyone
17 at DHH, the fact that you were not entitled to
18 FMLA?

19 A. I had discussed it with a couple other
20 employees.

21 Q. Who?

22 A. I had spoken to Kathleen Callaghan.

23 Q. And what was the content of that
24 conversation as best you can recall?

25 A. Just that I knew I was a job appointment

1 and I hadn't been working there for a year.

2 Q. Did you tell her, hey, Kathleen, I want
3 to take the full 12 months?

4 MS. BOUNDS: Weeks you mean?

5 MR. BLANCHFIELD: I'm sorry.
6 Just seems like months.

7 Q. Did you tell her that you were going to
8 take the full 12 weeks?

9 A. No.

10 Q. Did you discuss with her your options?

11 A. It was mostly just to tell her I
12 understood that I didn't have any sort of
13 protection or that I could use FMLA.

14 Q. Okay.

15 A. I knew I was at his mercy.

16 Q. And "his" you're referring to?

17 A. To Weldon.

18 Q. And when you say "at his mercy,"
19 essentially he or whomever at DHH would make a
20 decision whether or not you would continue in
21 employment and be permitted to take 12 weeks
22 off?

23 A. Yes.

24 Q. And you understood that would be without
25 pay?

1 A. Yes.

2 Q. Let me ask you. Who is Orshelle
3 Roberts?

4 A. Orshelle Roberts is a woman I went to
5 law school with.

6 Q. Where is she now, if you know?

7 A. I don't know.

8 Q. You listed her as a reference.

9 A. She was a paralegal while she was in law
10 school and had offered to be a reference.

11 Q. Okay. What about Cindy Martin, who is
12 that?

13 A. She is a distant cousin to my dad.

14 Q. And who is your dad?

15 A. Glenn Allen.

16 Q. Is Glenn Allen, is he a physician?

17 A. He's a nuclear medicine technologist.

18 Q. And is he here in town?

19 A. He works at North Oaks Hospital.

20 Q. Do you still keep in contact with Cindy
21 Martin?

22 A. No.

23 Q. What about Shawn Vance?

24 A. He was a professor at Southern Law
25 Center.

1 Q. Do you keep in contact with him?

2 A. No.

3 Q. Judy Posey?

4 A. She is a social worker. She used to
5 work for the Human Health Center, but I don't
6 think she's there anymore. And I don't keep in
7 contact with her.

8 Q. And then James Kuhn, he's a judge,
9 right?

10 A. Yes.

11 Q. You worked for him in an extern
12 program?

13 A. I did an externship with him.

14 Q. While you were attending Southern?

15 A. Yes.

16 Q. What kind of things did you do with
17 Judge Kuhn?

18 A. They had me research cases, type up the
19 background history of a case, whatever the law
20 checkers asked me to do.

21 Q. Did you enjoy that?

22 A. I did.

23 Q. So the time period from June when you
24 hired on to February of the next year, that's --
25 February is when you started maternity leave?

1 A. I think officially it was the very last
2 day of January --

3 Q. Okay.

4 A. -- that I started. That was my last day
5 of work, rather, was the very last day of
6 January.

7 Q. So you worked about seven months or so
8 before you took maternity leave, correct?

9 A. Yes.

10 Q. Tell me about those seven months. You
11 were working in the TPL section, correct?

12 A. Yes.

13 Q. And you were working with Weldon Hill,
14 correct?

15 A. Yes.

16 Q. And who else? Who were your other
17 coworkers at that time?

18 A. Daniel Duhon also worked TPL.

19 Q. Anyone else?

20 A. That's it.

21 Q. So at that time the supervisor was
22 Mr. Hill and he supervised you and Mr. Duhon?

23 A. Yes.

24 Q. Tell me about that seven-month period.
25 Was that a good period, a bad period,

1 problematic?

2 A. It was not a good period.

3 Q. Okay. And tell me why it was not a good
4 period.

5 A. Within the first couple weeks of working
6 for him, he would say things like "tough titty
7 said the kitty and the runt gets the hind teat"
8 when I would come and ask questions about cases.
9 He would constantly quiz me on Louisiana Revised
10 Statute 46:446. He had this three-prong test.
11 He would refer to it as TPL 101 within the
12 statute. And the statute itself does not have
13 three words. It's several paragraphs. And he
14 would want me to give him just three words. I
15 could not give him a paragraph. Could not give
16 him two words and one prong. It had to be just
17 three words.

18 And he would quiz me often. And
19 his three prongs were forever changing to the
20 point that it didn't matter if I wrote them
21 down, the next time he would ask me they would
22 be definitely be different.

23 And then he would go on a rant
24 very loudly -- I'm sure the people around me
25 could hear -- that I did not get it. I did not

1 know TPL 101. I wasn't getting it.

2 And he would tell me that I was
3 expected to read Louisiana Revised Statute
4 46:446 often because he would quiz me
5 repeatedly. He would tell me how disappointed
6 he was that I couldn't get it right, but his
7 answers were always changing. And it was just
8 me. I didn't hear him going in there and
9 quizzing Daniel on TPL 101 or Louisiana Revised
10 Statute 46:446. Daniel even came in and told me
11 if Weldon was to go in there and ask him, he
12 would not even know.

13 Weldon had a specific way he
14 wanted files to be organized within the file.
15 He gave me what he called a sample file that was
16 literally probably seven or eight pages.
17 Nothing more than the cover sheets from the
18 LMMIS program printed out and placed into a
19 file. And the file I was attempting to organize
20 were 20, 30, 40 pages. So it didn't matter how
21 I attempted to organize these files, they were
22 never right.

23 It was a constant battle. If I
24 had a question regarding a case I was working
25 on, he would want to see the file. I would

1 bring it to him. He would thumb through it. He
2 would tell me this file is not in order, and he
3 would shove it back at me, tell me to get it in
4 order, and then come back and ask him the
5 question. I never encountered or heard him say
6 this to the male attorney in our section. It
7 was just me.

8 Q. Okay. So -- and, obviously, the male
9 attorney you're speaking of is --

10 A. Is Daniel Duhon. I was never allowed to
11 do lien reductions. There was a period of about
12 a week he had came and told me that he was going
13 to authorize me because I had been there for
14 about four -- four months. And he was going to
15 let me do lien reductions, but I couldn't take
16 under 50 percent of the lien amount without his
17 approval.

18 And then the following week he
19 came to me and he told me that he never gave me
20 permission to do lien reductions, and he laughed
21 at me and told me, "Oh, no, no, when you have a
22 lien reduction, it has to come through me." And
23 he said this loudly in the hallway for other
24 people to hear.

25 It was a humiliating seven

1 months, but I was at his mercy as far as my job
2 appointment. They could get rid of me whenever
3 they pleased. And I was pregnant. So I
4 attempted to ignore him as best I could.

5 Q. Okay. When you say -- you mentioned
6 other people in the area hearing him, what
7 people are you talking about specifically?

8 A. Daniel Duhon. Sherry King had come to
9 me. Christina Robertson and Kathleen Callaghan.
10 Those are the ones I knew of that had come to me
11 and told me they could hear him yelling at me
12 through the wall.

13 Q. Each of those four individuals had
14 offices near yours?

15 A. Near mine, yes, sir.

16 Q. And Kathleen Callaghan, what was her
17 job?

18 A. She's an attorney supervisor, or was.

19 Q. None of these individuals except
20 Mr. Duhon worked in TPL, though, correct?

21 A. That's correct.

22 Q. You mentioned going and talking to
23 Kathleen Callaghan about being pregnant. Were
24 you friends with her?

25 A. I felt like I trusted her. I had been

1 warned by several employees about the first week
2 of working for him, working for Weldon, I had
3 mentioned his behavior to them and was very
4 quickly told by several different people that
5 you have to be careful what you say about
6 Weldon. If Kim Humbles or Steve Russo finds
7 out, that it would be very bad for you.

8 Q. Who told you that?

9 A. Daniel Duhon told me. Ashley Clark had
10 told me and Kathleen Callaghan.

11 Q. Who's Ashley Clark?

12 A. She was the paralegal.

13 Q. What section was she in?

14 A. She worked under the administrative
15 assistant.

16 Q. Were you friends with Ms. Clark?

17 A. I spoke to her at work. I wouldn't
18 necessarily say friends.

19 Q. Would you describe yourself as a friend
20 with Kathleen Callaghan?

21 A. I keep in touch with Kathleen.

22 Q. What about Mr. Duhon?

23 A. No, I don't talk with Daniel.

24 Q. When's the last time you spoke with
25 Mr. Duhon?

1 A. August of last year, 2015, is the last I
2 spoke to him.

3 Q. And was there any reason that you have
4 not spoken to him in little over a year?

5 A. With this ordeal, I just didn't reach
6 out to him, and he hasn't reached out to me. So
7 I've left it at that.

8 Q. Okay. Did you ever have a discussion
9 with Mr. Duhon that, given the fact that there's
10 litigation here, that y'all were just not going
11 to talk?

12 A. I never said anything like that to him
13 and he didn't either. The last he knew I had
14 the EEOC Complaint.

15 Q. So y'all just stopped talking? There
16 was never a discussion where you jointly made
17 the decision not to communicate any more?

18 A. August 2015 he wished me a happy
19 birthday, and that's the last I talked to him.

20 Q. Okay. When did you first file the EEOC
21 Complaint?

22 A. It was October of 2014, I think.

23 Q. Did you consult a lawyer before filing
24 that?

25 A. I did. I spoke to Jill Craft.

1 Q. When did you first speak with
2 Ms. Craft?

3 A. It had to have been shortly before
4 filing 'cause she gave me the paperwork. I
5 brought it home, filled it out, and brought it
6 back. And she filed it. Maybe it was
7 September, I don't really know.

8 Q. Let's see what we've got here.

9 A. August, September.

10 Q. Some confusion, I think, at least in
11 my...

12 (Exhibit No. 3 marked for
13 identification.)

14 MR. BLANCHFIELD: Exhibit 3,
15 which is some of the documents that your lawyers
16 have sent me in discovery.

17 MS. BOUNDS: Let's just identify
18 for the record. So it's dated July 28th, 2014,
19 and it's addressed to the Human Resources
20 Director at DHH.

21 MR. BLANCHFIELD: Correct.

22 Q. Do you recognize that document?

23 A. No. I don't think I've ever seen this.

24 Q. Okay. Says person filing charge,
25 Bethany Gauthreaux.

1 A. I see.

2 Q. And the reason I'm asking you this is it
3 obviously looks like Ms. Bounds stated July
4 28th, 2014. So was that the first EEOC notice
5 or first claim?

6 MS. BOUNDS: And, I'm sorry, for
7 the record, it's not a claim, but it's
8 correspondence from the EEOC to the HR Director.

9 Q. Do you know if you had filed an EEOC
10 claim on or before July of 2014?

11 A. I don't know.

12 Q. Do you know when you first filed an EEOC
13 claim?

14 A. I thought it had been in October, but
15 maybe that was just when the investigator
16 contacted me.

17 MR. BLANCHFIELD: You can flip
18 that over and throw it in the stack. Thank you.

19 I'll label this Exhibit 4. It's
20 a two-page document.

21 (Exhibit No. 4 marked for
22 identification.)

23 Q. Do you recognize that document?

24 A. I do remember this, and it's dated
25 October 1st, 2014.

1 Q. All right. So if my question about
2 filing the EEOC Complaint -- let me ask it this
3 way.

4 Do you remember when you came to
5 the decision to file a Complaint?

6 A. It was after meeting with Jill.

7 Q. Okay. Do you know when that meeting
8 occurred?

9 MS. BOUNDS: Objection to the
10 extent it's asked and answered.

11 But you can answer again.

12 A. I guess I met with her in July maybe. I
13 don't really know.

14 Q. Okay. Was there some event that
15 precipitated you contacting Ms. Craft?

16 A. After -- after the internal
17 investigation and I was told that I was 50
18 percent at fault and was being moved, I think
19 that was when I came to talk to her.

20 Q. Okay. And when were you informed of the
21 results of the investigation?

22 A. Of the EEOC or the internal
23 investigation?

24 Q. The internal, the one you just
25 referenced.

1 A. I think that happened in July of -- July
2 25th or around there.

3 Q. Okay. But as we sit here today,
4 that's -- your testimony is the meeting wherein
5 you were informed of the results of the
6 investigation, the Gill investigation, that's
7 when you decided to seek counsel and file a
8 Complaint?

9 A. It was either that or after the June
10 11th meeting. I really can't remember what day
11 I met with Jill.

12 Q. So it's possible?

13 A. It's possible.

14 Q. I'm sorry?

15 A. It's either one of those events that
16 happened.

17 Q. Okay. And let's identify those meetings
18 for the record. There was a meeting June
19 11th --

20 A. Yes.

21 Q. -- at your place of employment,
22 correct?

23 A. (Indicating.)

24 Q. And who was present besides yourself?

25 A. It was Weldon Hill, Stephen Russo,

1 Kimberly Humbles, Lavon Raymond Johnson, and
2 Neal Elliott.

3 Q. Okay. And then the other meeting that
4 we had discussed is the meeting where you were
5 informed of the results of the Department of
6 Administration investigation by Mr. Gill; is
7 that correct?

8 A. Yes.

9 Q. All right. So -- and if I understand
10 your testimony, you're not sure if you decided
11 to file the claim after the June 11th meeting or
12 after the meeting where you were informed of the
13 investigation results; is that correct?

14 A. That's correct.

15 Q. But, regardless, sometime around that
16 time period, be it June or July, is when you
17 decided you were going to file a claim?

18 A. Yes.

19 Q. All right. Now, in discovery I have
20 also been supplied with some recorded
21 conversations. You're familiar with those?

22 A. Yes.

23 Q. Let me go back a little bit.

24 What have you reviewed in
25 preparation for today?

1 A. I reviewed my lawsuit, interrogatories,
2 and that is it.

3 Q. Okay. Did you review the documents that
4 were produced to me in two different sets of
5 responses to request for production?

6 A. The document -- wait.

7 Q. There was some documents that your
8 attorneys produced. First round was 365 pages
9 of documents. And then there was another round
10 of 124 pages.

11 A. No, I did not.

12 Q. You didn't review those?

13 MS. BOUNDS: In preparation for
14 her deposition --

15 MR. BLANCHFIELD: Yes.

16 MS. BOUNDS: -- or at the time
17 we produced?

18 Q. In preparation for your deposition.

19 A. No.

20 Q. So that's all you did was you reviewed
21 your lawsuit and you reviewed some written
22 interrogatory responses, correct?

23 A. Yes.

24 Q. Did you listen to any of the tape
25 recordings?

1 A. I listened to one of them from July 14
2 of 2014.

3 Q. Is that the only one you listened to?

4 A. For preparation.

5 Q. Okay. Why did you pick that particular
6 one?

7 MS. BOUNDS: For the record, if
8 it discloses any attorney/client privilege,
9 we're going to object to it. So I'll ask you
10 not to answer about any conversations or
11 communications that we may have had.

12 Q. Did you understand my question?

13 Can you answer that question
14 without divulging attorney/client privilege?

15 A. No.

16 Q. All right. When did you make the
17 decision to record conversations in the
18 workplace?

19 A. One of the attorneys I worked with had
20 mentioned that I should get a tape recorder.

21 Q. Who?

22 A. It was Kathleen Callaghan.

23 Q. And when did Ms. Callaghan make that
24 recommendation to you?

25 A. It was after my meeting with Weldon on

1 June 3.

2 Q. Okay. And so she made the
3 recommendation to you sometime after June 3rd
4 that you get a recorder and record
5 conversations?

6 A. Yes.

7 Q. And how did you record these
8 conversations? What device did you use?

9 A. At first all I had was my phone, but
10 later I did get a recorder and used that.

11 Q. I notice that on some of the recordings
12 there is actual -- a visual portion in addition
13 to audio. Is that your phone?

14 A. It's the phone. I had an app on the
15 phone, but it wasn't working properly, so I just
16 used the camera thing.

17 Q. And what day was the first day that you
18 recorded conversations?

19 A. I think the first one was the first
20 meeting I had with Weldon and Neal. It was
21 after the June 11th meeting. Part of the
22 resolution was that I should meet with Weldon
23 and Neal once a week to discuss our relationship
24 and to troubleshoot cases. I think that was the
25 first one that I had recorded.

1 Q. You did not record the June 11th
2 meeting?

3 A. No.

4 Q. And the meeting -- if I understand it,
5 the meeting that you had with Weldon and Neal
6 was on the 17th of June?

7 A. That sounds -- that sounds right.

8 Q. And you recorded that meeting?

9 A. (Indicating.)

10 Q. You need to verbalize yes.

11 A. Yes.

12 Q. Okay. Was that -- is that your
13 understanding as to the first recording that you
14 made in the workplace, it was June 17th of the
15 meeting with Neal and Weldon?

16 A. I think that was it.

17 Q. And how did you -- when did you move
18 from using the iPhone to the recording device?

19 A. I don't really know. There's an overlap
20 because one of the recordings has camera
21 footage, and I also have just the audio footage.
22 It must have been before the 17th because I had
23 the conversation from 7/14 also recorded.

24 Q. I don't understand your answer. You had
25 the meeting from July 14th recorded? That's

1 after June.

2 A. Oh, I mean, June 11th was the big
3 meeting. And July 14th I had recorded that
4 meeting. Okay. June 17th was the meeting with
5 Neal and Weldon. Okay. I got my dates a little
6 confused.

7 Q. Okay.

8 A. But I think I'm --

9 Q. Back on track?

10 A. I think so.

11 Q. So the best you can recall, the first
12 meeting that you recorded was the June 17th
13 meeting with Weldon and Neal?

14 A. Yes.

15 Q. You did not record the June 11th
16 meeting, correct?

17 A. No.

18 Q. And you mentioned a June 3rd meeting.
19 Was that June 3rd -- who was that meeting with?
20 Just Weldon?

21 A. That was a meeting with just Weldon.

22 Q. That was not recorded?

23 A. No.

24 Q. Was there a June 4th meeting with Kim
25 Humbles?

1 A. There was.

2 Q. Was that recorded?

3 A. No.

4 Q. Now, somehow you maintain those
5 recordings and then transferred them to your
6 attorney who then sent them to me.

7 A. Um-huh.

8 Q. How did you accomplish that?

9 A. I uploaded them to a computer.

10 Q. Okay. And were there any recordings
11 that you did not upload?

12 A. No. The only other recordings that
13 weren't uploaded were ones that were just static
14 or blank.

15 Q. And the ones that were produced to me,
16 there is a fair amount of static and blank.

17 A. I didn't edit anything.

18 Q. There's no editing on any of the
19 recordings that were produced?

20 A. No.

21 Q. And how did you make the decision what
22 to record or when to record?

23 A. Weldon would just come into my office
24 and say something. So I would just leave the
25 recorder out to catch him if he just came in

1 just to belittle me, quiz me, make fun of me,
2 whatever.

3 The meeting with Neal and
4 Weldon, I decided to tape record it because it
5 was just going to be us. I didn't have a
6 representative or anybody with me. I wanted to
7 make sure what was said -- everything that was
8 said was caught on the recorder.

9 Q. So there was sometimes when you would
10 just leave the recorder running at your desk?

11 A. That's why there's so much blank.

12 Q. There's one tape that's like almost
13 eight hours, and it seems to be predominantly
14 blank. Is that what happened?

15 A. That's what happened.

16 Q. Okay. Did you ever tell anyone that you
17 were recording them during any of those recorded
18 periods?

19 A. No, I didn't.

20 Q. You obviously knew that it was being
21 recorded?

22 A. Yes.

23 Q. And you knew that there was potential to
24 use those recordings in litigation later?

25 A. Possibly.

1 Q. It was around that time that you had
2 already made the decision to at least file an
3 EEOC claim, correct?

4 A. Yes.

5 Q. Did you know that you were going to
6 litigate this as well?

7 A. No.

8 Q. Okay. Let's go to Exhibit 4. Is that
9 what I have in front of you there? Did you
10 consult with any other lawyers before Ms. Craft
11 on this issue?

12 A. I had sent an e-mail to Mark Falcon.
13 That was before I realized he worked for the
14 State. So there was nothing he could tell me.
15 But then Jill Craft, her name came up and I
16 e-mailed her.

17 Q. How did her name come up?

18 A. Kathleen Callaghan told me I should
19 contact her.

20 Q. Okay. Now, the form that you have in
21 front of you from -- it looks like it was dated
22 October 1st, 2014, and that's your signature on
23 the bottom left?

24 A. Yes.

25 Q. And you are described as the charging

1 party; is that correct?

2 A. Yes.

3 Q. And then there's essentially two pages
4 of "the particulars are" and it's a typewritten
5 form listed A through F, correct?

6 A. Yes.

7 Q. Is that your typing or did a lawyer do
8 that for you?

9 A. It's not my typing.

10 Q. Okay. So you -- did you prepare this
11 Complaint or was it prepared by your lawyer?

12 MS. BOUNDS: For the record, I
13 think how it works is the EE -- I don't want
14 to -- it's not us. We didn't prepare it.

15 MR. BLANCHFIELD: Okay. That's
16 fine.

17 MS. BOUNDS: I'm not trying to
18 coach the witness.

19 MR. BLANCHFIELD: That's fine.

20 A. I think it's the investigator that types
21 it according to the Complaint that's sent to
22 her.

23 Q. Okay. Okay. Did you review this
24 document back in October of 2014?

25 A. Yes.

1 Q. And did you tell the investigator that
2 the contents of that were correct?

3 A. With minor changes, yes.

4 Q. And those are your handwritten
5 changes?

6 A. Yeah.

7 Q. Okay. And essentially the claim is
8 predicated upon sexual discrimination,
9 harassment, and retaliation; is that correct?

10 A. Yes.

11 Q. I'm going to go through the different
12 sections there. On Section A, it says: The
13 sexually hostile environment consisted of, on
14 12/20/2013, Weldon Hill placed his hands in his
15 pocket and rubbed himself while staring at me.

16 How is it that you remember that
17 precise day, December 20th, 2013?

18 A. 'Cause that date, it was the Cicio
19 (phonetically) case that he came into my office
20 to ask me about. And that case I had documented
21 on my calendar.

22 Q. Now, at that time you had already been
23 working there for about six months?

24 A. Yes.

25 Q. And the 12/20/2013 incident, as

1 referenced in Section A, that was the first
2 incident that you felt was, as described, a
3 sexually hostile environment?

4 A. That was not the first, no.

5 Q. What was the first?

6 A. He would often come into my office,
7 strike up conversation, talk -- it could be
8 anything about a case I was working on or just
9 the weather. And he would adjust his pants
10 right there in my office. There were numerous
11 times that happened.

12 There were other times he came
13 into my office and would lean -- kneel behind me
14 at my office chair and lean up against me and
15 grab my hand on my mouse to show me something on
16 the computer.

17 Q. Okay.

18 A. Very humiliating.

19 Q. Now, tell me about -- when you say
20 "adjust his pants," what is that?

21 A. He would grab his waistband and he would
22 jiggle his crotch from side to side and up and
23 down while talking to me.

24 Q. Did you consider that the adjusting of
25 the pants to be some sort of sexual gesture?

1 A. It was disrespectful and humiliating.

2 Q. But did you consider it to be of a
3 sexual nature is my question?

4 A. Yes.

5 Q. And what about the other incident you
6 mentioned where he would put his head behind
7 you? Is that --

8 A. That's when he would kneel behind my
9 office chair, wrap himself up against the back
10 of my chair, and his face would be right next to
11 my shoulder looking at my computer screen. And
12 he would grab my hand or make to grab my hand,
13 and I would move away.

14 Q. Okay. And, again, did you consider
15 those acts to be of a sexual nature?

16 A. Yes. I even looked off to my shoulder
17 to see him looking at me while he did this.

18 Q. Okay. And continuing on Section A, it
19 says -- on -- go forward to May of 2014, six
20 months later: Weldon commented on my good looks
21 and child-like voice.

22 Where did that come from?

23 A. He told me that my good looks and my
24 child-like voice would not keep me out of
25 trouble.

1 Q. When did he tell you that? And what was
2 the context there?

3 A. I believe that one was with the new
4 security policy. As far as DHH e-mails went,
5 there was -- I think that was the one where we
6 had to use, like, security or secure in brackets
7 in our e-mail. And he told me that if I messed
8 it up, that my good looks and child-like voice
9 would not keep me out of trouble.

10 Q. Okay. You were offended by that?

11 A. It wasn't flattering.

12 Q. Did you find it offensive?

13 A. Yes. I don't want my male supervisor,
14 who's married, to be making remarks to a female
15 subordinate who is also married and pregnant.

16 Q. Did you consider those comments --

17 A. -- baby.

18 Q. I'm sorry?

19 A. Well, she was actually already born at
20 that point so -- but it was after, after I had
21 her.

22 Q. Did you consider those comments "good
23 looks and child-like voice" to be of a sexual
24 nature?

25 A. Yes. It wasn't necessary.

1 Q. Okay. Moving on to B, you state: I
2 believe I was harassed due to pregnancy because
3 on 12/4/13 Weldon asked me for specifics re my
4 prenatal doctor appointments.

5 How were able to pinpoint that
6 on December 4th?

7 A. He had asked me about many of my visits.
8 But that one I actually wrote down. I had my
9 appointments, a lot of them, were listed on my
10 calendar to help me keep track of time that he
11 wanted me to make up.

12 Q. And when you say he "asked me for
13 specifics," what does that mean?

14 A. He wanted to know what my doctor said.

15 Q. What did you tell him?

16 A. The baby wasn't coming today.

17 Q. That's all you said?

18 A. That's it. He wasn't pleased with it,
19 but he didn't persist. But it wasn't the first
20 time he had asked me about what my doctor told
21 me at my visit.

22 Q. Did you have any opinion or idea as to
23 why he was asking you that?

24 A. I just figured he was just nosey.

25 Q. Did you find that offensive?

1 A. He didn't need to know.

2 Q. My question was: Did you find that
3 offensive?

4 A. Yes, I did. He didn't need to know.

5 Q. Did you think that was of a sexual
6 nature, those questions?

7 A. Asking about my doctors' appointments?

8 Q. Yes.

9 A. I didn't find them sexual.

10 Q. Okay. Did anyone else at the office ask
11 you about your prenatal visits?

12 A. No.

13 Q. Okay. Then there's a reference in
14 April: April 29th, Weldon asked me does it hurt
15 when milk comes in and how long do I plan to do
16 that, referencing my pumping breast milk.

17 Was that -- did you have that on
18 a calendar entry as well?

19 A. That was -- that was my first day back
20 when that happened, and I had it written down.

21 Q. Okay. So you started June of '13. You
22 go out on maternity leave either late January or
23 early February, 2014, correct?

24 A. Yes.

25 Q. You're out for about three months, and

1 then you come back April 28th, 2014, correct?

2 A. April 28th was the last day of maternity
3 leave. So I believe I came back on the 29th.

4 Q. Okay. And then you worked for how long
5 before you went out on FMLA?

6 A. FMLA began -- I think it was February of
7 2015. So it was like ten months later.

8 Q. How long did you -- how long were you
9 out on FMLA?

10 A. 12 weeks.

11 Q. And you never came back, correct?

12 A. That's correct.

13 Q. You notified them of your resignation as
14 the FMLA time period ran out?

15 A. I did.

16 MS. BOUNDS: Objection to form.
17 You can answer.

18 Q. Is that correct? You said yes?

19 A. I did.

20 Q. Okay. Okay. So we're back in April.

21 Says: On one occasion, Weldon accused me of
22 having mommy issues.

23 What did you take that to mean?

24 A. He would -- I took it to mean that he
25 was going to target me now for being a new mom.

1 Whereas before I felt like he was targeting me
2 just for being female. But now there was more
3 to it. That became his new thing. I asked him
4 what he meant by that. And he told me: You're
5 here, but are you really here?

6 I told him I was doing the work
7 just as I had done previously.

8 Q. Were you offended by the use of the term
9 "mommy issues"?

10 A. I was. It felt like an attack.

11 Q. When you returned on the 29th of April,
12 did you ask anyone for permission to go part
13 time?

14 A. I had spoken to Michelle Christopher,
15 and Michelle Christopher had said that there was
16 nothing in legal that we did that couldn't be
17 done from home or done part time. I didn't ask
18 her; she took it upon herself to go talk to
19 Weldon to see if she could get me part time or
20 some work -- work-from-home time.

21 Q. And who is Michelle Christopher?

22 A. She's one of the attorneys in legal.

23 Q. Why did you choose her to go to about
24 the part-time issue?

25 A. She came to me. She's a very vocal

1 breast-feeding advocate at legal. I think she's
2 pretty well told everybody that she breast-fed
3 her son until he was three. So she caught me in
4 the hall while I was getting my mail. And
5 that's when she told me that being a nursing mom
6 I should be allowed to see my baby. And she
7 told me that they've had attorneys that have
8 worked part time or worked from home in legal.
9 And she said she was going to go talk to Weldon.
10 I asked her not to, but she did.

11 Q. So it was your desire when you came back
12 from maternity leave to go part time, correct?

13 A. It was not. I had fully intended to
14 work full time. I had daycare and everything
15 arranged. She told me that that had happened
16 before and that she was going to try to get part
17 time for me or work-from-home time.

18 Q. Did you desire to be able to work from
19 home at that time?

20 A. If it was an option, I would take it.
21 But it wasn't something I came back to work
22 expecting.

23 Q. And in addition to the option of working
24 at home, if there was an option to go part time,
25 you would have taken that as well?

1 A. I mean, if they allowed it, I would
2 have. But they didn't and that was okay.

3 Q. Were you having any difficulty being
4 separated from your newborn in April and May?

5 A. I didn't like having to put her in
6 daycare, but no. I mean, I still got to see her
7 during lunchtime.

8 Q. How did you do that?

9 A. She was a couple blocks away.

10 Q. Where was she?

11 A. At First Steps Learning Center.

12 Q. So you would go there on your lunch
13 hour?

14 A. Um-huh.

15 Q. You need to say yes.

16 A. Yes.

17 Q. Every day, Monday through Friday?

18 A. Not every day, no. If she had doctors'
19 appointments, I would be the one to take her and
20 Weldon would want me to make up my time. So
21 there was some time I wasn't able to go.

22 Q. Okay. If we return to Exhibit 4, we
23 left off on the top there. On B it says: On
24 6/17/2014, Weldon blurts out, "Sex is fun until
25 the baby."

1 When did that happen? What were
2 the conditions of that?

3 A. That was the meeting with Neal. That
4 was the first meeting after the June 11 meeting
5 with everyone. We were discussing Medicaid
6 recipients, and Weldon blurted out that sex is
7 fun until the baby. It was an uncomfortable --
8 nobody laughed. He kind of giggled about it. I
9 was four months postpartum at that time. It was
10 just uncomfortable.

11 Q. Did you chuckle?

12 A. No. No.

13 Q. Is that conversation recorded?

14 A. Yes.

15 Q. Have you listened to it?

16 A. Yes.

17 Q. When did you listen to it?

18 A. Shortly before I gave it to the
19 attorneys.

20 Q. And did you, during that meeting, tell
21 Weldon that you found that comment offensive?

22 A. I didn't say anything.

23 Q. Did anyone say it was offensive?

24 A. Nobody said anything.

25 Q. Did you understand the context in which

1 it was said?

2 MS. BOUNDS: Objection to form.

3 A. It didn't fit with the context of what
4 we were discussing.

5 Q. My question centers on your presentation
6 of that issue. Says: Weldon blurts out.

7 So it suggests there was no
8 segue whatsoever. He just blurts out this
9 sentence. Is that how it happened?

10 A. We were talking about Medicaid
11 recipients, and he, I guess, was attempting to
12 make an analogy that wasn't particularly funny.
13 And he just said, "Sex is fun until the baby."
14 Which was offensive being four months
15 postpartum, and his joke did not make anybody
16 laugh and didn't have anything to do with what
17 we were talking about.

18 Q. And you, Weldon, and Neal were the --
19 were present at that meeting?

20 A. Yes.

21 Q. Did you tell Neal that you found
22 anything that was said during that meeting to be
23 offensive?

24 A. I did not tell Neal. I sent an e-mail
25 later, I know, that had that mentioned. But not

1 at the time I didn't say anything.

2 Q. Okay. All right. On -- Section C
3 references conflicting directions on terms and
4 conditions, threatening PPRs, and some calendar
5 issues. Let's take them one at a time.

6 What do you mean by conflicting
7 directions?

8 A. He would give me a set of instructions
9 on how to do something. And I would go and do
10 as he told me to, and he would want to see the
11 finished products. I would show it to him, and
12 he would tell me that that's not right, that I
13 didn't do as he had asked. I told him that this
14 is what he told me, and he would tell me that
15 that's not what I said. I know what I said and
16 that's not what I said, and he would tell me to
17 fix it and bring it back.

18 So I would go and fix the
19 document and bring it back to him and, again, it
20 wasn't right. He would just change his
21 instructions. It happened all the time.

22 I would spend hours fixing form
23 letters because he didn't like the way they were
24 put together. He didn't like what I said. He
25 didn't like that I used the word "that" because

1 the word "that" has no purpose in the English
2 language, according to him. He didn't like that
3 I used the backspace key on the keyboard to
4 delete words on a document. He spent several
5 minutes in my office telling me that we do not
6 use the backspace key to delete words out of a
7 document. We use the delete key because the
8 maker of keyboards put delete keys on keyboards
9 for a reason. So --

10 Q. How many times did he tell you that?

11 A. This was never-ending. Almost daily
12 there was something, something like that, some
13 kind of nitpick. There was something wrong. I
14 didn't do anything right. I couldn't organize
15 the file right. I couldn't answer the phone
16 right. My voice sounded too girly. I sounded
17 too childish. Don't use the backspace key.
18 Don't use the word "that." Our letters were
19 form letters. He had given me the form letters.
20 I was using them the way I was told, and he
21 didn't like the way I did it.

22 Q. What was the calendar issue that you
23 referenced in C?

24 A. It didn't matter what I did with the
25 electronic calendar, he didn't like it. I would

1 put all cases that was going to hearing,
2 mediations, payments, all of that was on the
3 calendar. I had them set up just as he had told
4 me in the beginning, that the case, the case
5 number was to be put on the calendar. And I
6 would give a short description of what was going
7 on with that case in the body of the entry.

8 And it didn't matter what I did,
9 how I fixed it, the way I color-coded it just to
10 his specifications, nothing was ever right on
11 the calendar. Nothing.

12 He had told me, in one of the
13 meetings with Lavon and Neal, that payments on
14 the calendar and TPL were always in red; that
15 this was always how we did things in TPL. They
16 had to be on the calendar in red. I went and
17 asked Daniel about it, and Daniel said he had
18 never heard of that. Daniel didn't even keep an
19 electronic calendar.

20 I had an entry that was on my
21 calendar that was a personal entry and all it
22 said was "deadline." And he somehow took that
23 to mean that I had put a deadline for a case on
24 the calendar and didn't put anything else on it.
25 When I told him it didn't have anything to do

1 with the case, if it had something to do with
2 the case, just as every other entry on my
3 calendar, it would have had a case name, case
4 number, what was happening, just as all my other
5 cases. I told him it was not -- it didn't deal
6 with a case. It was a personal entry. And he
7 didn't like that.

8 Q. He didn't like the fact that there was a
9 work deadline on your calendar with no
10 explanation?

11 A. That's right. He didn't like that it
12 was a personal entry that didn't have anything
13 else in it. It just said "deadline."

14 Q. Did you at any time give him the benefit
15 of the doubt that as a supervisor he would be
16 concerned if he saw a young lawyer with the word
17 "deadline" on her calendar?

18 A. I had 50, 60 other entries that were
19 cases that actually had case name, case number,
20 and case descriptions. And when I told him that
21 that was not a case, he should have been okay,
22 it's not a case, we'll move on. But he took
23 that to mean I was an imbecile and I put
24 something on my calendar that had to do with a
25 client, and I just neglected to put anything

1 else on it.

2 Q. Did you have other deadlines with just
3 the word "deadline" --

4 A. No.

5 Q. -- entered on your calendar?

6 A. No.

7 Q. Just that one?

8 A. Just the one.

9 It was a never-ending cycle.
10 There was always something with the calendar.
11 And when I would try to defend myself, it wasn't
12 enough. There was always something. He just
13 continued on about the calendar.

14 Q. Were you sharing your calendar with
15 Weldon at that time?

16 A. Yes. We were made to share the
17 calendars. Me, Daniel, and Weldon, all of us.
18 And Daniel had nothing on his calendar at all.
19 But Weldon never went to Daniel's office on a
20 rant or yelling at him that his calendar was
21 blank. It was just me. It was always my
22 calendar. It wasn't color coded right.
23 Something was wrong with it.

24 Q. Are you suggesting that the supervisor
25 has to treat all employees the same way with

1 respect to how their calendars are handled?

2 A. I would expect the same rules to apply.
3 If this is something that TPL always did, then
4 me and the other attorneys should have matching.

5 Q. How much experience did Mr. Duhon
6 have?

7 A. He was there long before I came in. I
8 think he said he was working TPL for like eight
9 years. I don't know.

10 Q. Okay. Let's go on to D. D is titled
11 Retaliation: I verbally complained to Kimberly
12 Humbles re Weldon Hill's inappropriate behavior
13 and comments. Humbles informed me she would try
14 to transfer me.

15 That was on June 4th that you
16 had the meeting with Ms. Humbles?

17 A. Yes.

18 Q. And that, again, that was not recorded,
19 correct?

20 A. It wasn't recorded.

21 Q. All right. And then the -- you had the
22 meeting on June 11th. That was with Mr. Hill,
23 Ms. Humbles, Mr. Russo, Lavon Johnson, Neal
24 Elliott, and you, correct?

25 A. That's right.

1 Q. That meeting was not recorded?

2 A. It was not recorded.

3 Q. Tell me what occurred in that meeting on
4 June 11th.

5 A. On that meeting, Stephen Russo informed
6 me that I would not be transferred because
7 nobody wanted to switch with me. I remember
8 Lavon asking me if my issues with Weldon had
9 just started or if it had happened from the
10 beginning. And I said it had happened from the
11 beginning. And I was asked why I hadn't come
12 sooner and complained about what was going on if
13 it had happened in the beginning. And I
14 remember telling them that I had been warned by
15 several employees that Weldon was friends with
16 Russo and that Weldon's family vacationed with
17 Kim Humbles' family. And Russo looked at me and
18 said that they had let people go for making
19 accusations like that. And they laughed and
20 assured me that they were not friends.

21 I knew firsthand that Weldon
22 went to lunch with Russo a lot. He would let me
23 know -- he made sure that I knew that he was
24 going to lunch with Russo or he was going up to
25 the ninth to see Russo, go talk with Russo.

1 I didn't know that he was good
2 friends with Kim Humbles. People had told me,
3 but I didn't know about the relationship other
4 than what I had heard.

5 I was asked where I went to
6 school, law school. And I told them I went to
7 Southern. And Weldon and them laughed because
8 Weldon didn't like the way that I had mentioned
9 that I went to Southern, that I said it too
10 softly.

11 It came up about my Complaint
12 regarding Weldon asking if it hurt when breast
13 milk came in and inquiring as to how long I
14 wanted to do that. And they -- I was told that
15 the reason he told me this was because there
16 were inmates that came and emptied our
17 wastebaskets. And he didn't want anybody to
18 walk in on me. That made no sense because I was
19 in my own office with a very large, heavy,
20 wooden door with a bolt on it. I knew how to
21 lock a door.

22 They went on to talk about there
23 was a woman who pumped breast milk at work, and
24 she would sit on an exercise ball and bop around
25 on the exercise ball while pumping breast milk,

1 and a male employee had walked in on her. And
2 she motioned for him to come in and sit down and
3 have a chat. And they laughed and laughed about
4 that.

5 Weldon made a comment about
6 whether I was closing my door to pump breast
7 milk still because he noticed I had not been
8 closing my door. And then they laughed and
9 laughed because he -- he said, like, I was
10 pumping breast milk with the door open. It
11 was -- nothing was done at the meeting. It felt
12 like it was nothing more than to intimidate me,
13 to shut me up, stop saying any more about
14 Weldon, stop complaining about him. They were
15 defending him, making sure that I knew that they
16 were on the same team.

17 Q. When you say "they were on the same
18 team," you're referring to everyone in the
19 meeting except you?

20 A. It felt like they were defending him.
21 Like it was just me sitting on my side of the
22 table, and they all looked at each other, took
23 prompts from each other, nodded at each other,
24 laughed together.

25 Q. So if I understand your testimony, it

1 was -- June 4th was the first time that you
2 complained of Weldon Hill's behavior?

3 A. That's when I complained to Kim Humbles
4 about it.

5 Q. And before that time you had not
6 complained about Weldon Hill's behavior?

7 A. I had not said anything. I went to Kim
8 Humbles on June 4th ready to leave, leave DHH.
9 I was not dealing with him anymore. I was tired
10 of what he had done to me.

11 The day previously, on the 3rd,
12 he had taken me into one of the glass conference
13 rooms, and he was just -- he was just going to
14 target me. I was just going to be his punching
15 block for a little while. But he -- there was a
16 case, a Cathy case, that when I came back from
17 maternity leave, I had gotten a letter from
18 counsel in that case and had asked him if he had
19 the case, had Cathy. He gave me back my copy of
20 Cathy case. And I had no idea, but in this
21 meeting on the 3rd, there apparently was a
22 notice of trial that had been served mid-March
23 while I was on maternity leave in the Cathy
24 case. And Weldon had an entirely separate copy
25 of a Cathy case with the notice of trial in his

1 copy. He had neglected to tell me that or to
2 give me that copy of the case. So I had no
3 idea.

4 So this meeting on the 3rd he is
5 pulling out papers, slinging them on the
6 conference table at me, telling me how
7 disappointed he is in me, how I should have
8 known, how I didn't do anything and now he's got
9 to fix my mistake. Went on and on. He told me
10 that my performance evaluation was not looking
11 good, that he accused me of ignoring him,
12 ignoring his e-mails. He told me that I am to
13 treat him like a judge. And when he asked me to
14 do something, I did it.

15 It was the most humiliating
16 experience I had ever encountered from a
17 supervisor. Just on and on. Demand I look at
18 him when he's talking to me.

19 So I went to Humbles on the 4th
20 prepared to just leave. But I wanted to make
21 sure that she knew me leaving was not because I
22 couldn't handle the work. I felt like I could
23 handle this work. I could not handle putting up
24 with him anymore. The remarks he made to me,
25 the constant demeaning, belittling, laughing at

1 me, speaking loudly at me so that everyone could
2 hear me while he was on a roll. I was tired. I
3 was done. I had hit a black spot in my life. I
4 was no longer willing to deal with him. And she
5 told me she didn't want me to leave and asked --

6 MS. BOUNDS: Who are you
7 identifying as she?

8 A. Sorry, Kim Humbles told me she didn't
9 want me to leave. And she asked me if I would
10 be willing to transfer. I agreed. I was
11 willing to transfer if she could get me away
12 from him.

13 Q. Okay. So in the meeting, June 4th, you
14 discussed with Ms. Humbles the potential to
15 transfer to another section, correct?

16 A. Yes.

17 Q. And you told her that that would be
18 acceptable, correct?

19 A. I said I was willing to transfer.
20 Attorney's jobs are difficult to find. I had a
21 new baby. I needed the income. I was willing
22 to do that. And I found out on the 11th that
23 nobody was willing to switch with me.

24 Q. Who told you that?

25 A. Steve Russo told me no one was willing

1 to switch with me. I could not be transferred.

2 Q. And at some point that changed,
3 correct?

4 A. It changed, I believe, after the
5 internal investigation. Because after that
6 Russo and Humbles and Laureen Guttzeit were in
7 the office, in Steve's office. And he told me I
8 was 50 percent at fault. We were two
9 individuals that could not get along. And he
10 told me that I would be moved to Kathleen
11 Callaghan's section.

12 Q. And you told him that would be fine?

13 A. I told him I would be willing to accept
14 that.

15 MS. BOUNDS: Drew, when you get
16 to a good segue, can we take a break?

17 MR. BLANCHFIELD: We'll take a
18 break now.

19 (Brief recess.)

20 Q. We left off -- I think we were
21 discussing the issue of transfer. At some point
22 after the June 11th meeting, there was a
23 discussion of transferring you to Kathleen
24 Callaghan's section; is that correct?

25 A. Yes.

1 Q. And what were you going to be doing
2 there?

3 A. I was going to be doing SURS.

4 Q. When were you told that?

5 A. It was after the conclusion of the
6 internal investigation. I guess it was July
7 2nd.

8 Q. Was that during a meeting you had with
9 Mr. Russo when Mr. Russo was present?

10 A. It was Russo, Kim Humbles, and Laureen
11 Guttzeit.

12 Q. Okay.

13 A. So I think it was about July, early
14 July.

15 Q. All right. And that was the first time
16 that you had heard about the potential transfer
17 to Ms. Callaghan's section?

18 A. Yes.

19 Q. On the 11th of June, you had been told
20 that there would not be a transfer; is that
21 correct?

22 A. That was -- that's correct. It was
23 prior to the internal investigation.

24 Q. Okay. When did you first learn about
25 the internal investigation?

1 A. It was on the 25th, June 25th.

2 Q. And how did you learn of that?

3 A. I was called into Courtney Phillips'
4 office and told that there would be an internal
5 investigation and to cooperate.

6 Q. Who else was present in that meeting?

7 A. Laureen Guttzeit. Tammy Brown, Steve
8 Russo, Kim Humbles. And other than Courtney
9 Phillips, just myself.

10 Q. Did you record that meeting?

11 A. I did.

12 Q. And do you remember what else was said
13 with respect to the investigation?

14 A. Just to cooperate.

15 Q. Were you told who -- what individual was
16 going to be conducting the investigation?

17 A. I don't believe they told me at that
18 meeting.

19 Q. Okay. When was your next interaction
20 that was related to that investigation?

21 A. Larry Gill, I think he sent me an e-mail
22 that he would be meeting with me.

23 Q. And did you meet with Mr. Gill?

24 A. I did.

25 Q. And what happened during that meeting?

1 A. He asked me what was going on. He told
2 me that sexual harassment, if I had just walked
3 past the conference room with he -- with Larry
4 Gill and Debbie Efferson in the conference room
5 and they were kissing and I walked past and I
6 saw them, he told me that that would be sexual
7 harassment. And he asked me what had Weldon --
8 what was going on between Weldon and I.

9 I told Larry that Weldon caught
10 Daniel and I talking in my office about him and
11 complained. And all of a sudden Weldon gets an
12 internal investigation. Whereas, previously, I
13 had gone and complained about Weldon's behavior
14 and, like, nothing happened other than being
15 forced to meet with him once a week with Neal.

16 Larry assured me that wasn't the
17 case.

18 Q. Did you record that meeting?

19 A. No.

20 Q. Why not?

21 A. I didn't -- I was naive thinking they
22 would still actually do something about what was
23 going on.

24 Q. Do you remember making a conscious
25 decision not to tape that particular meeting?

1 A. I didn't think about it.

2 Q. You knew that you were going to meet
3 with Mr. Gill, correct?

4 A. I did.

5 Q. You knew it was going to be about an
6 internal investigation?

7 A. I did.

8 Q. But you chose not to tape it?

9 A. He was in a whole 'nother department. I
10 thought this was a real investigation. So, no,
11 I didn't tape it.

12 Q. What about -- you mentioned a
13 conversation that you had with Mr. Duhon that I
14 think you couched it in terms of leading to the
15 internal investigation.

16 A. Um-huh.

17 Q. Tell me about that. What was that?

18 A. I was very angry and had finally reached
19 a breaking point with all of this. I had
20 stepped out to make a complaint about Weldon,
21 and nothing happened. I was still being
22 subjected to having to deal with him. He was
23 still the same person. He still was
24 inappropriate. He was still humiliating.

25 So I was telling Daniel,

1 basically, I guess, venting to him about what
2 all had happened. Said a few swear words. Told
3 Daniel that I had heard from other attorneys
4 that Weldon was mishandling his own cases, that
5 other attorneys that were handling cases with
6 him had complained that he was -- to a certain
7 attorney that he was incompetent.

8 I was -- I said a lot, just very
9 angry that nothing was being done after finally
10 complaining about him.

11 Q. Did you tape that conversation?

12 A. No.

13 Q. Did you state during that conversation
14 that you would like to see Weldon fired?

15 A. I don't remember.

16 Q. Possible?

17 A. I don't remember. I was angry. I
18 really don't remember.

19 Q. What about Mr. Duhon, did he mention
20 anything about trying to get Mr. Hill fired?

21 A. I don't remember.

22 Q. Have you ever heard of the Louisiana
23 Voice?

24 A. I have heard of it.

25 Q. What is your understanding of the

1 Louisiana Voice?

2 A. I know it's written by a man named Tom
3 Aswell, but that's all I know.

4 Q. Have you ever met him?

5 A. No.

6 Q. Have you ever talked to him on the
7 phone?

8 A. No.

9 Q. Sent him an e-mail?

10 A. No.

11 Q. Have you ever discussed or spoken with
12 anyone associated with the Louisiana Voice?

13 A. No.

14 Q. Are you familiar with any publication by
15 the Louisiana Voice that references DHH?

16 A. Am I familiar?

17 Q. Yeah.

18 A. I know he wrote an article about DHH.

19 Q. You read that article?

20 A. I did read the article.

21 Q. Do you know where he got the information
22 in that article?

23 A. I know who talked to him.

24 Q. Who talked to him?

25 A. Kathleen Callaghan.

1 Q. Ms. Callaghan told you it was her?

2 A. She did.

3 Q. Now, this meeting that you had with
4 Mr. Duhon where you described yourself as being
5 angry, do you know what date that was?

6 A. I think it was June 25th. I think it
7 was the same day that I was called up to
8 Courtney Phillips' office and notified there
9 would be an internal investigation.

10 Q. Okay. And you taped that meeting?

11 A. I believe I taped it.

12 Q. All right. When was the next meeting
13 that you taped after the 25th of June?

14 A. I think the next meeting was -- it may
15 have been on the 14th, July 14th.

16 Q. Okay. Let's look back at Exhibit 4,
17 continuing with Section E. It says: On July
18 2nd, 2014, I met with Steve Russo, Kimberly
19 Humbles, Lauren Guttzeit re moving to a new
20 section.

21 Did you record that meeting?

22 A. I think I did record that meeting.

23 Q. And what were you -- was that when you
24 were told that they were looking at transferring
25 you to Ms. Callaghan's section or was that . . .

1 A. That's when they told me they were
2 transferring me to Callaghan.

3 Q. Okay. You were eventually transferred
4 to Kimberly Sullivan's division; is that
5 correct?

6 A. Yes.

7 Q. How did that come to be? How did it go
8 from Callaghan to Sullivan?

9 A. I was -- I was caught talking to
10 Kathleen Callaghan. I don't know if that was
11 what fueled it. But it was, all of a sudden, I
12 went from going to Callaghan's section, even
13 being moved to the 5th floor where she was, to
14 being told that I would be moved to Sullivan's
15 section instead.

16 Q. When were you informed that you were
17 going to be transferred to Ms. Sullivan's
18 section?

19 A. I think it was July 17th.

20 Q. And how were you informed of that? Was
21 there a meeting?

22 A. There was a meeting. There was a
23 meeting with Kim Humbles, Kim Sullivan, and
24 myself.

25 Q. Did you record that?

1 A. I did record it.

2 Q. Was that on the 14th or the 17th?

3 A. I think it was on the 17th.

4 Q. Okay. When were you told you were going
5 to be transferred to Ms. Sullivan's Section?

6 A. It may have been before then.

7 Q. Well, let me ask you.

8 A. Because the 14th I remember was the
9 conversation with Kim Humbles regarding the
10 computer.

11 Q. And that's the conversation that you
12 listened to in preparation for today's
13 deposition; is that correct?

14 A. Yes.

15 Q. What was the discussion about your
16 computer on the 14th?

17 A. I wanted to know when I could bring the
18 rest of the things I had in the office on the
19 8th floor down to the 5th including the
20 computer. And Kim Humbles was rude to me about
21 it, kept telling me she didn't have to explain
22 anything to me. I tried to ask if the computer
23 was to remain in my office on the 8th floor for
24 Weldon to get on and use it for whatever
25 purpose. And she just kept telling me she

1 didn't have to explain anything to me, but that
2 the computer was to stay in the office because
3 the next attorney hired to TPL would use it.

4 Q. Is that why you sued Kim Humbles,
5 because of that?

6 MS. BOUNDS: Objection to form.

7 I mean, you can answer unless it
8 would reveal any attorney/client privilege
9 between you and Ms. Craft.

10 Q. Can you answer that?

11 A. The computer was going to be in an
12 office on the 8th floor that was going to be a
13 storage room. It wasn't serving any purpose.
14 Nobody was going to be using it at that time.
15 And I was going to be moved down to the 5th
16 floor and didn't have a computer. I wasn't told
17 I was going to have one at that time. Everybody
18 else that was moving offices was taking their
19 computers, their printers, all of their things
20 to their new offices. To me it felt like
21 retaliation for reporting Weldon to begin with
22 because the computer was just going to sit in a
23 closet.

24 Q. So you felt that the -- that
25 Ms. Humbles' decision with respect to the moving

1 of the computer was motivated in retaliation for
2 you reporting Weldon?

3 A. I was the only one not allowed to move a
4 computer.

5 Q. Who else moved?

6 A. There were a bunch. Kathleen Callaghan
7 was moved. Sarah Aycock, Rebecca Delesalle, and
8 her two attorneys were moved. And then I was
9 going to be moved.

10 Q. Tell me about -- you referred to the
11 office as a storage closet. Were you speaking
12 about the 8th floor or the 5th floor?

13 A. The 8th floor, my old office that was
14 across from Weldon was being converted into a
15 storage room. And the storage room that was on
16 the 8th floor that was being converted into an
17 office so that nobody would be across the hall
18 from Weldon.

19 Q. All right. And you were getting a new
20 office?

21 A. I was going to be moved on the 5th
22 floor.

23 Q. Okay. You had no complaints about the
24 new office on the 5th floor, though, did you?

25 A. I was being moved to the 5th floor

1 outside of legal. All of legal's on the 8th
2 floor. I was being moved down to the 5th floor
3 with two other attorneys.

4 Q. Okay. So you did have an issue with
5 that or not?

6 A. It felt like further being isolated.

7 Q. Who else was moving down there in legal?
8 Who were they?

9 A. Kathleen Callaghan and Sarah Aycok.

10 Q. But you didn't have a problem with the
11 office itself, the size, anything like that?

12 A. It was the same size as the office on
13 the 8th.

14 Q. Okay. But you had this -- you're
15 telling me about some level of frustration about
16 getting moved and the computer issue. And you
17 felt that -- to paraphrase it, you felt that Kim
18 Humbles was taking a shot at you because you
19 reported Weldon?

20 A. I reported her friend. I didn't go
21 along with what they wanted me to do, to just
22 shut up and work for him.

23 Q. Who told you they vacationed together?

24 A. It was actually Clark who told me that
25 they had talked vacation plans together.

1 Q. She's no longer with DHH, is she?

2 A. No, she's not.

3 Q. Why did she leave?

4 A. For similar issues. She had problems
5 with Weldon, complained, and they wrote her up.
6 So she transferred.

7 Q. Where did she go?

8 A. She went to the Department of Revenue.

9 Q. Is she still there?

10 A. I haven't spoken to her.

11 Q. Okay. When you were informed that you
12 were being moved to Ms. Sullivan's section, you
13 told everyone that you were fine with that?

14 A. No, I wasn't. That was -- it was a
15 sudden decision on their part. I was told that
16 this was mandated by Courtney. I didn't get a
17 say-so.

18 Q. Did you tell them that?

19 A. And get fired?

20 Q. Did you tell them that?

21 A. No, I didn't. It was mandated by
22 Courtney, the undersecretary.

23 Q. Who told you that?

24 A. Humbles told me that.

25 Q. Did you record that meeting when she

1 told you that?

2 A. I believe it's recorded.

3 Q. And have you listened to that recording?

4 A. It hasn't been since before I gave it to
5 my attorneys.

6 Q. Isn't it true that in that recording you
7 say that's fine, the transfer will be fine?

8 A. I don't have any say-so. I was a job
9 appointment.

10 Q. My question is, though, during that
11 meeting, didn't you tell everyone that that was
12 just fine?

13 A. Yes.

14 Q. Did you express some level of interest
15 or excitement in being transferred into that new
16 division where your social work history may come
17 of use?

18 A. I was told I was being transferred to
19 general Medicaid duties. That, to me, if this
20 was what Courtney mandated, I didn't have a say.
21 I would go. But that's not what I did when I
22 was over there.

23 Q. My question is, though, did you express
24 interest or some level of interest or
25 excitement --

1 A. I was not excited.

2 Q. Let me finish my question.

3 Did you express that to anyone,
4 that you were looking forward to the move to
5 another section where the use of your social
6 work background may come into effect?

7 A. I did not say I was looking forward. I
8 did say that I was social work in Medicaid.

9 Q. Did you think that might be a good fit?

10 A. I did think so in the beginning that
11 maybe.

12 Q. Did you express that to anyone?

13 A. I did say at the meeting.

14 Q. At the meeting?

15 A. With Humbles and Sullivan right there.

16 Q. And when did you officially make the
17 move or transfer to Ms. Sullivan's section?

18 A. I wasn't transferred on paper until
19 probably August. Weldon still showed up in my
20 LEO account as the one to approve my leave.

21 Q. I'm sorry, say that again.

22 A. Weldon still showed up in my LEO account
23 as the one to approve my leave.

24 Q. During the month of July?

25 A. Into August.

1 Q. Did you bring that to anyone's
2 attention?

3 A. I did. I e-mailed Krystal Kaufman, I
4 believe, and told her.

5 Q. Were you given an explanation as to what
6 your duties, job duties, would be at the new
7 position?

8 A. I was told general Medicaid duties and
9 whatever Kim Sullivan needed. There's a list of
10 job duties that were included, but it's not
11 things that I was doing.

12 (Exhibit No. 5 marked for
13 identification.)

14 Q. Let me show you a -- we're done with
15 Exhibit 4. You can put that in the stack.
16 Thank you. Marked as Exhibit 5. You know what,
17 I think I gave you too many copies there.

18 MR. BLANCHFIELD: If you want,
19 here's an extra one.

20 MS. BOUNDS: Okay.

21 Q. Do you recognize that document?

22 A. Yes.

23 Q. That's the lawsuit that you filed -- you
24 had filed in your behalf?

25 A. Yes.

1 Q. Did you review that before it was filed?

2 A. Yes.

3 Q. And everything in there is true?

4 A. Yes.

5 Q. Let's go -- if you would go to paragraph
6 6, it mentions you verbally complaining to
7 Ms. Humbles. I see the date June 6th. Is that
8 supposed to be June 3rd?

9 A. I think it's supposed to be June 4th.

10 Q. June 4th. But that's the same meeting
11 that we've already been discussing here today
12 regardless of the date?

13 A. Yes.

14 Q. That's not another meeting that we
15 haven't talked about?

16 A. No.

17 Q. All right. Okay. And the next
18 paragraph 7, it references -- read that
19 paragraph if you would. June 17th meeting. Is
20 that accurate?

21 A. I do remember meeting with Lauren
22 Guttzeit and Tammy Brown. I'm not certain of
23 the date.

24 Q. Okay. That was the same date that, I
25 think, you referenced meeting with Weldon and

1 Neal.

2 A. The date is right then. I went before
3 the meeting and talked to Laureen Guttzeit.

4 Q. Okay. And the paragraph said that it
5 was regarding Hill's inappropriate behavior. Is
6 that what you discussed with her?

7 A. I did. I talked to her about Weldon's
8 issues with me pumping in my office, that he
9 told me that there's an open-door policy and I'm
10 not allowed to shut my door without him knowing
11 what it is I'm doing. So he told me I would
12 have to put a sticky note on the door and that
13 would be our code that I was in my office
14 pumping breast milk. And I was uncomfortable
15 with that as well as the questions that he had
16 asked me about if it hurt when milk came in and
17 wanting to know how long I planned to do that.

18 So I met with Laureen Guttzeit
19 to see what she would say -- what she had to
20 say. She told me it was gross, his behavior.
21 Mentioned something to me about him being --
22 Weldon being made to take improvement or
23 sensitivity classes. And she mentioned that
24 there were pumping rooms -- two pumping rooms in
25 the building, but she had no idea who had the

1 keys to them. And she told me that she could
2 talk to Russo about it.

3 Q. Did you record that meeting?

4 A. I don't think that I did.

5 Q. Tammy Brown was also present?

6 A. Tammy Brown was there.

7 Q. Just the three of you?

8 A. Yes, sir.

9 Q. Did you arrange for that meeting or did
10 they ask you to come or how did that work?

11 A. Ashley Clark had talked to Tammy Brown.
12 And Tammy Brown voiced to her, her disgust in
13 what was going on in legal. And it was
14 recommended that I meet with Laureen Guttzeit.
15 I believe I e-mailed Laureen Guttzeit to meet
16 with her, and she was willing to meet with me
17 that morning.

18 Q. And how did Tammy Brown get involved?

19 A. I guess because she had prior knowledge,
20 but she was in the room.

21 Q. You didn't e-mail Tammy Brown?

22 A. I had never spoken with Tammy Brown.

23 Q. Do you know if Ms. Guttzeit
24 intentionally had her present for that meeting
25 with you on June 17th or it just happened that

1 Tammy Brown was in her office?

2 A. I have no idea.

3 Q. Okay.

4 A. She didn't tell me anything.

5 Q. All right. The next paragraph

6 references June 20th. Hill ordered

7 petitioner -- that's you -- to make up time with

8 sick child. Do you recall that?

9 A. I remember him asking me to make up time
10 in the morning or in the evening, and I told him
11 that I couldn't because of daycare, because I
12 had to pick her up from daycare. And daycare is
13 only open for so long. And he told me, Fine, go
14 without pay.

15 I do remember that, the date.

16 Q. Do you have an issue with the employer
17 telling you that you have to make up time that
18 you missed?

19 A. I had leave available and was not
20 allowed to use it. He would demand I make up my
21 time. He had a legal pad in his desk with my
22 coming and going in legal. He tried to tell me
23 that after the June 11th meeting that making up
24 time was optional, but it was never an option.
25 I was told to make it up. When I asked if I

1 could use leave, he would tell me, You'll want
2 to use that for something else.

3 Q. He stopped you from using leave that you
4 had acquired?

5 A. Yes. He would tell me to make it up. I
6 don't know how much leave I had that day.

7 Q. How did the maternity leave impact your
8 leave?

9 A. I hadn't taken any leave before
10 maternity leave, but it was pretty well drained.
11 It was gone by the time I came back.

12 Q. And you came back the end of April. So
13 you would have been working about six weeks at
14 this time. Would you have made up any --

15 A. I would have made up some leave.

16 Q. Did you specifically discuss using leave
17 with Mr. Hill for the time you missed due to a
18 sick child?

19 A. No. I mean, he told me to make it up.
20 There wasn't -- there was not the option to take
21 the leave. It was, When are you making it up?
22 And he had a legal pad in his desk with the time
23 I came in, time I left, when I was gone and how
24 much -- how many hours I had left to make up.

25 Q. Okay. The next paragraph references the

1 June 25th meeting where you were told about the
2 internal investigation. That's the correct date
3 the best you know?

4 A. It is.

5 Q. And you recorded that conversation?

6 A. Yes.

7 Q. And then July 22nd met with Russo,
8 Humbles, Guttzeit. Did you record that?

9 A. I think I did.

10 Q. Now, paragraph 10 seems to complain of a
11 referenced unilateral reassignment of one of
12 your cases by Mr. Hill to himself. What is that
13 complaint?

14 A. While I was still working in TPL and
15 before one of my meetings with Neal and Lavon, I
16 had a new case that I had received. And when I
17 went to the meeting with Neal and Lavon, I was
18 told that Weldon needed that file and he had
19 reassigned the case to himself. The case didn't
20 have any -- any -- it didn't meet any of the
21 requirements that would mean the case needed to
22 be assigned to him. It wasn't -- it wasn't an
23 ORN case. It wasn't a case against the state.
24 It wasn't multidistrict litigation. But he had
25 assigned the case to himself.

1 Q. Is there, in your mind, any prohibition
2 against a supervisor assigning any case he wants
3 to himself?

4 A. It was my case. I had already spoken
5 with the paralegal for the law office that was
6 handling the case.

7 Q. But it was your case 'cause he gave it
8 to you?

9 A. No. It was automatically assigned to me
10 according to the alphabet.

11 Q. Who assigns cases?

12 A. There's a system. The Medicaid recovery
13 specialists enter in these cases, and LMMIS
14 assigns the case. I don't exactly know the
15 mechanics behind it, but according to the
16 alphabet, the case went to me.

17 Q. And your understanding of the
18 regulations or rules over there is that, as a
19 supervisor, Mr. Hill couldn't take that case
20 back for himself?

21 A. Well, it was my case. I had already
22 started working on it.

23 Q. So the answer to my question, is that a
24 yes or a no?

25 A. I mean, he's a supervisor. He could,

1 but.

2 Q. You didn't like it?

3 A. It was my case. To me it was
4 interference. There was no reason for it to be
5 reassigned other than he and I had this issue
6 that was ongoing.

7 Q. So you think the reassignment of that
8 case to him was because of the problems that you
9 were having with him?

10 A. (Indicating.)

11 Q. You need to verbalize.

12 A. I do, yes.

13 Q. You had no proprietary interest in that
14 case or any case, for that matter, did you?

15 A. I mean, it was my case. That's how I
16 saw it.

17 Q. But, again, you didn't own that case.
18 You couldn't do with it what you want, could
19 you? Any more than your computer, you didn't
20 own that either, did you?

21 A. I didn't own the case, but the case in
22 the system went to me. So I saw it as my work
23 on the line. It was my case.

24 Q. What about your computer, did you feel
25 like you owned that?

1 A. I didn't feel like I owned it, but they
2 didn't give me another computer. They were
3 going to leave it in the storage room for
4 someone else to use and eventually they gave me
5 a student computer.

6 Q. Is that the one you allege had lawn
7 mower sounds?

8 A. It made a loud whirling noise. It took
9 forever to load. I had to get IT to come in and
10 look at the computer. He told me there were no
11 programs he could remove because it had so many
12 log-in accounts.

13 Q. Is that when you had been transferred
14 over to Kim Sullivan's section?

15 A. It was.

16 Q. The allegations in paragraph 10
17 continue. And if I understand, I mean, is that
18 complaint -- you felt like Mr. Hill was actually
19 taking your mail, mail that was addressed to you
20 out of your mailbox?

21 A. I did feel like he was taking the mail
22 from my mailbox because it had never -- I had
23 never gone four days without any piece of mail
24 in my in-box.

25 Q. Did you complain about that?

1 A. I did mention it in the e-mail that I
2 hadn't received mail in four days.

3 Q. And your complaint was that you felt
4 like Mr. Hill was going to your mailbox and
5 removing mail that had been addressed to you?

6 A. I felt like he was removing mail.

7 Q. Okay. Why? Why did you feel that?

8 A. I felt like he was angry at what was
9 going on, that I had complained about him,
10 embarrassed him possibly, and that he was angry
11 and removing mail from my box. But the way TPL
12 was set up also was mail that wasn't necessarily
13 addressed to myself or to Daniel or to Weldon
14 would go up to Steve, and then Steve would see
15 that it's TPL and give it and put it in Weldon's
16 in-box. And Weldon would divide up that mail as
17 well, and I had received nothing while working
18 those four days.

19 Q. So the missing mail, in your mind, was
20 limited to those four days?

21 A. It was four days I didn't receive
22 anything. But after I complained, there was
23 mail in my box the following day.

24 Q. Who did you complain to?

25 A. I sent it in an e-mail. I think it was

1 to Kim Humbles.

2 Q. Did she respond?

3 A. I think she had said that she looked
4 into it and no mail was assigned to me.

5 Q. During that time period, that four-day
6 time period?

7 A. I think that's what happened.

8 Q. Is that not a possibility that it
9 actually happened that way?

10 A. I went to Ashley Clark, and she looked
11 at the logs, and she said that there was a
12 letter that ended with a C. The last name was
13 C, which should have gone to my in-box.

14 Q. Ashley Clark was not a real happy
15 employee, was she?

16 A. She --

17 MS. BOUNDS: Objection to the
18 extent it calls for speculation.

19 You can go ahead.

20 A. I know that she had a complaint about
21 Weldon, and she had voiced her complaint to
22 Russo; and that on her following performance
23 evaluation, she received a "needs improvement"
24 letter.

25 Q. And how do you know that?

1 A. Because she told me. She showed me the
2 letter.

3 Q. Did she show you the PPR?

4 A. I just saw the "needs improvement" box
5 checked.

6 Q. And in her mind, when she was expressing
7 this to you, she felt like the "needs
8 improvement" classification was due because she
9 had reported something negative about
10 Mr. Hill?

11 MS. BOUNDS: Objection to form.

12 Q. You can answer. Is that true?

13 A. She did.

14 Q. Now, continuing in the lawsuit,
15 paragraph 11: Petitioner was moved under a
16 different supervisor, Kim Sullivan, and assigned
17 general medical duties and was given very
18 little, if anything, to do.

19 Do you see that?

20 A. Yes.

21 Q. That's accurate?

22 A. Yes.

23 Q. In fact, is that the reason that you
24 gave for resigning?

25 A. Yes.

1 Q. What was -- do you remember the exact
2 reason in your e-mail?

3 A. Lack of work.

4 Q. Do you remember ever stating or writing
5 that you felt as if you had been reduced to
6 Ms. Sullivan's secretary?

7 A. I did say that.

8 Q. You were doing secretarial work and not
9 lawyer-type work?

10 A. Yes, sir. That's what I was doing.

11 Q. And is that why you resigned?

12 A. That's the reason I gave, yes.

13 Q. But that wasn't the reason, was it?

14 A. It was all retaliation for complaining
15 about Weldon.

16 Q. Why did you resign?

17 MS. BOUNDS: Objection. Asked
18 and answered.

19 MR. BLANCHFIELD: I don't think
20 she's answering.

21 Q. Your e-mail said you resigned because
22 you had no work to do and you were doing
23 secretarial work for Ms. Sullivan. And I'm
24 asking you: That's not true, is it?

25 A. It is true. I did not have any work to

1 do.

2 Q. Okay. That is one reason why you
3 resigned or is that the entire reason why you
4 resigned?

5 A. I resigned because I complained about
6 Weldon and was retaliated against by being moved
7 into a position that had nothing for me to do.
8 And what little I did do was Sullivan's
9 secretary work.

10 Q. Is there any other reason that you
11 resigned?

12 A. No.

13 Q. That's it? So you resigned because you
14 felt like you were being retaliated against.
15 You were transferred into Ms. Sullivan's section
16 where you were given little or nothing to do in
17 the function essentially as Sullivan's
18 secretary. Is that what you're telling me?

19 A. Yes.

20 Q. When you transferred -- is it the
21 Medicaid section? Am I calling it correctly?

22 A. It was called General Medicaid Duties.

23 Q. General Medicaid Duties. When you
24 transferred over there, your working hours
25 remained the same, didn't they?

1 A. They did remain the same.

2 Q. And your salary remained the same?

3 A. I believe it did.

4 Q. In light of the fact the same hours and
5 same pay, your Complaint calls it a demotion.
6 Is that accurate?

7 A. It is. There was -- she had me
8 returning a phone call. She would send me to
9 sit in on her meetings, but I wasn't allowed to
10 do anything at the meeting. The first item I
11 was given was a trademark to register, which I
12 had never done before. I was never shown how to
13 do anything in General Medicaid Duties. There
14 was no teaching. There was no help. I was
15 given one rate-and-audit case to handle, which
16 had previously been Daniel Duhon's duty.

17 Kim Sullivan did not know
18 anything about writing an audit. She had me
19 meet with her and Daniel a couple times to talk
20 about rate and audit, but yet I was not allowed
21 any help at the hearing with rate and audit.

22 Daniel came to me and told me
23 that Weldon had told him that he was not to
24 speak to me. There was no reason for him to
25 speak to me because I was now on the 5th floor.

1 So rate and audit was something I had never
2 handled before. My supervisor didn't know. And
3 the one guy that was handling them was not
4 allowed to help me.

5 Q. My question was: Why did you consider
6 that to be a demotion? Was that your answer?

7 A. I had -- I had nothing to do. There was
8 no help. I had no cases. One rate-and-audit
9 case and the trademark. When I worked in TPL, I
10 had file cabinets full of cases. I had nothing
11 when I worked in Sullivan's section.

12 Q. So you thought -- you felt like it was a
13 demotion because you didn't have much work
14 there?

15 MS. BOUNDS: Objection to the
16 extent it's asked and answered.

17 You can go ahead.

18 A. I went to meetings for her and returning
19 her phone calls to another person definitely did
20 not amount to attorney work. I wasn't allowed
21 to make any decisions regarding any cases that
22 she was working on.

23 Q. Trademark registration, that sounds like
24 pretty high level stuff. No? It's not
25 secretary --

1 A. It's not Medicaid duty.

2 Q. You would admit that's not secretarial
3 work?

4 A. I don't know. I've never -- I don't
5 know anything about trademark.

6 Q. Was that a challenge for you to do that?

7 A. If there was no help, it was a
8 challenge.

9 Q. Did you accomplish it?

10 A. I think I did eventually.

11 Q. Is there any other reason you felt like
12 the transfer was effectively a demotion as
13 outlined in paragraph 13 in your lawsuit?

14 A. Sullivan would send me a question via
15 e-mail and ask me to look it up, which felt like
16 secretary work too.

17 Q. Even if the e-mail was questioning legal
18 areas and legal research?

19 A. She would send me a vague question to
20 check HUD or the Centers for Medicaid/Medicare
21 and report back to her. But she was the one who
22 compiled it. Whatever the answers, she was the
23 one that made decisions with the information.
24 It wasn't -- I didn't do anything. I didn't
25 know what she was using the information for.

1 And it was once in a blue moon
2 that I got a question from her. Most of the
3 time I sat down there on the 5th floor with
4 nothing to do.

5 Q. The lawsuit continues with a reference
6 to being promoted or not being promoted to
7 position of Attorney 2. What do you recall
8 about that?

9 A. Claire Bergeron had come to me and told
10 me she had asked about the Attorney 2 promotion.
11 And she received an e-mail from Krystal Kaufman
12 that there wasn't anything that she needed to
13 do, that it was taken care of. Claire told me
14 that, from her understanding, the promotion was
15 automatic.

16 When I asked Kim Sullivan about
17 it -- I think it was around my evaluation -- she
18 told me that she and Humbles would have to get
19 together and discuss it. So for Claire it was
20 an automatic thing. And Claire went to law
21 school with me. She was admitted to the bar
22 with me, and she was hired at DHH after me. But
23 she was promoted automatically according to her
24 words. But when I asked, it was something that
25 had to be discussed.

1 Q. Do you know if, under the regulations,
2 you were entitled at that time to be promoted to
3 Attorney 2?

4 A. I don't know. From what I was told,
5 Humbles kind of makes up how she feels, how --
6 how she likes somebody. So Claire told me that
7 she got the promotion.

8 Q. So you included that allegation in your
9 lawsuit because of what Claire Bergeron told
10 you?

11 A. I saw the e-mail. And I know my e-mail
12 didn't say the same thing that Claire's did when
13 I asked.

14 Q. Did you at any time undertake the task
15 of trying to find out what the actual
16 regulations are with respect to being promoted
17 to Attorney 2, what the requirements were?

18 A. I was -- I was told it's two years from
19 working.

20 Q. Had you been working two years?

21 A. Not at that time, no. But Claire had
22 not been working two years either and she got
23 it.

24 Q. So you felt like they were treating you
25 unfairly or not consistently with other

1 employees?

2 A. Yes.

3 Q. As we sit here today, do you know what
4 the requirements are to be an Attorney 2?

5 A. I haven't looked it up.

6 Q. Okay. Continuing on, paragraph 18 says:
7 As a result of the incident sued upon herein,
8 Petitioner sustained damages which include but
9 are not limited to extreme emotional distress,
10 mental anguish, humiliation, embarrassment,
11 pain, past and future medical and psychological
12 expenses.

13 Are you currently treating with
14 any mental health professional?

15 A. No.

16 Q. When is the last time you treated with a
17 mental health professional?

18 A. I think the last time may have been June
19 or July of 2015. I did five visits.

20 Q. With whom?

21 A. With Mona Pellichino. She's a
22 counselor.

23 Q. Mona Pellichino?

24 MS. BOUNDS: Do you know how to
25 spell her last name for the court reporter?

1 A. Oh, Lord. P-e-l-l-i-c-h-i-n-o, I think
2 that's it.

3 Q. She's a social worker, correct?

4 A. She's an LPC.

5 Q. LPC.

6 A. I think that's what it was at the end of
7 her name, LPC.

8 Q. Licensed --

9 A. A Licensed Practical --

10 Q. Counselor?

11 A. -- Counselor, I think that's what it is.

12 Q. Have you ever treated with a
13 psychiatrist?

14 A. No.

15 Q. A psychologist?

16 A. No.

17 Q. Are you on medication today as we sit
18 here?

19 A. Yes.

20 Q. What are you on?

21 A. I currently take Lexapro.

22 Q. And the dosage?

23 A. Ten milligrams.

24 Q. Per day?

25 A. Yes.

1 Q. How long have you been taking Lexapro?

2 A. I have been taking it this -- for about
3 a month.

4 Q. Who's prescribing it?

5 A. It's been prescribed by my obstetrician,
6 Guillory.

7 Q. Now, you have been on Lexapro in the
8 past, have you not?

9 A. I have.

10 Q. When did you first take Lexapro?

11 A. The first time I took it was in 2010,
12 end of 2010.

13 Q. And who prescribed it in 2010?

14 A. It was Dr. Greg Allen.

15 Q. Are you related to him?

16 A. He's my uncle.

17 Q. What kind of doctor is he?

18 A. He's a family doctor.

19 Q. Is that the first time you had any
20 anti-depressant medicine or anti-anxiety
21 medicine prescribed to you?

22 A. That was the first time. It was a low
23 dose and only taken for, I think, three months.

24 Q. And were you actually treating with
25 Dr. Greg Allen in 2010?

1 A. Just the one visit and he gave me the
2 medication.

3 Q. And how long did you take the
4 medication?

5 A. I took it for about three months total.
6 But the first time I had taken it, I went back
7 to him and told him that the side effects were a
8 little unbearable. So he had advised that I
9 should cut the dosage in half. So I was taking
10 the five milligram dose.

11 Q. You were better on the five milligram
12 dose?

13 A. The side effects were less severe.

14 Q. Were you getting your prescriptions
15 filled at Walgreens?

16 A. I was. He had given me samples to try
17 the first time I had taken it.

18 Q. Do you know what your working diagnosis
19 was in 2010 and 2011?

20 A. I was planning a wedding, and I think in
21 my third year of law school -- no, going into my
22 third year of law school. And the symptoms I
23 described to him, he told me it sounded like I
24 was having mini panic attacks and hint of
25 depression.

1 Q. So that was at a time that you -- when
2 did you get married?

3 A. I got married at the end of 2010. I
4 think it was early December is when I went and
5 saw him the first time. Because before my
6 wedding I met with him, and that's when he gave
7 me the diagnosis. Maybe it was.

8 Q. So the diagnosis was both depression and
9 anxiety?

10 A. Mini panic attacks and hints of
11 depression is what he said.

12 Q. And how long did you remain on Lexapro?

13 A. For a total -- I only took it about
14 three months.

15 Q. So you would have stopped taking Lexapro
16 in 2011?

17 A. Sometime in 2011 I think I stopped
18 taking it.

19 Q. And then you -- did you take it again
20 after that? I know you told me that you started
21 a month --

22 A. Yeah.

23 Q. So between 2011 and the summer of 2016
24 you didn't take Lexapro?

25 A. I wasn't on Lexapro. He had me -- when

1 I went to talk to him in February of 2015, he
2 put me on Brintellix and gave me a referral to
3 see the counselor.

4 Q. And you say he, you're referring to?

5 A. Dr. Allen.

6 Q. Okay. So you saw him in February of
7 2015, Dr. Allen?

8 A. I think it was February.

9 Q. And had you been on any anti-depressant
10 or any anti-anxiety medicine from 2011 up until
11 February of 2015?

12 A. No.

13 Q. And, I'm sorry, what was the name of the
14 medicine that Dr. Allen prescribed in 2015?

15 A. It was Brintellix.

16 Q. And what's your understanding of what
17 that medicine is for?

18 A. It's an anti-depressant.

19 Q. And how long did you take that?

20 A. I took that one for maybe less than a
21 month and I found out that I was pregnant not
22 long after.

23 Q. Okay.

24 A. It may have been a little longer than a
25 month.

1 Q. And why did you go to Dr. Allen -- was
2 there an event that precipitated your visit with
3 Dr. Allen in February of 2015?

4 A. Everything that had happened at DHH I
5 felt like I couldn't process it anymore, that I
6 needed to get help. I felt like I had finally
7 just fallen into a dark pit and I needed to talk
8 to someone.

9 (Exhibit No. 6 marked for
10 identification.)

11 Q. While we're talking about that, I'm
12 going to go to Exhibit 6, but keep Exhibit 5
13 handy. You recognize Exhibit 6?

14 MS. BOUNDS: Are the first two
15 pages exactly the same?

16 MR. BLANCHFIELD: I think they
17 are. That's how they were copied.

18 MS. BOUNDS: Okay.

19 MR. BLANCHFIELD: I think they
20 are the exact same pages.

21 Q. Do you recognize that?

22 A. I do.

23 Q. Okay. And this is the time period that
24 we were talking about when you visited with
25 Dr. Allen initially in February of 2015?

1 A. Yes.

2 Q. And it was then you decided to request
3 FMLA leave?

4 A. Yes.

5 Q. By that time you had been working for
6 DHH long enough to where you were entitled to
7 it?

8 A. Yes.

9 Q. And the treatment for serious medical
10 condition, that is what we just spoke about here
11 today?

12 A. Yes.

13 Q. And how long did you treat?

14 A. I did five sessions, five sessions with
15 the counselor.

16 Q. And do you know when the fifth session
17 was with the counselor?

18 A. I believe it was in May.

19 Q. So you started in February of '15 and
20 ended in May of '15; is that correct?

21 A. I think that's right.

22 Q. Approximately three months or so?

23 A. Yes.

24 Q. And during that three-month period, you
25 would have met with the counselor five times?

1 A. Yes.

2 Q. And you were on an anti-depressant until
3 such time as you learned you were pregnant,
4 correct?

5 A. Yes.

6 Q. Okay. When did you make the decision
7 that you were not going to return to work for
8 DHH?

9 A. Through the course of talking with my
10 counselor.

11 Q. Do you know when that happened, when
12 that decision was reached?

13 A. Probably not until about the fifth
14 visit, my last visit speaking with her.

15 Q. So that would have been in May?

16 A. Probably about in May. Although when I
17 talked with my doctor in February, he had
18 recommended that I leave DHH. But at that time
19 I had not made any decision.

20 Q. All right. So you returned after
21 maternity leave on April 29th, 2014. Then you
22 were transferred sometime, either July or
23 August, to Kim Sullivan's section, correct?

24 A. Yes.

25 Q. And you worked there from August up

1 until the time that you took FMLA, correct,
2 which was February?

3 A. August to February.

4 Q. Now, during that time period when you
5 were working with Kim Sullivan, you were not
6 working with Weldon Hill, were you?

7 A. No, I was not.

8 Q. Okay. So you would not interact with
9 him on a daily basis during that time period,
10 would you?

11 A. No, I didn't, but I would still receive
12 e-mails from him that he would forward to me.
13 He would CC or BCC me, and I would still receive
14 something from him every once in a while. And
15 then in October he had cases being assigned to
16 me even though I didn't work in TPL anymore.

17 Q. That was upsetting to you?

18 A. It was upsetting to me. Because my
19 understanding was I was no longer in TPL at all,
20 yet he was having cases that were being sent to
21 me -- assigned to me through Medicaid Recovery
22 Specialist. And then he would CC me on e-mails
23 as well despite not supposed to talk to each
24 other.

25 Q. How many e-mails did he send you during

1 that time period?

2 A. He probably sent me three. I was told
3 that whatever TPL things -- issues, if anybody
4 called me about TPL, that I was to inform
5 Sullivan and then Sullivan would let Weldon
6 know.

7 Q. Were you ever given an explanation as to
8 why those cases, the TPL cases, were assigned to
9 you?

10 A. I called Stacy, Stacy Jackson. Stacy
11 stuttered on the phone and told me that she had
12 gotten it fixed, that I wouldn't be receiving
13 any more cases. But I was told that Weldon had
14 given Stacy Jackson the green light to begin
15 assigning me cases in October even though I
16 didn't work in TPL anymore.

17 Q. Do you know that the assignment of those
18 cases was inadvertent?

19 A. I think it was done on purpose.

20 Q. What was the purpose?

21 A. Being angry about what had happened,
22 trying to see if I would respond to him or say
23 something to him or initiate some sort of
24 contact, communication which I'd already been
25 told not to.

1 Q. So you start working for Kim Sullivan in
2 August. And then two months later you see these
3 cases, and your feeling is that they were sent
4 to you intentionally?

5 A. They came to me in mid-October. And
6 when I called Stacy, she was stuttering all over
7 the phone, all over herself trying to explain to
8 me that she had already gotten it fixed.

9 Q. Who's Stacy?

10 A. She is one of the supervisors for the
11 Medicaid Recovery.

12 Q. Okay. My question, though, I'm trying
13 to get your state of mind was in October when
14 you saw these cases. You felt like Mr. Hill
15 sent you those cases intentionally with ill
16 will?

17 A. I hadn't received any at the end of
18 August or September. And all of a sudden -- so,
19 yes, I did. I felt like he did it
20 intentionally; that he called Stacy and gave her
21 the green light to send me cases even though I
22 did not work for him anymore.

23 Q. So tell me, the transfer to
24 Ms. Sullivan's division, was that a positive
25 thing for you?

1 A. No, it wasn't.

2 Q. You didn't like the job there?

3 A. I didn't. I was told it was Medicaid --
4 general Medicaid duties and there wasn't
5 anything. They threw that one trademark case at
6 me and then the one rate-and-audit case.
7 Neither of which I was taught, shown, or helped
8 with any of it.

9 Q. It was too much for you?

10 A. They put me in a position where I didn't
11 know what to do. I didn't know how to do the
12 work and expected me to do the work. And then
13 gave me monthly reports to fill out knowing that
14 I didn't have anything to do. It was a setup.

15 Q. Do you remember describing your job --
16 your new job with Ms. Sullivan to your therapist
17 as being very fulfilling?

18 A. I don't remember telling my therapist it
19 was fulfilling, no.

20 Q. So you would disagree with this
21 assessment?

22 A. (Indicating.)

23 Q. Yes?

24 A. Yes.

25 Q. Mona Pellichino, that was your

1 therapist, right?

2 A. Yes.

3 Q. Have you seen Ms. Pellichino's
4 records?

5 A. No, I haven't.

6 Q. Do you remember reporting to her in May
7 of 2015 that you were feeling healthy and happy
8 since not being at the workplace and you will be
9 applying for another position tomorrow?

10 A. I did tell her that I had -- yes, I
11 remember.

12 Q. You described yourself as happy and
13 healthy in the spring of 2015 when you were out
14 on FMLA?

15 A. I didn't use those words. Her question
16 was: I can't let you leave here if you feel
17 like you're suicidal or if you're in a bad
18 place.

19 So she asked me if I felt like I
20 was suicidal or still in a bad place, and I told
21 her I was not.

22 Q. And you told her you were going to be
23 applying for another position?

24 A. I told her I was looking to apply.

25 Q. What have you done since May of 2015 to

1 look for another job?

2 A. Applied to numerous positions.

3 Q. Let's list them. Tell me what you've
4 applied for.

5 MS. BOUNDS: You can answer what
6 you remember.

7 MR. BLANCHFIELD: He needs a
8 bathroom break.

9 MS. BOUNDS: Do we need to go
10 off the record until he comes back?

11 MR. BLANCHFIELD: Yes.

12 (Brief recess.)

13 Q. What jobs have you applied for?

14 A. I've applied to several Attorney 1 and 2
15 positions on a Civil Service website.

16 Q. That's done online?

17 A. Um-huh. Yes. I've applied to several
18 program monitor jobs as well. I don't remember
19 offhand how many.

20 Q. That's also with Civil Service?

21 A. Yes.

22 Q. Okay. Anything else?

23 A. And I have a notary friend that had
24 mentioned having me come work with her, but
25 she's employed elsewhere at the moment.

1 Q. Anything else?

2 A. I think that's it.

3 Q. Do you have record of the state jobs
4 that you've applied for?

5 A. I do.

6 Q. Okay. And approximately how many would
7 you estimate total?

8 A. I would say 20 if not more.

9 Q. And no positive response on any of the
10 20?

11 A. I've gone to one interview.

12 Q. When was that?

13 A. I think it was July -- it was shortly
14 after I left DHH.

15 Q. July of '15?

16 A. I think so.

17 Q. When is the last time you applied for a
18 position online?

19 A. I think last month or the month prior.
20 There was an Attorney 1 position that came up.

21 Q. What position was it?

22 A. I don't remember what department.

23 Q. Was it with DHH or another state
24 agency?

25 A. It was another state agency.

1 Q. Currently, so you have two children at
2 home right now?

3 A. Yes.

4 Q. Your husband is working full time?

5 A. Yes.

6 Q. And you're caring for the two children?

7 A. That's right.

8 Q. Okay. We discussed the Mr. Larry Gill
9 investigation. Did you ever have the chance to
10 review the report?

11 A. No, I haven't reviewed the report.

12 Q. So the content of the report, as far as
13 your knowledge goes, you would have received
14 information in the meeting that I think you
15 described to me that Mr. Russo was present at?

16 A. I think at that meeting I requested to
17 see the report and was told it was confidential.

18 Q. Okay.

19 A. So I hadn't seen it.

20 Q. Did you give a statement to Mr. Gill?

21 A. I gave handwritten notes. He had asked
22 me to type up a statement.

23 Q. Okay. Did you do that?

24 A. I did.

25 Q. And what kind of notes did you give him?

1 A. I gave him -- I think I gave him a copy
2 of the notes I had documented of what all had
3 happened.

4 Q. Okay. There are some handwritten notes
5 and then there's some typewritten notes.

6 A. He asked -- yes.

7 Q. Did he ask you to type them or had you
8 already had them typed up?

9 A. He asked that I type them. He asked
10 that I type up what had happened with the three
11 issues that he was investigating as far as
12 Weldon telling me attorneys were pissing on me.
13 Weldon's statement that sex is fun until the
14 baby. And I think there was a third one. There
15 were three that he was looking to investigate.
16 And he asked that those be typed and then told
17 me I could -- I had the handwritten notes that I
18 wanted to give as well.

19 Q. Okay. I'm going to give you Exhibit 7.
20 It's a 16-page document. I've given an extra
21 copy to Crystal.

22 (Exhibit No. 7 marked for
23 identification.)

24 MS. BOUNDS: Thank you.

25 Q. Do these documents look familiar to

1 you?

2 A. Yes.

3 Q. Is that what you supplied Mr. Gill with,
4 these 16 pages?

5 MS. BOUNDS: The last page is
6 Daniel Duhon. Do y'all have it as well?

7 MR. BLANCHFIELD: I may have
8 given you an extra page. It should be 16 of 16
9 would be the last page.

10 MS. BOUNDS: No.

11 MR. BLANCHFIELD: You've got
12 something beyond that?

13 MS. BOUNDS: Okay. Yeah. 16 of
14 16 and at the bottom 12 of 24 but then I have an
15 additional page.

16 MR. BLANCHFIELD: Okay. That
17 would be the next. That's the start of Daniel
18 Duhon's. So I gave you too many pages.

19 MS. BOUNDS: We'll put that
20 aside. Let me count how many pages total.

21 MS. BOUNDS: 19 pages if I take
22 Duhon out.

23 MR. BLANCHFIELD: That's
24 probably correct. Yes. 16 plus 3.

25 Q. Okay. So the document starts out with a

1 typewritten statement. Is that what you
2 prepared?

3 A. It is.

4 Q. With your initials down at the bottom
5 right-hand corner?

6 A. Yes.

7 Q. Then it looks like on the third page
8 there's some handwritten questions. I assume
9 Mr. Gill sent those to you as a follow-up?

10 A. The handwritten questions at the bottom
11 of 3, those were in Gill's office --

12 Q. How did that --

13 A. -- when he met with me.

14 Q. So you presented him with these three
15 typed pages?

16 A. The three typed pages and the
17 handwritten pages.

18 Q. That followed the hand -- the typed
19 three pages?

20 A. Yes.

21 Q. Okay. So while he was there, he had you
22 in his office, he wrote those two questions out,
23 and then you answered both of them?

24 A. Yes.

25 Q. Okay. And the first one says: Since

1 June 20, 2014, has Weldon use the term, quote,
2 pissing on you, end quote.

3 It says "no" with your initials
4 BAG, correct?

5 A. Yes.

6 Q. Is it true that once you told Mr. Hill
7 that that term pissing on you offended you that
8 he stopped using it?

9 A. I think he had.

10 Q. You think he had? Is that what you
11 said?

12 A. I think after bringing it to his
13 attention, he did. He didn't -- he didn't say
14 attorneys were pissing on me.

15 Q. When did you first tell him that you
16 found that offensive?

17 A. At the meeting I had with Weldon, Lavon,
18 and Neal.

19 Q. And that was in June, right?

20 A. (Indicating.)

21 Q. You need to verbalize.

22 A. Yes.

23 Q. And so how many times had he used that
24 term prior to June of 2014?

25 A. Probably five or six times.

1 Q. Okay. You also -- if we go through
2 these documents that you gave to Mr. Gill,
3 there's some e-mails and then some handwritten
4 notes. Particularly, I'm looking at page 2 of
5 16.

6 A. Page 2.

7 Q. Of 16 on the top -- actually, it says
8 Attachment 2 of 8, page 2 of 16. Do you see
9 that?

10 A. I see it.

11 Q. Okay. And those are your notes,
12 handwritten notes, there?

13 A. Yes.

14 Q. And you would have given these notes to
15 Mr. Gill in June of 2014, correct?

16 A. I gave them to him with the typed up,
17 yes.

18 Q. And we know his investigation report was
19 done -- well, it's dated June 27th, 2014. Does
20 that sound right?

21 A. The 26th?

22 Q. Well, it's around -- the report is June
23 27th, it's dated.

24 A. Okay.

25 Q. But my question is: So these notes that

1 you gave him, you were keeping a written diary
2 of sorts?

3 A. I didn't keep a diary. I would write
4 down notes on the back of discarded envelopes or
5 a sticky note or wait until I got home and then
6 just make an entry. It was, basically, a bag of
7 scrap paper that I had collected my
8 documentation in.

9 Q. And then you took all the scrap paper --

10 A. Tried to put it in a more readable --
11 because everything was short-handed.

12 Q. Okay. When did you transfer the
13 information from the scrap paper to the document
14 that we have labeled Exhibit 7?

15 A. Probably about -- I think this was when
16 I went ahead and wrote what I had documented to
17 give to Larry.

18 Q. So that would have been in conjunction
19 with his investigation?

20 A. (Indicating.) Yes.

21 Q. So correct me if I'm my understanding
22 this, but you had all these scrap papers. And
23 then June you went, took all the scrap papers,
24 and then wrote --

25 A. I didn't have them all with me.

1 Q. Okay. Well, how did you reconstruct
2 this? Because you're going back to essentially
3 April 29th, which is the day you returned from
4 maternity leave.

5 A. I had some of the entries with me, but I
6 had my electronic calendar that I was using to
7 write around-about dates --

8 Q. Okay.

9 A. -- of when these events happened. Only
10 things I could remember and had in scrap paper
11 form did I write them down for Larry.

12 Q. Okay. Well, if we're looking at page 2
13 of 16, the first date, April 29th, 2014, that's
14 your first day back from maternity leave?

15 A. Yes.

16 Q. And it says: Spoke with Weldon re
17 inquiry as to temporarily going part time,
18 working some from home.

19 So that means -- suggests to me
20 that you actually went and met with Weldon; is
21 that correct?

22 A. I met with him after Michelle
23 Christopher had spoken to him. Weldon wanted to
24 know if I sent her to talk to him, and I told
25 him that I had not. And he sat down and talked

1 to me about what they could possibly do, he and
2 Kim, about my request. But he said he would
3 have to talk to her.

4 Q. With Kim?

5 A. Kim.

6 Q. Kim Humbles?

7 A. Yes, sir.

8 Q. All right. It says: He -- meaning
9 Weldon -- states my job description requires I
10 be at work 40 hours a week.

11 Did he receive that information
12 from Kim?

13 A. Yes. He told me he talked to Kim and
14 that since my job description says I work 40
15 hours a week I couldn't do part-time or at home.

16 Q. So when you first talked to Weldon, he
17 didn't tell you no; he said he would check and
18 see if there was something that could be done?

19 A. He said he had to talk to Kim.

20 Q. And then the next paragraph: Michelle
21 told Weldon I was BF.

22 What is that?

23 A. That's breast-feeding.

24 Q. Oh. So what was your intent when you
25 recreated these notes? What was it you were

1 including in this handwritten calendar?

2 A. I wanted to make a clear picture of what
3 all was going on --

4 Q. Okay.

5 A. -- for Larry.

6 Q. It was predominantly your complaints
7 about Weldon Hill, though, right?

8 A. Yes.

9 Q. And just generally speaking, it contains
10 many of the issues that we went through in your
11 EEOC Complaint and your lawsuit. Is that fair
12 to say?

13 A. Yes.

14 Q. Did you give Mr. Gill anything else
15 besides the document that we're looking at?

16 A. I think this was just it. It was just
17 this document.

18 Q. Do you remember speaking with Mr. Gill
19 about anything other than this document and the
20 written questions that you answered in his
21 office?

22 A. Gill made a point to tell me that I had
23 to write at the bottom of this document that the
24 issue pertaining to pumping in my office had
25 been resolved with the e-mail that Kim Humbles

1 had sent me.

2 Q. And what did Kim Humbles' e-mail
3 state?

4 A. She said that I could use my office to
5 pump breast milk and I did not need to put the
6 code sticky on the door.

7 Q. And that met with your satisfaction?

8 A. It -- there was more to it than just the
9 sticky note. Because Weldon would require that
10 I make up time missed. So I ultimately stopped
11 pumping at work and just went on to wean my
12 daughter because I had to use my breaks and my
13 lunch to make up time. Or what breaks I would
14 have had with the lunch period, I had to use to
15 make up.

16 Q. I thought you were visiting your child
17 at the lunch period?

18 A. The days I had to make up time I
19 couldn't go see her.

20 Q. How many days a week did you go see your
21 child after you returned on April 29th, 2014?

22 A. In the beginning, I think I was seeing
23 her about maybe three times -- three or four
24 times a week. But as I had to take her to
25 doctors' appointments, I would have to make up

1 that time, and I wouldn't get to see her during
2 a lunch.

3 Q. Okay. Now, when you returned on April
4 29th, did you have any leave left at all?

5 A. I didn't have any leave left, no.

6 Q. Did you expect the Department of Health
7 and Hospitals to pay you during the time that
8 you were pumping?

9 A. I didn't expect them to pay me.

10 Q. Did you expect to have to take that as
11 leave when you were doing that?

12 A. I expected to be able to use my breaks
13 or my lunch to pump if I need it.

14 Q. Did you ever use the term either
15 "pissing" or "pissing on" or "pissed off" or
16 anything like that in your workplace?

17 A. I think only with telling people that
18 Weldon used those words.

19 Q. These are not words that were in your
20 vocabulary?

21 A. Those aren't words I typically use.

22 Q. Okay. As we get -- if we turn to what's
23 labeled page 10 -- before we get to page 10, did
24 any of your coworkers use those terms?

25 MS. BOUNDS: What terms?

1 Q. Pissing or pissed on or pissed off?

2 A. No.

3 Q. And if they used them, would you have
4 told them that you find that offensive?

5 A. Telling me that somebody's pissing on me
6 I would find offensive. Somebody saying they're
7 pissed off, it's not even the same context as
8 telling someone they're being pissed on.

9 Q. So "on" is off limits, but "pissed off"
10 is okay?

11 A. I've never heard somebody say that at
12 work, pissed off.

13 Q. You've never heard anyone say that?

14 A. I don't recall hearing anyone say it.

15 Q. Page 10 goes to a typed -- that's your
16 typed document? Yes?

17 A. Yes.

18 Q. And why is that typed as opposed to all
19 the others being handwritten?

20 A. I typed it up during my lunch after it
21 happened so it was still fresh in my mind.

22 Q. So you had that document on your
23 computer and you just printed it for Mr. Gill?

24 A. I think so.

25 Q. So you -- this particular document,

1 which is titled June 11th, 2014 Meeting at 8:00
2 a.m., you typed that after the meeting occurred
3 in your office?

4 A. I think so.

5 Q. On your computer, your work computer?

6 A. I think I did.

7 Q. In a word-processing software program?
8 Do you know?

9 A. I think so.

10 Q. Okay. So it would have been on your
11 computer at work?

12 A. I think I typed it up while at work.

13 Q. All right. And what word-processing
14 software was being used at that time in June of
15 2014?

16 A. I think it was just Word.

17 Q. And you printed it there at the office?
18 You don't remember?

19 A. I don't remember.

20 Q. If you go to page 14 of 16, it just kind
21 of goes from the June 11th recount to the June
22 17th, like it's a running document. That's why
23 I'm asking you. Is this a document you kept on
24 your computer and added to it or do you
25 remember?

1 A. I really -- I'm not sure.

2 Q. Do you know when you typed the page 14
3 of 16, the June 17th meeting?

4 A. I'm not really -- I'm not sure.

5 Q. Well, turn to the last page. There
6 again we go back to handwritten entries. Do you
7 see that? The first date is 5/20/2014, 7:48
8 a.m. Do you see that?

9 A. Um-huh.

10 Q. That's your handwriting?

11 A. That's my handwriting.

12 Q. Okay. How does that fit into this?

13 MS. BOUNDS: Objection to form.

14 Q. We went through your handwritten notes
15 leading up to the typed notes and then we go
16 back to handwriting. Can you tell me why that
17 is?

18 A. I had a jump drive. I don't know that
19 I -- the notes from the meetings typed up in a
20 jump drive after they happened so they were
21 still fresh in my mind. But then I did
22 hand-write most of my notes.

23 Q. So do you have any recollection or
24 reason why we have that last page kind of, for
25 lack of a better word, out of sequence?

1 A. Other than I just -- I kept notes on
2 whatever paper I had.

3 Q. Okay. And that is one of the things you
4 gave to Mr. Gill?

5 A. Yes.

6 Q. Okay. How did you know that -- it says
7 here: He keeps track of my time.

8 I'm reading from that last page.
9 How did you know that?

10 A. On page 16?

11 Q. Yes.

12 A. I knew he had the legal pad in his desk,
13 that he would write time I had to make up.

14 Q. How did you know that?

15 A. Because he showed it to me when I went
16 into his office.

17 Q. All right. Let me show you another
18 exhibit. It's Exhibit 8, and see if you
19 recognize the back. It's a five-page document.

20 (Exhibit No. 8 marked for
21 identification.)

22 MS. BOUNDS: Do you have an
23 extra?

24 MR. BLANCHFIELD: I do. There
25 you go.

1 MS. BOUNDS: Thank you.

2 Q. What is that?

3 A. These are the monthly reports.

4 Q. Okay. And those are reports that you
5 filled out during your time working with
6 Ms. Sullivan?

7 A. Yes.

8 Q. Is that something you would do on a
9 monthly basis?

10 A. It was something I was asked to do once
11 I was moved to Kim Sullivan's section.

12 Q. Okay. And was that something that you
13 would compile at the end of a month or was it
14 something you just kind of kept a running total
15 on?

16 A. Kept a running total on during the
17 month.

18 Q. Okay. And these things that you have
19 kept track of, would you agree that some of them
20 are not really secretarial-type tasks?

21 A. She had me sit in on a couple cases that
22 she was working on, and I would tally them on
23 here just to make it look like I was doing
24 something.

25 Q. So your testimony is that you were

1 really not doing much at all during your tenure
2 with Kim Sullivan. That's correct?

3 A. That's correct. She would ask me to go
4 to her meetings. So I would put a tally that I
5 went and sat even though I didn't do anything or
6 make a decision on anything. She would send me
7 a question, and each website that I hit I would
8 tally it on here to make it look like I was
9 doing something. Because I was told the 9th
10 floor wanted to know what the attorneys were
11 doing. So I was given this monthly report to
12 do. And it felt like, if I didn't look like I
13 was doing something, that it was a setup to get
14 rid of me.

15 Q. Did Ms. Humbles check on you from time
16 to time after you transferred to Medicaid?

17 A. She sent me a couple e-mails.

18 Q. Which you ignored?

19 A. I did ignore because they weren't --
20 they weren't true. It wasn't -- it was,
21 basically, a cover-your-tail type of e-mail.
22 Because my meeting with her on the 14th, July
23 14th, to discuss the computer was very rude.
24 There was nothing helpful about the meeting.

25 Q. So these e-mails that Ms. Humbles sent

1 you, you didn't respond to them at any time?

2 A. I didn't respond until the day that I
3 resigned. I replied to one of them.

4 Q. And she started sending you these
5 e-mails, I think, in August right after you
6 transferred, did she not?

7 A. I'm not really sure what date. I think
8 there was three of them.

9 Q. And the e-mails asked you how you were
10 doing in your new position, if there was
11 anything that Ms. Humbles could do to help. Is
12 that kind of the tone of those e-mails?

13 A. I think that's about the gist of them.

14 Q. But you didn't feel that any of those
15 e-mails were genuine?

16 A. They were not genuine.

17 Q. Why do you say they were not, as a
18 matter of fact, genuine?

19 A. Because going in her office to ask her a
20 simple question about the computer led to her
21 telling me that she had to go get a witness.
22 She pulled the witness into the room. Told me
23 she didn't have to explain anything to me.
24 Didn't want to hear any concerns I had. Cut me
25 off. Interrupted me. And then shooed me out of

1 her office with her hands waving towards the
2 door. That doesn't sound --

3 Q. You taped that, didn't you?

4 MS. BOUNDS: Let her finish.

5 MR. BLANCHFIELD: I'm sorry.

6 A. I did tape it. But that experience led
7 me to believe that those e-mails were not
8 genuine.

9 Q. Did you listen to that tape of that
10 meeting recently?

11 A. I did.

12 Q. You did?

13 A. (Indicating.)

14 Q. When did you listen to it?

15 A. I think yesterday.

16 Q. That's not one of the recordings that
17 you told me you listened to in preparation --

18 MS. BOUNDS: Yes, it is.

19 A. It is.

20 Q. That's the 14th?

21 A. It is the 14th.

22 Q. And so you listened to that yesterday?

23 A. Yes.

24 Q. So because you felt that the e-mails
25 were not genuine, you just ignored them until

1 you made a decision to resign, and then you
2 responded with your two-line resignation e-mail;
3 is that correct?

4 A. That's correct. I had sent her a couple
5 e-mails during the time that I was working under
6 Sullivan, one e-mail being about the trademark
7 registration. And she never responded to me.
8 Never responded to my question. Instead
9 forwarded it to Kim Sullivan, who I had already
10 asked questions about the trademark, and Kim
11 Sullivan didn't know.

12 Q. What did your e-mail say to Ms. Humbles
13 about the trademark issue?

14 A. I mentioned that I had spoken to Brandon
15 about the trademark. And Brandon had
16 recommended that I contact her to see if the
17 steps that he had taken when he registered a
18 trademark were the same. Basically, to check
19 with her that I was doing it right.

20 Q. With Ms. Humbles?

21 A. With Ms. Humbles.

22 Q. And you sent her an e-mail?

23 A. (Indicating.)

24 Q. Do you have a copy of that e-mail?

25 A. I think I have it in my binder.

1 MS. BOUNDS: It was produced.

2 Q. And what's your recollection of what
3 that e-mail states?

4 A. The question that I had asked her or the
5 response that I got?

6 Q. The question that you asked, and then
7 we'll go to the response.

8 A. I let her know that I talked to Brandon
9 and that he had told me to check with her how to
10 do the trademark.

11 Q. And that's why you were e-mailing
12 Ms. Humbles, to get some information on how to
13 do the trademark?

14 A. Questions about the trademark.

15 Q. What was her response?

16 A. I didn't get one from her. She
17 forwarded it to Kim Sullivan, and Kim Sullivan
18 sent me an e-mail saying that she thought the
19 e-mail was meant for her and I had mistakenly
20 sent it to Humbles, but she didn't know how to
21 do it, and Humbles never responded.

22 Q. Okay. When you say "she didn't know how
23 to do it," you're referring to Kim Sullivan?

24 A. Kim Sullivan didn't know how to do the
25 trademark.

1 Q. Why did you choose Kim Humbles as the
2 person to send a question about how to do a
3 trademark to?

4 A. Because Brandon had told me to check
5 with Kim Humbles to make sure that I was -- that
6 the steps that he had told me were still how we
7 were supposed to do it.

8 Q. 'Cause he had done it in the past,
9 Brandon?

10 A. He had done one.

11 Q. Did you ever see a copy of the DHH reply
12 to the EEOC Complaint?

13 A. I don't think so.

14 Q. What is the status of your EEOC
15 Complaint?

16 A. I don't know. The last I had spoken to
17 the investigator she said DHH had not responded.
18 And I haven't heard anything else.

19 Q. Okay. So you never received a response
20 filed by DHH?

21 A. No.

22 Q. Did Ms. Sullivan ever do a PPR when you
23 were working there for her?

24 A. She did.

25 Q. Did you sign it?

1 A. Yes.

2 Q. Was it a, quote, good review?

3 A. It was. I mean, it looked like a
4 standard review. It didn't -- I mean, it
5 wasn't -- it was, basically, a standard review.

6 Q. Did you ever tell her that you were
7 discontent working in the Medicaid division?

8 A. No. I don't think I ever told her I was
9 discontent. I told her I didn't know how to do
10 the stuff that was given to me, the questions or
11 whatever. I didn't know how to do the rate and
12 audit. Didn't know how to do the trademark.

13 Q. That was new material for you, wasn't
14 it?

15 A. It was new material, but no one took any
16 time to explain or show me how to do any of it.

17 Q. Is there something wrong with that? I
18 mean, I give people stuff to do I don't know how
19 to do all the time. I don't explain anything.
20 Did you find that offensive?

21 A. I found nobody wanted to help me do any
22 of it. And if I did it wrong, then I would be
23 out the door. No one was going to have my back.
24 No one was going to help. They wanted me to do
25 something wrong is how I felt.

1 Q. That's why they were giving you that
2 stuff?

3 A. Stuff to do I didn't know how to do, and
4 nobody took the time to show me or tell me how
5 to do it.

6 Q. Help me out here. At one point you
7 complain that all you have to do is secretarial
8 stuff. And at the other point, you're saying
9 it's too much for you, it's over your head.

10 A. I didn't say that.

11 MS. BOUNDS: Objection to form.
12 Mischaracterizes her testimony.

13 Q. What did you say?

14 A. Rate and audit was given to me. I
15 didn't know what to do. And the same with the
16 trademark. Everything else was just going to
17 meetings for her.

18 Q. So those were just -- those two issues
19 were the only issues that you felt like you were
20 not getting any help with and needed help with?

21 A. What little work I did have, no one took
22 the time to show me or tell me how to do it.
23 The rate and audit, there was one case that I
24 did. And when I asked for assistance, Daniel
25 was allowed to come to two meetings, I think, on

1 it. And then Daniel told me that Weldon had
2 instructed him not to speak with me and was
3 unhappy that Daniel had attended any meetings
4 with me about the rate and audit.

5 And when I asked Kim Sullivan to
6 help me with the rate and audit, she left me to
7 dry, just hang me out there, because she had
8 last minute needed to go to federal court.

9 Q. Were you able to complete the
10 rate-and-audit project?

11 A. I did.

12 Q. Without getting any input from anyone
13 else?

14 A. I was able to complete it.

15 Q. There's some notes that I think you
16 provided to your attorney who provided to me.
17 There was a period of time when you thought
18 someone was going into your computer and turning
19 it on in the morning. Do you remember that?

20 A. There was a period of time when I moved
21 down to the 5th I did not have a key. The girl
22 who had had that office before me had lost it.
23 But when I got there in the morning, the
24 automatic lights on the computers were up and
25 on, on some mornings. It was just something to

1 make note.

2 Q. Did you feel like someone was looking at
3 your computer?

4 A. The computer on the 5th floor I
5 didn't -- it -- there wouldn't have been
6 anything worth looking at on the student
7 computer. But from working on the 8th floor, I
8 knew that when I left my office while working
9 for Weldon, that he would enter my office, my
10 locked office, when I wasn't there. 'Cause I
11 would find files moved around on my desk. I
12 would find mail on my chair or on my computer.
13 So I knew he went in my office on the 8th floor
14 when I left.

15 So when I moved down to the 5th
16 floor, I would find that the lights in the
17 computer were up and running even though I had
18 not been in there. And previously, other days
19 when I got there, it was dark and the computer
20 was asleep. And the lights didn't trigger until
21 I was rounding the corner of the desk and the
22 chair.

23 Q. How do you know that Weldon went into
24 your locked office on the 8th floor?

25 A. He would put mail in my chair. Things

1 would be scattered or moved on my desk.

2 Q. Some of the notes that you sent on, I
3 want to read a passage and tell me if you can
4 explain this to me. It says --

5 MS. BOUNDS: What are you
6 referencing? Is it Exhibit 7's notes?

7 MR. BLANCHFIELD: No. It's some
8 notes y'all sent me.

9 MS. BOUNDS: Handwritten notes?

10 MR. BLANCHFIELD: Yeah.

11 Q. It's from your handwritten notes
12 9/15/2014. It says: TPL is not, quote, too
13 busy, end quote if Weldon has time to watch
14 Rebecca Delesalle and her two female
15 subordinates and do pro bono work while on DHH
16 time. He sent his pro bono opinion/research to
17 regional attorney Jenna, per Ashley, while at
18 DHH on DHH time and getting paid. His computer
19 or e-mail should be checked.

20 What does that refer to? Do you
21 remember writing that?

22 A. I do. Ashley had come to me and told me
23 that Stephanie, the attorney that was moved up
24 to the 8th floor during the big move where I was
25 moved to the fifth -- but Stephanie had told

1 Ashley that Weldon had gone into her office
2 acting as though he was going to look for a
3 TPL file, since some of the TPL files were moved
4 into her office when the filing cabinets were
5 moved out of my old office on the 8th and into
6 her office, which was previously the storage
7 room.

8 And she said he would -- Weldon
9 would go in her office, act like he was pulling
10 a file, look at -- have the file out. But she
11 said she saw him looking at her while she was
12 working at her stuff on her computer. And then
13 he would close the file, put it back into the
14 file cabinet, and leave.

15 Q. So you're just reporting what you had
16 heard from someone else?

17 A. It was a note from what I had heard.

18 Q. I mean, this allegation of Mr. Hill
19 doing pro bono work on the DHH dime, is that
20 something that you knew or something that you
21 were just passing along?

22 A. I -- I would hear him in there typing
23 and typing and typing. And we use form letters.
24 So when I was told that Ashley had seen with her
25 own eyes that he had sent a pro bono research to

1 Jenna, it seemed like that could be possibly
2 what he was doing. I mean, we use form letters.

3 Q. So you're just guessing that he was
4 working on pro bono stuff on DHH time?

5 MS. BOUNDS: Objection to
6 form.

7 A. Ashley saw it.

8 Q. Ashley saw him doing it?

9 A. Saw the e-mail that he sent to Jenna
10 asking Jenna why she hadn't done it yet.

11 Q. The same day there's another --
12 actually, the next day, 9/15, your handwritten
13 notes: Daniel called. I told Daniel it feels
14 like they just throw stuff in my lap. First the
15 trade name assignment, then the Medicaid
16 eligibility hearing, now rate-and-audit appeals.
17 I don't even know where to start.

18 It sounds like you were very
19 busy. No? That's not what that means?

20 MS. BOUNDS: Is that a no?
21 You're shaking your head. So I want to get it
22 down for the record.

23 A. No. It was one trademark that they had
24 asked that I do. It was one rate-and-audit
25 case. And the Medicaid eligibility, there was

1 two, I think, that I sat in with Sullivan, but I
2 didn't do anything with those. Those were
3 Sullivan's cases.

4 Q. So this line "I don't even know where to
5 start," exclamation, that's -- you did not write
6 that to indicate that you were busy?

7 A. To indicate that I didn't know what I
8 was doing.

9 Q. Okay. The next page of your notes were
10 sent -- says: Kim H. came to the 5th and walked
11 past my office. My door was maybe open one or
12 two feet. I heard her go to Kathleen's office.

13 That would be Kathleen
14 Callaghan?

15 A. Yes.

16 Q. She started talking. I couldn't make
17 out the conversation. I'm scared to leave my
18 office to go to lunch. I do not want to run
19 into her at all.

20 Why did you write that?

21 A. It felt like a hostile work situation,
22 and I didn't want to run into Humbles at all.

23 Q. Your note continues. It says: I know
24 she's pissed.

25 A. She -- Humbles had come in to bring me

1 the student computer with Krystal Kaufman. And
2 Kathleen and I were in my office on the 5th
3 floor when she came in. And she was rude to
4 both of us. But after she had left, I was told
5 that Humbles believed that Kathleen and I were
6 talking about her. And shortly after that
7 encounter was when I was moved to Sullivan's
8 section instead of Kathleen's. So after all
9 this that had happened, I didn't want to run
10 into any of them.

11 Q. Was it because you had filed an EEOC
12 Complaint? Is that why you didn't want to run
13 into her?

14 MS. BOUNDS: Objection. Asked
15 and answered.

16 A. It was -- it was after all -- I mean,
17 after my Complaint and how I had been treated.

18 Q. You know, in your notes I see the word
19 "pissed" used a couple times. I thought that
20 was something that you never used. Is that an
21 offensive term or not?

22 A. Being pissed just means angry. I don't
23 find people being pissed to be offensive. But
24 when you tell someone that they're being pissed
25 on, that's like being urinated on. It takes on

1 a different meaning from being angry to being
2 peed on.

3 Q. The latter being offensive?

4 A. Exactly.

5 Q. Is it still your intent to reenter the
6 workforce at some point?

7 A. Yes.

8 Q. And is it your intent to try and get a
9 job in the legal field?

10 A. It is.

11 Q. I notice that when you told me about
12 what kind of jobs you applied for, most of them
13 are with the State, if not all of them are with
14 the State.

15 A. I would have liked to work with the
16 State for the retirement, and the insurance
17 benefits would be better than what I have now.

18 Q. And what you have now is through your
19 husband's employment?

20 A. It's through Southpoint Volkswagen.

21 Q. And with the discussion about the
22 Attorney 2, is it your contention that you were
23 entitled to a raise to that position and just
24 not given it?

25 A. If what Claire had told me was true,

1 then I was entitled to it.

2 Q. All right. In some of the documents
3 that you all produced to me, there's a
4 photograph. I'll ask you if you notice that.

5 A. I notice it.

6 Q. What is that? Did you take that?

7 A. I did take it.

8 Q. Why?

9 A. Because Weldon was always on my case
10 about the way I organized my files and the way I
11 had them lined on my desk. He didn't like how I
12 did anything. I took a picture to show just how
13 his office looked with his files stacked on the
14 floor and about a foot deep on his desk.

15 Q. So that's a picture of Weldon's
16 office?

17 A. It is a picture of his office.

18 Q. When was that taken?

19 A. I don't remember what date.

20 Q. Here's a second picture that y'all sent
21 as well. Is that --

22 A. That's his office.

23 Q. Did you take that picture?

24 A. I did take it.

25 Q. Again, for the same purpose?

1 A. Yes. He had a problem with the way I
2 organized my office, but this was how his
3 looked.

4 Q. Do you know when that picture was
5 taken?

6 A. It was probably June or July of 2014.

7 (Exhibit No. 9 marked for
8 identification.)

9 (Exhibit No. 10 marked for
10 identification.)

11 Q. I'm going to label those photos 9 and 10
12 respectively. Did you take those photographs
13 for any reason other than just to show the
14 condition of Mr. Hill's office?

15 A. He had told me before to do as he said
16 but not as he does and was always complaining
17 about the way that I organized papers in a file
18 and the way that I -- and he had mentioned the
19 way that I kept them in file racks on my desk.
20 So I took the picture just to show that his
21 office, there was stuff everywhere.

22 (Exhibit No. 11 marked for
23 identification.)

24 Q. Let me show you another document that
25 y'all sent me in discovery. Exhibit 11, do you

1 recognize that?

2 A. Yeah.

3 Q. Why did you send me that?

4 A. I had been -- I had been told by a woman
5 that, if I was having legal issues with my
6 employers, that it wasn't a bad idea to have
7 something that has a picture of the person. And
8 to bring it to, like -- to bring it to my
9 child's daycare to warn them just in case is
10 what she had told me.

11 Q. That's why you have that picture?

12 A. So I just printed it out.

13 Q. Did you bring it to your child's
14 daycare?

15 A. I don't think I did. I just added it to
16 my binder that I gave to Jill.

17 Q. So if I understand you, you have that
18 picture because someone told you that, if you
19 have a problem with your employer, you should
20 take a picture and bring it to your daycare?

21 A. I felt very threatened by Weldon, Kim,
22 and Steve. And I had voiced that to Kathleen.
23 And Kathleen had me meet with a friend of hers
24 and she offered some tips and some advice. And
25 she said, when you feel threatened -- because

1 she had been through a legal issue somewhat
2 similar -- she said it's not a bad idea to have
3 a picture of this person in case they try to
4 access your child's daycare just as a means of
5 getting at you.

6 I don't believe I even brought
7 it to there, but at the time I felt very
8 threatened.

9 Q. Not threatened enough to bring it to the
10 daycare, though, huh?

11 A. Like I said, I don't remember if I
12 brought it to the daycare.

13 Q. If you had brought it to the daycare,
14 what would you say?

15 A. I'm in the middle of an issue with my
16 employer. Be on the lookout.

17 Q. Be on the lookout and then you'd point
18 him out?

19 A. If I had to -- if I did that.

20 Q. But you didn't?

21 A. I don't remember if I brought it to
22 them.

23 (Exhibit No. 12 marked for
24 identification.)

25 Q. Let me show you Exhibit 12 that you all

1 sent me.

2 A. Oh, this was sent to me by Ashley.

3 Q. So that made it into your binder as
4 well, huh?

5 A. Anything that was given to me. She said
6 it reminded her of my case.

7 Q. Did it remind you of your case?

8 A. Of Weldon adjusting his pants and then
9 coming into my office to ask me about the Cicio
10 case and placing his hand in his pocket and
11 rubbing himself, that reminded me.

12 Q. That reminded you of this article or
13 this article reminded you of that?

14 A. I had told her -- told Ashley what had
15 happened, and this is what she printed out and
16 gave to me. I didn't print this out.

17 Q. But you kept it in your binder?

18 A. I just added it with the rest of the
19 stuff that I had.

20 Q. "Gretna attorney accused of masturbating
21 in law firm's associate's office fouling her
22 belongings," that you felt that that was worthy
23 of keeping in your notebook for this claim?

24 A. I put everything that other people gave
25 me, told me, whatever they had to say, I added

1 it.

2 Q. So this instance where Mr. Hill is
3 alleged by you to have been rubbing himself, did
4 this happen more than once?

5 A. That happened once, but he would adjust
6 his pants in my office numerous times.

7 Q. And you, in your mind, that's akin to
8 masturbating?

9 A. I did not akin it to masturbating.

10 Q. You what?

11 A. I did not say it was like masturbating.

12 Q. But Exhibit 12 reminded you of his
13 actions in adjusting his pants?

14 A. He had a reputation at DHH. And like I
15 said, I did not print this. This was given to
16 me. Somebody else told me that this reminded
17 her of my case.

18 Q. Well, how did Ashley know that Weldon
19 had rubbed himself in your presence?

20 A. 'Cause I had told her.

21 Q. Who else did you tell?

22 A. I told Kathleen. I told my husband,
23 some family members. It was an embarrassing
24 experience. It's not something I went and told
25 everybody.

1 Q. Did you ever tell Mr. Duhon that
2 Mr. Hill was rubbing himself in your presence?

3 A. I don't remember telling Daniel.

4 Q. Why was Ms. Humbles included as a
5 defendant in this suit?

6 A. For retaliation.

7 Q. And the retaliation took the form of
8 your transfer to Medicaid?

9 A. It was me --

10 MS. BOUNDS: Let me just lodge
11 an objection and then you can answer.

12 To the extent it calls for a
13 legal conclusion, I don't think she practices
14 employment law.

15 But you can answer if you know.

16 Q. You can answer.

17 A. Because she had me -- I mean, I was
18 transferred to the 5th. My phone line was taken
19 to the 5th, and I was told to work on the
20 computer that I had been using previously in the
21 8th floor in the storage room. It had been
22 converted into a storage room. I wasn't allowed
23 to take the computer. It had to stay.
24 Everybody else took their computers to their new
25 offices. I wasn't allowed to. So I had to go

1 to the 8th floor where I didn't have a phone
2 line anymore to try to do my work on the
3 computer in the storage room.

4 Q. So the retaliation --

5 A. And then the transfer.

6 Q. Okay. So the transfer in and of itself
7 you felt was retaliation?

8 A. Being transferred to a position that
9 didn't previously exist and told that I would be
10 assisting Sullivan.

11 Q. What do you mean it didn't exist?

12 A. There was no one else that was working
13 in that position.

14 Q. And so that made you think it was
15 retaliation?

16 A. I was the only Attorney 1 working for a
17 Deputy General Counsel.

18 Q. Did anyone else change jobs around that
19 time period?

20 A. I think I was the only one.

21 Q. All those other folks who you mentioned
22 whose offices were moved, none of them had
23 different jobs at that time?

24 A. I think they were all still working the
25 same sections that they were in previous to the

1 move.

2 Q. In your other employments, you
3 mentioned, I think, Target and North Oaks. Did
4 you ever have any trouble with supervisors?

5 A. No.

6 Q. None?

7 A. None.

8 Q. Did anyone in your other employments
9 ever use any language that you felt was
10 offensive?

11 A. No.

12 Q. What about in law school, did you ever
13 have any offensive professors?

14 A. I had a professor that admitted he liked
15 to curse in class. But I didn't find it
16 offensive. He wasn't directing it at anybody.

17 Q. And did he, in fact, curse in class?

18 A. A couple times.

19 Q. You were not offended by that?

20 A. No, I wasn't.

21 Q. All right.

22 (Exhibit No. 13 marked for
23 identification.)

24 Q. These are some answers to questions that
25 your attorney has sent in this matter. Number 2

1 lists any witnesses. The 14th witness, Wanda
2 Yates, who is that?

3 A. Wanda was a WAE employee.

4 Q. What's that?

5 A. Temporary. At least I think that's what
6 it stands for.

7 Q. You've discussed this case or any of the
8 facts of this case with Ms. Yates?

9 A. No. She came to my office and told me
10 that she was having issues with Weldon, and the
11 issues that she told me about were similar to
12 the things that I had with him; that he would
13 physically open her door if she had it closed or
14 cracked, that he would give her conflicting
15 instruction. He would say one thing, she would
16 do it that way, and then she would give him the
17 result, and he would tell her that it wasn't
18 right.

19 Q. When's the last time you spoke with
20 Ms. Yates?

21 A. I haven't spoken with her probably since
22 the end of 2014. I only spoke to her once.

23 Q. Okay. And was that the conversation
24 that you just told us about?

25 A. That was essentially it.

1 Q. Viola Nolan, who is that?

2 A. That is -- that is the director at my
3 kids' daycare.

4 Q. And why is she listed as a potential
5 witness or someone who knows about this matter?

6 A. I had told her a little of what I was
7 going through at work.

8 Q. Okay. Did you ever file for
9 unemployment?

10 A. I did.

11 Q. When did you do that?

12 A. Maybe about August of 2015.

13 Q. Okay. And do you have the forms that
14 you used to apply?

15 A. I don't have any of the forms with me.

16 Q. All right. Where did you do it
17 physically? Where did you go?

18 A. I went to the website.

19 Q. And you filled it out online?

20 A. Yes.

21 Q. And what was the results of that?

22 A. It was a denial.

23 Q. Why was it denied? Did they give a
24 reason?

25 A. The judge had mentioned that I did

1 not -- that the reason that I gave for leaving
2 was not -- I think it was that it wasn't
3 adequate. I think that's what he had said.

4 Q. Who was the judge?

5 A. I don't remember his name.

6 Q. What kind of judge was he?

7 A. It was an ALJ.

8 Q. So was there actually a hearing?

9 A. There was a hearing.

10 Q. When was the hearing?

11 A. I don't remember the date.

12 Q. Did you testify?

13 A. I did.

14 Q. Did you have counsel?

15 A. I did not.

16 Q. So no one asked you questions, you just
17 testified?

18 A. The judge asked me questions.

19 Q. Was there a record of that proceeding?

20 A. I don't know.

21 Q. Did the judge issue a ruling from the
22 bench or issue a written ruling?

23 A. It was a written.

24 Q. How long was the written ruling? Was it
25 more than a page?

1 A. I think it was two pages.

2 Q. Do you have a copy of that?

3 A. I don't have a copy on me.

4 Q. What was your recollection of his reason
5 for ruling that you were not entitled to
6 unemployment?

7 A. I don't remember.

8 Q. When I asked to please produce a copy of
9 any and all requests for unemployment filed by
10 you and all documents related to claims made by
11 you, the answer I got was none in your
12 possession. That's not true, is it?

13 A. I may not have had it in my possession
14 at that time. I don't remember when I had the
15 hearing.

16 Q. Well, you can certainly get me a copy of
17 that. I assume you still have a copy?

18 A. I have a copy.

19 MR. BLANCHFIELD: Why don't we
20 take a five-minute break.

21 MS. BOUNDS: No problem.

22 (Brief recess.)

23 (Exhibit No. 14 marked for
24 identification.)

25 Q. Exhibit 14, the last exhibit, that's the

1 second set of interrogatories that your counsel
2 supplied to me, and I flagged exactly what I'm
3 interested in. The first flag is the beginning
4 of what's styled an EEOC questionnaire, and I
5 want you to tell me if you recall filling that
6 out?

7 A. I do.

8 Q. Okay. And that was obviously in
9 conjunction with your EEOC Complaint, correct?

10 A. Yes.

11 Q. All right. And the second flag I want
12 you to read, middle of the page, where it
13 references that -- it asks about attorney and
14 you say that you consulted with Ms. Jill Craft;
15 is that correct?

16 A. On June 11th.

17 Q. June 11th, 2014?

18 A. Yes, sir.

19 Q. At 11:50 a.m.?

20 A. Yes, sir.

21 Q. So that was -- June 11th, that was the
22 date that you had the meeting that we have
23 discussed here with Ms. Humbles and Mr. Russo
24 and the others, correct?

25 A. Yes.

1 Q. So you would have had that meeting that
2 morning and then you would have gone and met
3 with Ms. Craft the same morning?

4 A. Yes.

5 Q. You remember the meeting to be in the
6 morning at DHH?

7 A. I do. I remember it was in the morning.

8 MR. BLANCHFIELD: Okay. All
9 right. I think that's all I have, Ms.
10 Gauthreaux. I appreciate your time and
11 patience.

12 MR. ROEDEL: I don't have
13 questions. Thank you.

14 MS. BOUNDS: Okay. I have a
15 couple of follow-up.

16 EXAMINATION

17 BY MS. BOUNDS:

18 Q. If you would find the Exhibit 7, here it
19 is, the statement with the, I think, 19 pages.

20 I believe your testimony earlier
21 when you were asked about Mr. Weldon's comments
22 regarding pissing or pissing on someone, you
23 stated that you thought he had stopped using it
24 after you brought it to his attention. The
25 second -- I'm sorry, the third paragraph of this

1 statement you mention a June 24th meeting with
2 Weldon, Neal, and Lavon. And you say: I told
3 Weldon to stop saying "pissing" because it was
4 vulgar and gave a gross imagery.

5 Did he then stop using that
6 phrase?

7 A. No. I think he -- I think he did say it
8 a couple more times after the meeting.

9 Q. Okay. Did he eventually stop using it?

10 A. I think he did.

11 Q. Okay. To your knowledge, does, quote,
12 pissing on somebody relate to or have sexual
13 connotations?

14 A. I have heard that it does.

15 Q. Does that, to your knowledge, relate to
16 a sexual fetish known as urophilia or water
17 sports?

18 A. Yes. I've heard of that.

19 Q. Did Mr. Hill ever ask you to go to
20 lunch?

21 A. Yes.

22 Q. How often?

23 A. He would ask me monthly. I think
24 monthly, sometimes multiple times a month, if I
25 would go to lunch with him.

1 Q. And what was your response?

2 A. I always told him no.

3 Q. Did he ever comment on how you looked or
4 whether you were attractive?

5 A. He had. He had made comments about my
6 good looks and child-like voice, how I was
7 attractive and had a girly voice.

8 Q. Other than your voice, approximately how
9 many times during the period you were under
10 Mr. Hill's supervision did he comment about your
11 looks?

12 A. I think three or four times.

13 Q. Did he ever comment in your presence
14 about any other female worker's looks or whether
15 they were attractive?

16 A. He did. He took a phone call from
17 Glorioso. Her first name, I think it was Maria.
18 Glorioso, Glorio. I can't remember her first
19 name. He took a phone call from her. And when
20 he got off the phone, he was talking about how
21 attractive she was, how pleasant she was, that
22 she was a delightful woman to speak to. He made
23 a um-huh kind of sound when talking about her.
24 He asked for Daniel to come into his office to
25 see a picture of her on her firm's website. And

1 Daniel remarked that, yeah, she's pretty.

2 Q. And were you present during the
3 telephone call that he had with her?

4 A. I was in my office. We have the doors
5 opened so I heard it. I heard him talking about
6 her.

7 Q. Who is she?

8 A. She's an attorney.

9 Q. With?

10 A. Glorioso law firm.

11 Q. Did Mr. Hill ever make comments about
12 his wife or his love life?

13 A. He did. He had told me that he was
14 going to buy his wife Bayou Country Superfest
15 tickets because she didn't love him, and that if
16 he bought her the tickets, that maybe she would
17 love him for a short time. He came to work with
18 flu-like symptoms for a couple of days. And
19 when Daniel made a remark about how he sounded
20 ill, Weldon said that his wife didn't want him
21 at home. So he came to work.

22 Q. Did he ever make any statements about
23 whether his wife loved him or didn't love him?

24 A. The comment about the tickets and
25 mentioning that maybe his wife would love him

1 for a short while, that's -- that's all I can
2 remember.

3 Q. And were you present during that
4 conversation?

5 A. He said it to me.

6 Q. Was anyone else present?

7 A. Nobody else was in the office but me.

8 Q. To your knowledge, did Mr. Hill, after
9 your transfer or after you were told you were
10 being transferred, did Mr. Hill ever attempt to
11 make contact with you aside from the e-mails
12 you've already testified about?

13 A. I had seen him on the 5th floor by the
14 men's restroom after I had been transferred to
15 the 5th. And I didn't think that there was any
16 reason he needed to be down on the 5th.

17 Q. Do you know if he attempted to bring you
18 mail?

19 A. I was told that he had gone to Ashley
20 and asked Ashley if I was picking up my mail and
21 told her that he would take my mail down to me
22 on the 5th floor, and she told him do not do
23 that.

24 Q. Exhibit 2, the position description, do
25 you know why it has an effective date of

1 December 2, 2013?

2 A. I'm not really sure.

3 Q. When was it you were hired?

4 A. I was hired either June 23rd or June
5 26th of 2013.

6 Q. And what position were you hired into?

7 A. I was hired to Attorney 1 position.

8 Q. Do you know why under Official
9 Allocation it says Attorney 3?

10 A. I asked Krystal Kaufman why it said
11 Attorney 3 and not Attorney 1, and she told me
12 it was because of the Career Advance Group.

13 Q. Career Progression?

14 A. Career Progression. That's it.

15 MS. BOUNDS: That's all I have.

16 MR. BLANCHFIELD: I have one
17 follow-up, I think.

18 EXAMINATION

19 BY MR. BLANCHFIELD:

20 Q. So I thought you told me that once you
21 told Mr. Hill that you were offended by this
22 pissing on term that he stopped using it. Is
23 that not true?

24 A. I think he still used it a couple more
25 times after because I do remember sending an

1 e-mail that he was still acting the same way.
2 His behavior was still the same even after the
3 meeting on the 11th. And then telling him that
4 I didn't like him using that word. I remember
5 still having to e-mail Humbles about it.

6 Q. When he used that term, I understand
7 your testimony he said that lawyers are pissing
8 on you, relating to talking about -- was it the
9 Cathy case that y'all were discussing?

10 A. There were several cases that he had
11 told me attorneys are pissing on me.

12 Q. And when he said that to you, did you
13 feel that it was in a sexual nature?

14 A. It -- yes, to me it sounds like peeing
15 on somebody, which I have heard some people are
16 into. But the imagery to me is being peed on,
17 pissing on you.

18 Q. And I'm not really interested in what
19 other people tell you. I want to know what you,
20 Bethany Gauthreaux, feel. Did you really feel
21 that that was a sexual --

22 A. I did. I never heard him say it to
23 anybody else. Just to me. And to me it felt
24 like that.

25 Q. Did you ever hear language like that in

1 any of your other employment, at North Oaks --

2 A. Being pissed on?

3 Q. Yeah?

4 A. No. Never.

5 Q. What about in law school?

6 A. No.

7 MR. BLANCHFIELD: That's all I
8 have. Thank you.

9 (Deposition concluded at 2:25 p.m.)

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WITNESS'S CERTIFICATE

I, BETHANY A. GAUTHREAUX, the undersigned,
do hereby certify that I have read the foregoing
deposition taken on September 19, 2016, and it
contains a true and accurate transcript of the
testimony given by me:

() Without corrections

() With corrections as reflected on the
Errata Sheet(s) prepared by me and attached
hereto consisting of _____pages.

BETHANY A. GAUTHREAUX

Date

Reported By Kimberly Gibney, RPR
No. 95990

1 R E P O R T E R ' S C E R T I F I C A T E

2

3

4 I, Kimberly L. Gibney,

5

6 Registered Professional Reporter, Certificate

7

8 No. 95990, as the officer before whom this

9

10 testimony was taken, do hereby certify that

11

12 BETHANY A. GAUTHREAUX, after having been duly

13

14 sworn by me upon authority of R.S. 37:2554, did

15

16 testify as hereinbefore set forth in the

17

18 foregoing 174 pages on September 19, 2016; that

19

20 this testimony was reported by me in

21

22 stenographic machine shorthand, was prepared and

23

24 transcribed by me or under my personal direction

25

and supervision, and is a true and correct

26

transcript to the best of my ability and

27

understanding; that the transcript has been

28

prepared in compliance with transcript format

29

guidelines required by statute or by the rules

30

of the board and that I am informed about the

31

complete arrangement, financial or otherwise,

32

with the person or entity making arrangements

33

for deposition services; that I have acted in

34

compliance with the prohibition on contractual

35

relationships, as defined by Louisiana Code of

1 Civil Procedure Article 1434 and in the rules
2 and advisory opinions of the board; that I have
3 no actual any prohibited employment or
4 contractual relationship, direct or indirect,
5 between a court reporting firm and any party
6 litigant in this matter nor is there any such
7 relationship between myself and a party litigant
8 in this matter; that I am not related to counsel
9 or to the parties herein, nor am I otherwise
10 interested in the outcome of this matter.

11 This certification is valid only
12 for a transcript accompanied by my original
13 signature and original required seal on this
14 page.

15 Signed: October 1, 2016

16
17 _____
18 Kimberly L. Gibney, RPR,
19 No. 95990
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21
22
23
24
25