

1 VAN NUYS, CALIFORNIA; TUESDAY, OCTOBER 7, 2014
2 10:07 A.M. - 10:48 A.M.
3
4 ANA ROSA RODRIGUEZ,
5 having been duly sworn to accurately translate English
6 into Spanish and Spanish into English as follows:
7
8 MARIA DEL ROSARIO SANTILLAN,
9 having solemnly stated to tell the truth, was examined
10 and testified through the interpreter as follows:
11
12 EXAMINATION
13 BY MR. WALES:
14 Q Good morning. My name is Jesse Wales. I'm
15 here to take your deposition today.
16 A Yes.
17 Q Have you ever had your deposition taken before?
18 A No.
19 Q I'm sure your attorney has gone over what's
20 going to go on today, but just for the sake of the
21 record, I'm going to briefly go over those rules again
22 today.
23 A Okay.
24 Q As I said, we're here to take your deposition.
25 Even though we're in this informal environment of the

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1 office here with the court reporter, myself, your
2 attorney, and the interpreter, you are under oath, and
3 so the testimony you're giving is under the same force
4 and effect as if you were giving it in a court of law
5 before a judge.
6 Do you understand?
7 A Yes.
8 Q We're also conducting the deposition with the
9 use of an interpreter. Even if you do understand some
10 English or understand what I'm asking you, because we're
11 using an interpreter here today, I would ask for you to
12 allow her to finish interpreting what I'm saying and
13 then you respond in Spanish.
14 If you would like to take a break or get up and
15 walk around, you can do so at any time. Just let me
16 know. As long as you can hear my questions, if you're
17 more comfortable standing up or walking around the room,
18 however you'd like, it's fine, as long as we can hear
19 your answers clearly.
20 A Okay.
21 Q Because we're speaking for a written record
22 here, things that we use in normal everyday speech, such
23 as "uh-huh" or "huh-uh" don't translate very well, so
24 I'd ask that you answer with a "yes" or "no" as the
25 questions requires.

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1 A Very well.
2 Q Have you taken any medication this morning?
3 A Yes.
4 Q What have you taken?
5 A No, not this morning.
6 Q And when was the last time you took any
7 medication?
8 A Last night.
9 Q Is there any reason why you feel that you can't
10 give your best testimony today?
11 A I'm nervous.
12 Q That's normal. But if for any reason you feel,
13 you know, sick or don't feel well or, you know, you're
14 just uncomfortable, you know, physically, let us know
15 and we can try to accommodate you.
16 A Okay.
17 Q And there's nothing really to be nervous about.
18 I'll ask simple questions. I will never try to
19 trick you. You give me your best answer. We'll get out
20 of here and call it a day.
21 A Okay.
22 Q Throughout the deposition, I may ask you to
23 give me your best estimate as to a period of time or a
24 part of body. However, I do not want you to guess.
25 Do you understand the difference between a

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1 guess and an estimate?
2 A Yes.
3 Q Okay. Great.
4 Let's see. Okay. Can you state your full name
5 for the record.
6 A Maria Del Rosario Santillan.
7 Q Do you prefer Mrs. Santillan?
8 A Yes.
9 Q Okay.
10 Q Have you ever gone by any other name?
11 A No.
12 Q And are you currently married?
13 A No.
14 Q Have you ever been married?
15 A No.
16 Q Do you have any children?
17 A Yes.
18 Q And how many children do you have?
19 A One daughter.
20 Q And what is her name and age?
21 A Her name is Sonya Portilla, and she's
22 twenty-six years old.
23 Q Did you say twenty-six?
24 A Twenty-six.
25 Q And can you give me your current address.

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1 A 9431 Nance Avenue, Apartment B, Downey,
2 California.
3 Q And how long have you lived at that address?
4 A It's going to be three years.
5 Q And is that an apartment?
6 A Yes.
7 Q And does anyone else live there with you?
8 A Yes.
9 Q And who is that?
10 A My partner, his mom, and a sister.
11 Q And your sister, you said, or his sister?
12 A His brother.
13 Q Oh, his brother. Okay. Thank you.
14 And what's your partner's name?
15 A Ismael Hernandez.
16 Q Mial (phonetic spelling)?
17 THE INTERPRETER: Ismael.
18 BY MR. WALES:
19 Q When were you born?
20 A March 26, 1967.
21 Q March 26, '67. Okay.
22 I apologise, we had the wrong date of birth for
23 you.
24 A Okay.
25 Q Where were you born?

1 Q And when was that?
2 A From 2010 to 2012.
3 Q So you weren't working from 2010 to 2012, is
4 that what you're saying?
5 A Yes. Well, I don't know what date.
6 Q Okay. Okay. Let's start with: You started
7 with Thompson Downs in February of 2012, right?
8 A Yes.
9 Q Where were you employed before that?
10 A I was -- I wasn't working.
11 Q And how long were you not working?
12 A I do not remember exactly. There were like
13 two, three years, more or less, approximately.
14 Q Do you remember where you worked prior to that
15 two- or three-year break before you started at Thompson
16 Downs?
17 A Yes. I was -- I was like two years without
18 work, and then I was working with a company called
19 Roller Transportation.
20 Q Roller?
21 THE INTERPRETER: Roller Transportation.
22 BY MR. WALES:
23 Q And what were you doing for Roller
24 Transportation?
25 A I was packing, mostly packing.

1 A Where?
2 Q Yes.
3 A Mexico.
4 Q And when did you move to the United States?
5 A 11 years ago.
6 Q Okay. 2001?
7 A 2003, something like that.
8 Q Okay. And have you lived in California almost
9 since you moved here?
10 A Yes.
11 Q Are you currently employed?
12 A No.
13 Q And the last place that you were employed, that
14 was through Personnel Resources?
15 A Yes.
16 Q The business was Thompson Downs?
17 A Yes.
18 Q And when did you begin working at that
19 location?
20 A February 2012.
21 Q And have you worked at that location up until
22 the time of your last employment?
23 A No.
24 Q Was there a break at some point?
25 A Yes.

1 Q And would that have been around 2009?
2 A I was first with an agency, DDS, an agency,
3 since 2003. Since 2003 until 2006, more or less.
4 Approximately.
5 Q And what was the name of that agency?
6 A It's DDS. DDS.
7 Q Oh. And do you recall the names of the
8 employers you worked at during that time with the DDS
9 agency?
10 A Federico Sandoval.
11 Q And what kind of business is that?
12 A It's a warehouse, clothing warehouse.
13 Q Were you packing there, as well?
14 A Yes.
15 Q Anywhere else?
16 A No. Those two only.
17 Q Well, with the DDS agency, I only have the
18 Federico Sandoval.
19 A Uh-huh.
20 Q And is that the only one through that agency?
21 A Yes.
22 Q Okay. And prior to that you were in Mexico,
23 correct?
24 A Yes.
25 Q So the only two places that you've worked since

1 being in the U.S. is the Sandoval warehouse and the
2 Thompson Downs?
3 A Yes.
4 Q Okay.
5 A A question: There was ups and downs at Agency
6 Premier.
7 Q Right. Yes. You were a temporary employee
8 with Premier, and then they sent you to Thompson Downs,
9 correct?
10 A Well, my employer was Premier.
11 Q Right.
12 A And they sent me to Thompson Downs.
13 Q Okay. Did you ever have any work-related
14 injuries while working at the DDS agency?
15 A No.
16 Q Any prior Workers' Compensation claims?
17 A No.
18 Q Any -- have you ever been involved in any
19 lawsuits?
20 A No.
21 Q Have you ever had health insurance?
22 A No.
23 Q Is there a particular doctor, hospital, or a
24 clinic that you see with regard to a yearly checkup or
25 any personal medical problems?

1 A Well, I go to a clinic.
2 Q What clinic is that?
3 A It's a clinic, free clinic.
4 Q And the name?
5 A I don't remember. I know it's at Sunset.
6 Q Sunset and what?
7 A I do not remember exactly, since I go there
8 once a year.
9 Q Do you remember the name of the doctor that you
10 see there?
11 A They are practitioners. They change.
12 Q Do you know what city it's in?
13 A I believe it's Hollywood.
14 Q If we left a spot in the deposition, would you
15 be able to find out the name of that clinic through any
16 paperwork you might have at home, any bills or anything
17 of that sort?
18 MR. SUCHY: Counsel, we don't allow blanks in
19 the transcript.
20 MR. WALES: I can still ask for it.
21 MR. SUCHY: Certainly you can. I'm just
22 advising you we don't know of any basis for that. We
23 would object.
24 BY MR. WALES:
25 Q Do you have access to any information that

1 would refresh your recollection as to what clinic you go
2 to visit annually?
3 A Like what?
4 Q Like a bill?
5 A No. No. It's free.
6 Q Okay. When was the last time you went to that
7 clinic on Sunset?
8 A It's been a year.
9 Q What is the highest level of education you've
10 completed?
11 A Vocational. I don't know what that means here.
12 Like high school.
13 Q So vocational school in Mexico?
14 A Yes.
15 Q For any particular job?
16 A No. No. It's like a prep high school here.
17 Q Okay. And did you graduate?
18 A Yes.
19 Q Any secondary education since you've been in
20 the United States?
21 A No.
22 Q Have you ever broken any bones?
23 A No.
24 Q Have you ever been in any motor vehicle
25 accidents?

1 A No.
2 Q Have you ever been diagnosed with any diseases?
3 A No.
4 Q Have you ever been diagnosed with high blood
5 pressure?
6 A No.
7 Q When you began working for Premier, what were
8 your job duties?
9 A Well, that depends. When I arrived there,
10 since I knew them from DDS, I was a supervisor from the
11 packing area.
12 Q You knew who from DDS?
13 A Freddie. That's the one that I got to know.
14 Q And where does Freddie work?
15 A DDS.
16 Q Okay. And what jobs did he have at Thompson
17 Downs?
18 A He was like the one in charge of accounts.
19 Q Was he your supervisor or manager?
20 A No. No. My manager was Betty Blanco. No, he
21 was just in charge of the account.
22 Q Okay. And what was your salary when you were
23 hired as a supervisor for packing?
24 A \$9 an hour.
25 Q And did you keep that same position as the

1 packing supervisor through your last time working?
2 A Yes.
3 Q And did your pay increase during that time?
4 A No.
5 Q On February 22nd of 2013, can you tell me how
6 you injured yourself.
7 A What happened was when I was in charge, I had
8 to get the items to my people so they could continue
9 working. We had boxes with pants, and I asked the
10 coworker to help me pick them up a little bit so my
11 people did not get hurt. At the time that I picked it
12 up, that's when I felt a little pull in my back.
13 Q Upper back? Lower back?
14 A Here, low. Low back.
15 MR. WALES: Applicant indicating lower back
16 with her right arm.
17 THE WITNESS: Yes.
18 BY MR. WALES:
19 Q And what happened then?
20 A I continued working, but I had a bother. I
21 took some pills thinking that it was going to go away,
22 the pain. Since I had to stay to do overtime, around
23 4:30 I told my manager that I did not feel good. But
24 since he was at the end of the week, he told me that he
25 was going to do a report to the agency, because they had

1 MR. SUCHY: At what point?
2 MR. WALES: When she initially received
3 treatment after the date of injury.
4 THE WITNESS: The back.
5 BY MR. WALES:
6 Q Any other parts other than your back?
7 A No.
8 Q And as you sit here today, is there any other
9 part of your body that is either bothering you or that
10 you're feeling pain?
11 A The only pains that I have is my knee and the
12 back.
13 Q And which knee?
14 A The left.
15 Q And when did your left knee begin to hurt?
16 A In January from this year.
17 Q Pardon me?
18 THE INTERPRETER: January from this year.
19 BY MR. WALES:
20 Q January of this year?
21 A Yes.
22 Q Did anything happen in January of 2014?
23 A What happens is I was working a lot, and my
24 work is walking. I would start walking and I noticed it
25 was popping and it hurt a little.

1 already left.
2 Q It was the end of the day?
3 A Yes.
4 Q And what happened after that?
5 A They from the agency contacted me. On Monday I
6 went to get all my information and they sent me to the
7 clinic.
8 Q And so you went to the clinic that following
9 Monday?
10 A Yes.
11 Q And were you released to return to work, or
12 were you kept off work at that time?
13 A No. I continued working.
14 Q And what kind of treatment did you receive at
15 the clinic?
16 A Physical therapy, chiropractor, acupuncture.
17 Q And the physical therapy and the acupuncture
18 and the chiropractor, that was treating your low back?
19 A Yes.
20 Q Did the treatment help?
21 A Not that much.
22 Q Were you experiencing pain in any other part of
23 your body?
24 MR. SUCHY: At what point?
25 MR. WALES: Pardon me?

1 Q And where were you working in 2014?
2 A The same place, Premier.
3 Q And did you report that your knee was bothering
4 you to anyone?
5 A I mentioned it, but it was like a thought with
6 the manager. I thought it had to do because I was tired
7 and all of that. We worked up to 12 and 14 hours, and
8 sometimes seven days, so I thought I was tired. But as
9 the day went by, it started hurting more.
10 Q Did your left knee ever bother you prior to
11 January 2014?
12 A No.
13 Q When did you stop working?
14 A The 8th of April this year, 2014.
15 Q What doctors are you currently seeing?
16 A Dr. Gendelman.
17 Q And where is he or she located?
18 A Here on Wilshire and Fairfax. Uh-huh.
19 Q And how often do you see that doctor?
20 A It's almost once a month, because for the other
21 ones I go for physical therapy.
22 Q And where do you go for physical therapy?
23 A Same place.
24 Q And how often do you go for physical therapy?
25 A Twice a week.

1 Q And what type of physical therapy are you
2 currently doing?
3 A For my knee only. For my knee and my low back.
4 Q For what type of physical therapy, such as
5 stretching or exercising?
6 A They give me exercises for the knee. For my
7 back they put patches that has like electric.
8 Q And has the physical therapy helped improve
9 your back or knee?
10 A Not that much.
11 Q Had you ever experienced any pain in your low
12 back prior to the specific injury of February 22nd,
13 2013?
14 A No.
15 Q Are you currently receiving any other treatment
16 other than from Dr. Gendelman at the physical therapy at
17 his office?
18 A No.
19 Q What medication are you currently taking?
20 A Naproxen and omeprazole. Yes.
21 Q And do those help with the pain or discomfort?
22 A Sometimes, yes.
23 Q Are you taking any other medication, either
24 over-the-counter or prescription?
25 A No.

1 Q Do you currently drive?
2 A No.
3 Q And how is it that you travel?
4 A I go on the transport, the bus.
5 Q You mentioned the pain you were feeling in your
6 low back.
7 Do you have any pain in your upper back?
8 A No.
9 Q Do you have any pain in your neck?
10 A No.
11 Q Do you have any pain in your middle back?
12 A Sometimes, yes. More on the right side.
13 Q And when did you first experience the pain in
14 your middle back?
15 A Well, for example, I completed physical
16 therapy. But walking a lot, it causes more pain.
17 Q When was the first time you recall experiencing
18 pain?
19 A Like a month.
20 Q A month from now?
21 A Yes.
22 Q So we're in the beginning of October.
23 So the beginning of September?
24 A No. Like the beginning of September.
25 Q Okay. Are you experiencing any other pain or

1 discomfort in any other part of the body that you
2 attribute to your employment with Premier?
3 THE INTERPRETER: I'm sorry. What was the last
4 part?
5 MR. WALES: Just "with Premier."
6 THE WITNESS: The knee and the low back.
7 BY MR. WALES:
8 Q Right.
9 Anything else?
10 A Well, right now my right knee is hurting
11 because I'm carrying all the weight.
12 Q And when did your right knee begin to hurt?
13 A It was at the same time the midback started
14 hurting.
15 Q So September?
16 A Yes.
17 Q Are you currently using a cane?
18 A No.
19 Q Are you currently using a walker?
20 A No.
21 Q Crutches?
22 A No.
23 Q Any walking aid?
24 A No. Sometimes when I go out, I hold onto
25 someone.

1 Q When you last worked for Premier in April of
2 this year, what was your pay rate at that time?
3 A The same. \$9.
4 Q And would you work a set shift from a certain
5 time in the morning to the afternoon or evening?
6 A We would start in the morning and regularly we
7 did not have a time to get out.
8 Q And what days would you work?
9 A Sometimes seven days. Very rarely six days a
10 week.
11 MR. WALES: Okay. Do you have any questions?
12 MR. SUCHY: No questions here. Thank you.
13 MR. WALES: Then we'll go ahead and call it a
14 day.
15 Stipulate to relieve the court reporter of her
16 duties under the Code of Civil Procedure. A copy of the
17 deposition will be sent to applicant's counsel.
18 45 days?
19 MR. SUCHY: That's fine. Thank you.
20 MR. WALES: To be reviewed and signed within 45
21 days. If for any reason the original can't be found at
22 the time of trial, any copy can be used in its place
23 with the same force and effect.
24 MR. SUCHY: And we always do our best to try
25 and obtain the signature, but we can't necessarily agree

1 or stipulate that that will happen, since that's out of
 2 our control. We'll do our best. And as to the changes,
 3 we'll notify you within that 45-day time frame.
 4 MR. WALES: Fair enough.
 5 (Deposition concluded at 10:48 A.M.)
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 4 DECLARATION UNDER PENALTY OF PERJURY
 5 ***
 6 I, MARIA DEL ROSARIO SANTILLAN, the witness
 7 herein, declare under penalty of perjury that I have
 8 read the foregoing deposition in its entirety and that
 9 the testimony contained therein, as corrected by me, is
 10 a true and accurate transcription of my testimony
 11 elicited at said time and place.
 12
 13 Dated this ____ day of _____,
 14 2014.
 15
 16
 17 _____
 18 MARIA DEL ROSARIO SANTILLAN
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Page 27

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 4 INTERPRETER'S AFFIDAVIT
 5 ***
 6 I, _____, do
 7 solemnly declare under penalty of perjury that I have
 8 truly and correctly read the foregoing deposition to
 9 _____
 10 translating the English language into Spanish.
 11 In witness thereof, I hereby subscribe my name
 12 this _____ day of _____, 2014.
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 16 _____
 17 Interpreter Signature
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1 REPORTER'S CERTIFICATE
 2
 3 I, Ann Snyder, CSR No. 5615, a Certified
 4 Shorthand Reporter within and for the State of
 5 California, do hereby certify:
 6 That prior to being examined, the witness named
 7 in the foregoing deposition solemnly stated that the
 8 testimony given in this deposition would be the truth,
 9 the whole truth, and nothing but the truth;
 10 That said deposition was taken before me at the
 11 time and place set forth and was taken down by me in
 12 shorthand and thereafter reduced to computerized
 13 transcription under my direction and supervision, and I
 14 hereby certify the foregoing deposition is a full, true,
 15 and correct transcript of my shorthand notes so taken;
 16 I further certify that I am neither counsel for,
 17 nor related to, any party to said action, nor in any way
 18 interested in the outcome thereof.
 19
 20 October 13, 2014
 21 Dated: _____
 22
 23 *Ann Snyder*
 24 Ann Snyder, CSR No. 5615
 25