IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

IN AND FOR THE FIFTH APPELLATE DISTRICT

--o0o--

CERTIFIED TRANSCRIPT

DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING, Plaintiff/Appellant, vs. CATHY'S CREATIONS, INC., DBA TASTRIES, A CALIFORNIA CORPORATION; CATHY MILLER, Defendant/Respondent. EILEEN RODRIGUEZ-DEL RIO and MIREYA RODRIGUEZ-DEL RIO, Real Parties in Interest	VOLUME 1 of 8 Pages 1 - 42 Case No. BCV-18-102633 Court of Appeal No. F085800 Bakersfield, California January 22, 2020

APPEAL FROM THE SUPERIOR COURT OF KERN COUNTY

HON. DAVID LAMPE, JUDGE, DEPARTMENT 11

REPORTER'S TRANSCRIPT OF PROCEEDINGS

APPEARANCES:

For the Plaintiff/ Appellant:	California Civil Rights Department Fka Department of Fair Employment & Housing By: Kendra L. Tanacca, Esq. 320 W. 4th Street, 10th Floor Los Angeles, California 90013
For the Defendant/ Respondent:	LiMandri & Jonna By: Charles S. LiMandri, ESQ. 16236 San Dieguito Road, Building 3, Suite 3015 Rancho Santa Fe, California 92091
Reported By:	Virginia A. Greene, CSR 12270 Official Court Reporter

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF KERN

METROPOLITAN DIVISION

HON. DAVID LAMPE, JUDGE, DEPARTMENT 11

--o0o--

DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING, Plaintiff, vs. CATHY'S CREATIONS, INC., DBA TASTRIES, A CALIFORNIA CORPORATION; CATHY MILLER, Defendant. EILEEN RODRIGUEZ-DEL RIO and MIREYA RODRIGUEZ-DEL RIO, Real Parties in Interest	Pages 1 - 42 Case No. BCV-18-102633 Bakersfield, California January 22, 2020

REPORTER'S TRANSCRIPT OF PROCEEDINGS

APPEARANCES:

For the Plaintiff DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING:	Department of Fair Employment & Housing By: Gregory Mann, ESQ. 320 W. 4th Street, 10th Floor Los Angeles, California 90013
For the Defendant CATHY'S CREATIONS, INC., DBA TASTRIES, A CALIFORNIA CORPORATION; CATHY MILLER:	LiMandri & Jonna By: Jeffrey Trissell, ESQ. Paul Jonna, ESQ. 16236 San Dieguito Road, Building 3, Suite 3-15 Rancho Santa Fe, California 92091
Reported By:	Virginia A. Greene, CSR 12270 Official Court Reporter

VOLUME 1

SESSIONS

PAGE

WEDNESDAY, JANUARY 22, 2020
MORNING SESSION 4

Motion 4

BAKERSFIELD, CA; WEDNESDAY, JANUARY 22, 2020

MORNING SESSION

DEPARTMENT 11 HON. DAVID LAMPE, JUDGE

--o0o--

THE COURT: Department of Fair Employment and Housing versus Cathy's Creations. I have in-court appearances.

MR. MANN: Good morning, Your Honor, Gregory Mann on behalf of the Department.

MR. TRISSELL: Jeffrey Trissell on behalf of the defendants.

THE COURT: And I have Attorney Jonna?

MR. JONNA: Yes, Your Honor, Paul Jonna.

THE COURT: All right. I have before me today the defendant's motion to compel responses to interrogatories, compel production of documents and for leave to depose specific individuals.

I have some preliminary questions and preliminary thoughts on this matter. I don't have really a tentative ruling as such. I want to listen to counsels' remarks this morning in addition to the paperwork that you filed to guide the Court toward a final decision on the motion.

First of all, I think I should let counsel know what my state of mind is as to the procedural status of this case, because I think it impacts or relates to the motion that's before the Court. And it's a process I went through in considering the motion, so

I'll let you know what that process was in my mind.

The case is somewhat procedurally settled as I now see it in that it was brought initially in a preliminary -- it was brought in an unusual statutory context of an action. It was defined by the code for preliminary relief, which is a confusing terminology. And I reached a decision in that proceeding.

I then got a motion to enforce. I believe that was the next procedural step. Because -- I think that initiated, as I recall it, because the Department was pursuing further administrative investigation and proceedings and the defense felt that that was essentially prohibited by the ruling that I made in the action for -- the statutory action for preliminary relief.

And I granted that in part in my principal concern and I think I expressed it at the time both on the record and in the ruling that I made that I was concerned that -- primarily with respect of the judicial process. I believed that my concern in the procedural state there is that litigants not come to court for a decision and then get that decision and then somehow sort of get a bite at the apple and then go try to get a different judge who had a different mind-set to decide differently. I believe that did not respect -- that would be a procedure that would not respect the judicial process and the judiciary and the constitutional role of the judiciary.

Notwithstanding that I think I expressed at the time that my decision involved the continuing jurisdiction of the Court. And it also was a decision that was based on the facts that were put before the Court at that time. I believe that that decision there was a writ proceeding, and I believe the writ proceeding may still be pending before the Fifth District Court of Appeals. But it was never my intent to obviate the right of the parties, the Department or otherwise, to go forward with demonstrating to me that the factual basis of my original ruling was incorrect or there are additional facts or a deeper delving into the facts through plenary trial that would change the equitable nature of the ruling that I made.

If there was a controversy, it's been somewhat settled because the Department conceded that the venue and the case was by law in Kern County and there is a new action that has now been assigned to me. So we're basically in a settled position as far as I'm concerned. And although this is styled as a new action, it's really sort of the continuation of the action for preliminary relief that was originally filed.

The difference here is I believe, too, that the real parties in interest have -- the Department has filed on behalf of the real parties in interest and raised the issue of damages, which was not part of the original proceeding, and the rights of the real parties in interest were not adjudicated in the original

proceeding. And a question I have that was raised by the filings in this motion is that I understand a statement was made in the paperwork that the real parties in interest have limited their damage claims. And perhaps counsel could comment on that. So that's where we are as far as I can see it procedurally.

In addition, there has been a new ruling by the United States Supreme Courts in the Masterpiece Bakery's case. And I am, of course, bound and guided by the decisions of the United States Supreme Court. Counsel have pointed out in the moving papers there has been an additional ruling by the Supreme Court of the State of Arizona and a ruling by the Eighth Circuit. And I don't know what the procedural status of those cases are. I don't know if there is any writ being sought with respect to those cases, but I'm not -- they are not in the hierarchy of stare decisis. Those opinions are merely guidance to me. They're not -- I'm not bound by those decisions.

But the decision of Cathy's -- in Cathy's Creations as sometimes occurs with cases of that nature before the Supreme Court has -- I wish there were a brighter line created for all of us, but it doesn't really create a bright line. And, in fact, it raises the issue that comes to bear in these motions of the right of the defendant to pursue a defense and discover information as to whether there is any sort of religious bias that is inherent in the state's pursuit of the

remedies here. So I have that to look at.

And with that said, it seems -- with all that said, the procedural posture of the case and the guidance, even if it's not bright-line guidance, the guidance set down by Masterpiece Bakery it seems that the needle of persuasion moves in the direction of the defense on these motions. They do have -- or the defense does have some right to pursue some discovery with respect to the defense that has been articulated in the Masterpiece Bakery case of a religious bias or potential for an implicit or inherent religious bias that taints the state's pursuit of the remedies.

That said, there are important privileges that have been stated by the Department. The attorney-client privilege is unqualified. So to the extent that the Department's attorneys are communicating with their investigators or the people who are their clients, so to speak, I think that that privilege is absolute. So it's to be determined who are those attorney's clients. I don't think -- I think that the defense has made a persuasive argument that the real parties in interest or their counsel or other third parties in the larger community of interest are not clients, and any communications with non-client persons would be subject to disclosure. There is an attorney work product privilege which is a qualified privilege. The attorney's notes or thought processes with respect to litigation are privileged.

To the extent that an attorney is only acting as a scribner, there is not a clear line in the authorities as I can see it as to what is privileged and what is not privileged. The attorney's thoughts regarding a communication with a third party, not a client, is probably covered by the attorney work product. What was actually said or any record of what actually was said, that is not the attorney's interpretation but is merely a record of communication that is probably not covered by the attorney work product privilege.

And then there is the official investigatory privilege which is somewhat akin to an executive privilege. I think that that is also a qualified and not an absolute privilege in light of the defense raised -- or the potential defense identified by the Masterpiece Bakery decision of inherent bias.

On the other hand -- so communications among investigators not involving counsel I don't think are protected. They may have some limited protection. There may be some protection from public dissemination. But for purposes of the litigation there may need to be some type of protective order with respect to that. And the people involved in the investigation have their own individual and personal privacy rights. So what they think in their personal lives or what they communicate with their friends in social gatherings having no connection with the investigation itself, there has to

be some protection for that. Just because a person thinks a certain way privately doesn't mean that that's what they do in the exercise of their public function. So there needs to be some protections.

And with that said, I do have -- so with all that, it's sort of my thinking that guides how I look at this motion. With the added comment, too, that my -- one of my greatest concerns is leave to depose. No matter what guidelines I set down in any ruling, if I granted leave to depose, lawyers are not judges, and I've learned that, so lawyers have a duty to zealously represent their clients. And they always push the matter to the ends of the envelope, so to speak, in the exercise of their duty. So I recognize that any leave to depose is -- no matter what standards I set down, it's probably going to lead to questions that will lead to objections in depositions that will bring everybody right back to me for further consideration. And that's just the nature of the business and the practice. And we can deal with that if I so decide to grant leave to depose. Ultimately with the consideration that a referee might have to be involved. But that's down the road and is not part of the motions that are really before me today.

So with all that said, I think I'm leaning toward granting the motions to some -- at some level and to some degree. And so with -- since that is where I think the needle has gone, I'll hear from the -- I'll

hear from the state first.

MR. MANN: Thank you, Your Honor. I think it makes sense to kind of take each privilege in order as you did. I think it's important to keep in mind nowhere in defendant's papers do they mention that preliminary relief civil action that we filed. So this is not a typical situation where there is an investigation, investigation finishes and then civil litigation starts after. Here the civil litigation started less than two months after the real parties filed their administrative complaint. And we were working on that preliminary injunction paper, you know, not just a week in advance. So this case really started litigation from the beginning because there was no dispute as to a violation of Unruh. And it's important to keep in mind here that, you know, prosecutors are given discretion. So our investigation is not on trial here. What the key issues are is was there an Unruh violation undisputed.

So the real issue in the case is Ms. Miller's denial of taking that order, is that speech that is protected by the First Amendment. And when it comes to facts about those, we've provided everything. They're not here seeking any more facts. What they're trying to get at are our internal communications, our internal deliberations, our communications with real parties. And if we were plaintiff's lawyers, there is no way they would even ask about the stuff, much less get it. So is there something different about the fact that the

Government is involved here that is going to allow them to get all this information that is clearly privileged. And just because we work for the Government does not mean that we give up the work product privilege, the attorney-client privilege. And, in fact, we have an extra privilege on top of that, the official information privilege. So --

THE COURT: Well, how would this play out -- another thought that I had is -- and it actually was generated because the recently publicized case, local case, involves a local district attorney's prosecution of a particular matter. How does it play out if a defendant claims -- in a criminal case a defendant claims that the district attorney has exercised prosecutorial discretion to bring an action that on its face is a legitimate case but that the underlying -- the defense is that the exercise of prosecutorial discretion is motivated by an impermissible unconstitutional bias such as that the defendant is of a racial makeup and that the district attorney only prosecutes these particular cases against persons of that racial makeup and exercises their discretion not to prosecute similar actions against people of different racial makeups. That would be an intrinsic bias.

And, frankly, although it's difficult, there would be some potential -- and let's say that it's a 1983 case where it's a civil -- the response is a civil litigation. Even judges have been subject to discovery

in a 1983 context under a qualified -- because there is a qualified privilege. The privilege has become qualified. Those thoughts occur to me.

MR. MANN: Right. And we addressed that issue right up front in our opposition. Discovery in those cases is permissible. But the parties seeking discovery has to put forth some substantial and credible evidence of the impermissible animus.

So in the case that you cited, the criminal case, they could bring statistical information that shows that in those types of cases they only prosecute certain types of defendants and they don't prosecute others. They can look at besides statistical evidence, you know, just in the regular development of the facts they could see if there were any statements made that were based on racial animus in your case.

But there needs to be something brought forth so that the judge knows that this is not simply a fishing expedition hoping to look for something but that there is some existing evidence of it already.

THE COURT: But this is somewhat unique, isn't it, because the Department concedes that Ms. Miller, as the owner of the business and as a defendant, has a sincerely held religious belief. I believe that's in your paperwork. There's no question that the Department is saying, yes, she's done this because she has a sincerely held Christian belief, I'll call it a traditional Christian point of view, and the Department

concedes that.

So isn't the issue raised by the Masterpiece Bakery -- we didn't have that case before us. So isn't the question intrinsic to the nature of the litigation. Unlike the example I gave of the district attorney there is sort of an intrinsic question that's raised; isn't there?

MR. MANN: I mean, I don't think it's intrinsic. I mean you, yourself, stated very early --

THE COURT: Well, I want to be clear just for both sides as to why I went through the procedural posture of the case. No one should think that because I made a pronouncement in the past -- I was speaking to the record of evidence that was before me. And I don't think anybody should -- on both sides should be arguing something I said on the basis of the record that was before me at that time when what we're talking about is the development of facts that could come before me in a further proceeding.

MR. MANN: I understand that. But I was referring to the facts that haven't changed, which was that Ms. Miller admitted to refusing to take the order because it was for a same sex wedding. Those facts haven't changed. And you recognized with those facts that without a defense that would be a violation of the Unruh Act. So when we have a clear violation absent a defense, I think the intrinsic understanding there is that, of course, the DFEH is going to take this case

because we have an admitted violation and the question of whether there is a defense is open.

So we really have no choice but to move forward with the case because we had a violation and there was no defense at the time.

THE COURT: Well, you say you didn't have a choice. I think that's the question. This isn't Albertson's, you know, who -- in other words, it's not a large scale corporate enterprise that has a bakery business as part of its operations that's, you know, essentially all-comers. This is a small local personally owned business where the business owner is expressing a sincerely held religious belief. It seems to me that the -- and as the defense points out, the Department has a duty -- you also have a duty or also statutorily to protect religious discrimination, I believe. So there is some issue that is brought to bear by the facts of this case internal to the Department, isn't there?

MR. MANN: When somebody files a case with us and they allege facts that on their face show a violation of a statute that we're supposed to enforce, absent a known automatic defense I think it's our duty to move forward. And still after Masterpiece we have no decision from the Supreme Court whether or not the First Amendment does provide a defense.

Now, whether it's Albertson's or a small business like this, her door is open to everybody that

walks in. Or it's supposed to be. That's what the Unruh Act says. And I think what we -- the way we proceeded with the case not being as aggressive, the fact that we're only seeking statutory damages, those are --

THE COURT: Now, what does that mean? I had that question. It was raised in the moving papers and I raised that. What does that mean? Explain that to me.

MR. MANN: Well, it means as a practical matter some of the information that defendants are seeking regarding emotional distress and from the real parties doesn't matter. We're not seeking emotional distress. We're just seeking statutory damages. But the way I was just talking about it right now is -- the way that we're proceeding with the case is an acknowledgement that this is an open issue and that Ms. Miller is a small business owner. So we've tried to prosecute the case in such a way as to be cooperative with her, not to be as aggressive, not to seek lots of third-party depositions and expenses.

So I mean, again when somebody files a case with us that shows a violation, I think we have to move forward. But given the totality of the circumstances we're trying to keep in mind that Ms. Miller is a small business and that this is an open issue and that she does have these religious beliefs. So we're trying to go about the case in a way that recognizes that and acknowledges that.

But we have to follow our statutory duties to end discrimination where we see it. And barring a Supreme Court decision saying that the First Amendment provides a defense here, we do need to move forward.

THE COURT: All right. Go ahead.

MR. MANN: So going back in order to get the information to do a Masterpiece type defense defendants need to put forth some substantial credible evidence that we are prosecuting with animus. And if you look at the Masterpiece case itself, they looked at the record and they saw statements from the Civil Rights Commission in Colorado that that showed animus towards religion. So there was no fishing expedition there. The Supreme Court looked at the record and saw specific instances of statements that gave them pause.

If we look at the Trump case cited by defendants, in that case the President and his advisers have made lots of statements to the public that showed some potential animus. So that's why courts allowed discovery in that case. And in the discriminatory prosecution cases, again the courts looked to the record to see, you know, what evidence is there that this is a discriminatory prosecution or is this just a fishing expedition. And defendants, they've been making this accusation way back from the beginning, but they've never put forth any evidence that we're prosecuting this case with discrimination or animus towards religion.

And to allow them just to look at all our

e-mails amongst ourselves, clear work product, clear official information, our internal deliberations, in hopes of finding something, courts don't go there. I mean, there has to be some evidentiary basis for it.

And if you look at the Montes case, the Lyons case, like I said, there is some evidence there that leads the Court to believe if we allow defendants to get this information it could support their defense. But if it's just simply a fishing expedition and hopes, courts do not allow that. So I think that addresses your first question in terms of getting at that.

In terms of the attorney-client privilege, I think it's -- I think you recognize it's clear that we need to have an attorney-client privilege with our investigators. They're definitely our clients when they're doing an investigation and they're interfacing with us. They're asking us legal questions. They're asking for our legal analysis. What does this evidence mean, how does it fit in with the claims and defenses. So I think there is -- and that's you say different. I think there is a clear attorney-client privilege with our investigators. And if we look at the EEOC cases, but actually just look at the Evidence Code, there is also an attorney-client relationship in terms of the privilege with the real parties. Defendants want to talk a lot about the DFEH doesn't represent the real parties, they don't represent, they don't have a retainer agreement. But the Evidence Code doesn't

require any of that.

If you look at Evidence Code 951 definition of client, anybody seeking legal services or advice. And it's very clear that the real parties in this case when they came to us and filed the case and when we started the litigation shortly after the complaint was filed were seeking legal services from us. And as the Government Code states in 12965(a) we bring this case, quote, on behalf of, end quote, the real parties.

So just because the State is the actual plaintiff here, we're representing the interests of the real parties. The real parties are the ones that were denied. They're the ones that if we were going to get damages, they're going to get damages. This is their claim. We're prosecuting it in the name of the state, but we're doing it specifically under the statute on their behalf. And we cannot represent them if we can't have an attorney-client privilege with them.

I mean, they're going to be deposed in two weeks. If I can't honestly talk with them about what's going to happen and how we see the case, I can't prepare them for their depositions. And they're just going to walk in there not knowing what to expect.

THE COURT: Well, the victims of crime go -- I come back to they go to the district attorney's Office and the district attorney talks with victims and the lawyers talk with victims. But that does not make the victim the client of the district attorney. Those

conversations are discoverable and are subject to discovery. The district attorney is always careful to -- if they're appropriate, they're always careful to have an investigator present so that the attorney does not become a witness to the conversation that takes place with the victims of crime so that there is another means to discover that information through an investigator. But it's not privileged.

MR. MANN: And that's in a criminal context where those victims are not really being represented by the DA. I mean, here, like I said, the real parties filed the claim that started the whole process off. It's their claim. And they get the damages if they win at trial, summary judgment, they get the damages. In a criminal case the victims don't get anything, it's the people that do.

So it's certainly a different -- or it's a unique situation. And you can look at criminal for persuasive how it is and to kind of learn, but it is different when it's in the civil context. And, you know, like I say, with real parties being deposed, it's different than the victims of a crime or what you're talking about what happened to them.

When I come back to, you know, I was in private practice for ten years before I joined the Department. And the way that we practice with the Department, I mean, it's not different than how any normal attorney practices. And to be hamstrung by not

being able to have the privilege to talk with the real parties the way that any attorney would talk with their client --

THE COURT: Well, Mr. Mann, let me ask you, it may not be encompassed within the motions that are before me, but I'm also aware there are other motions that are scheduled, I think, coming up soon. If that's the Department's position, then if the real parties in interest have ever expressed a religious bias, if they've ever communicated with people denigrating the traditional religious belief that a marriage is between a man and woman, or if they've ever involved themselves with any third-parties or organizations that somehow have expressed those points of views, if they're your clients, then the Department -- then -- and if they have expressed an animus, then doesn't that get superimposed upon the Department so that -- you see what I'm saying? There is -- if there is no line of representation between the Department and its stated duties under the statute and the real parties in interest, then there is -- I'm just looking forward. There could be a door opened there that maybe the Department doesn't want to open.

MR. MANN: Right. I mean, it's a nuanced analysis. I mean, the real parties, they're not driving what we do. They're not making the decision. That's a good part about representing the State, bringing the case on behalf of the State, is that we're the ones that

are making decisions. But look at--

THE COURT: But in other context the clients do drive the litigation. They do tell the lawyer I appreciate your advice, but do it the way I want. The lawyer has an absolute duty, subject to ethical standards, to perform according to the clients.

MR. MANN: Agreed. But I think you just have to keep coming back to the Evidence Code which says anybody seeking legal services is a client. So it seems weird. People are used to retainer agreements, and people are used to saying I represent those clients. But the Evidence Code doesn't require that. It says if somebody is seeking legal services and they're having communications within the context of a lawyer acting in a professional capacity, then it's a privileged communication.

So just the strict statutory interpretation of the real parties fit as clients. So we would have the privilege. And if we look at the EEOC cases, you know, they're not stare decisis, but I think they should be very persuasive because the EEOC is very similar to us in the way that they act with their complainants and real parties in interest is very similar to us. And all those cases talk about that there is an attorney-client privilege and it talks about if -- you know, cases say if defendants have one, why doesn't the EEOC have one.

So I think we really need to focus on Evidence Code Section 951 and try to take the thought out of the

context of how we usually talk about clients and attorneys and really look at the Evidence Code. Because it's -- to me it's very clear somebody is seeking legal services, they are a client. And we've cited cases where no retainer agreement existed, no relationship developed in the future. But when prospective clients had communications with an attorney, those communications were privileged. So I really think there needs to be focus on 951 tied in with that.

THE COURT: Well, the issue perhaps is whether they were seeking legal advice or whether or not they were seeking to invoke the Department's statutory obligation to enforce the Unruh Act.

MR. MANN: I think when they first started that they were looking to do the Unruh Act. And once we talked and once we met and started working together and we're filing preliminary injunction, that is when they were clearly seeking legal services. And I think that's what they talk about in their declarations. And I would just again state I just don't know -- if we don't have an attorney-client privilege, it's going to really shield us from being able to have zealous representation of their interests here and just really put us at a disadvantage in trying to move forward with the case.

Especially at this point because there has always been an expectation that our communications were confidential. So now to -- for defendants to be able to go back and look at e-mails that clearly have our legal

analysis and strategy would just really give them the benefit and us a disadvantage.

Work product, I think you're right that in terms of thoughts and impressions and writings it's an absolute privilege. When it comes to, you know, notes of just as you say a scribner, that is qualified privilege. A lot of our communications with obviously internally amongst ourselves are work product. We're talking about the claims and defenses. Same thing with our communications with real parties and their counsel. A lot of times we're talking about what we see upcoming in the case and how facts intertwine with the defenses and the claims.

So a lot of what defendants are seeking is work product. And if they were to be able to get ahold of that, they would see our development of the case and what our plans are, how we plan to work the facts with the First Amendment defenses.

It's just hard for me to imagine, you know, my e-mails with my colleagues being discoverable. I don't know how we -- if that was going to be the case, we could never communicate through e-mail. And --

THE COURT: Well, it isn't the form of the communication, it's the nature of the communication. Whether it's in an e-mail or not, the issue is would you be required to disclose the content of the conversation.

MR. MANN: I think it really gets to the practical aspect of how we would do this if we're

ordered to turn over information. I mean, if it's work product, if it's official information, I don't know what then would we be providing.

THE COURT: Well, I guess that falls in my lap.

MR. MANN: When you say falls in your lap, I don't know if you're suggesting an in-camera review or trying to lay out some guidance.

THE COURT: Perhaps both. I mean, that's what the motions bring to bear is how do we do this. That's what the parties are arguing to me.

I haven't made up my mind. I've given some indications, but it's an open question for me.

MR. MANN: Right. And then I think you're right, with the official information privilege it is a qualified privilege in this sense. There is no statute saying that the information is confidential.

But all our e-mails, all our internal deliberations, clearly those were created in confidence. So it comes down to a balancing test at that point. And, you know, our argument is obviously that there is no basis to turn this information over. I mean, it is our internal deliberations. It is our analysis. It is the way we go about doing investigations and prosecuting the case. This information is privileged under the Suarez case and the Lyons case where agencies are not going to have to turn over information about their internal deliberations and how they can go about an

investigation. Because if defendants have that information, they're able to, you know, do practices out of void, investigatory techniques of agencies.

At the end of the day I just think as a practical matter what defendants are seeking is so intertwined -- or not even intertwined. I mean, this is work product, this is official information. And there are communications that are attorney-client communications, whether it be internally with the investigators or with real parties. So all the information is privileged and there is no way we can just turn it over to them. So there would have to be -- I think it would be a lot of work to figure out a way to turn it over to do an in-camera review. I mean, we're talking about several hundred if not thousands of e-mails. And their requests are so broad that every e-mail we wrote in the case could be responsive.

THE COURT: Well, you did respond with a privilege log that doesn't include thousands of documents.

MR. MANN: Well, we didn't include anything once the litigation started. So if -- that's why it's -- the privilege log is limited. If we're going to be looking at communications and documents once the litigation started, that's where it's going to turn into likely thousands.

THE COURT: I see. All right. Thank you.

Defense?

MR. TRISSELL: Good morning, Your Honor. I think I'm just going to go through my notes and find the points that we wanted to raise. I think the first thing as a formality, you know, Attorney Mann said that there was no dispute that was an Unruh Act violation. I think there is no dispute as to the facts, but there is definitely dispute as to whether there was actually an underlying Unruh Act violation. I also wanted to just stress we don't think that all of our discovery is just relevant --

THE COURT: Because your point of view here is that the Unruh Act as applied in this case cannot be applied in that fashion, it would be unconstitutional.

MR. TRISSELL: No, actually, Your Honor, there is -- in our early preliminary injunction briefing we focused on the difference between the discrimination on the basis of status versus conduct versus, you know, making the cake versus, you know -- she would make a birthday cake for them, et cetera. And we think that is still frankly a very lot of issues of the Court of Appeals and that could be changing soon so we -- you know, discovery is not only aimed at the legal ideas, and strongly Masterpiece. But also the other Supreme Court cases which indicate that, yes, in this context refusing to make a cake would probably be a violation of the Unruh Act. But we don't think that that is necessarily law that is accepted in all jurisdictions, and it's not settled necessarily.

THE COURT: All right.

MR. TRISSELL: But looking at the discovery, you know, we split up our discovery between Ms. Miller's discovery to the real parties and Tastrie's discovery to the DFEH. But it wasn't discovery only related to Masterpiece Cakeshop. It was just these are the documents the DFEH has, and we want them. And we think their communications with the real parties are extremely relevant just to the Unruh Act violation itself and other free exercise and free speech arguments, not necessarily Masterpiece.

You know, it all comes down to strict scrutiny, which under industry speech or free exercise and, you know, in that context you look at what are the party's legitimate interests. Which is why you were saying that if the real party's litigation was motivated by animus, that would weigh the scrutiny analysis and potentially defeat their case. And we want to know, you know, maybe it wasn't motivated by animus, maybe it was motivated by something else. But maybe the other motivation is still legally relevant. And that's why we thought our requests just for the communication between the DFEH and the real parties is not just a Masterpiece defense. It's relevant generally.

And in looking at Masterpiece more closely, the facts of that case are that it was -- the prosecution was unconstitutional because it was motivated by animus. But that's really more the facts

not the lieu of principle. In Masterpiece Justice Kennedy quoted the Church of Lukumi Babalu Aye which points that all individuals must pause to remember their own high duty to the Constitution and to the rights it protects. And that because they didn't do that, they didn't pause to remember the constitutional rights and it's because they didn't pause that led to them acting with animus and the prosecution being unconstitutional.

But I think the idea that why didn't the DFEH pause here and think about the free exercise for interests is one of the things we're most interested in. Looking at the California Free Exercise Clause, there are very good cases interpreting it. But one of the unique things coming out of those cases is simply that the way to deal with the situation is exactly what Ms. Miller was doing. In North Coast the California Supreme Court said, you know, just ensure that they get the service by referring them to somebody else.

And then more recently in Minton the Court of Appeals said that doesn't mean just another baker in your store. It means just refer them to somebody to make sure they get the service. That is exactly what Ms. Miller was doing here. And to me that seems to be a clear, unqualified defense that, you know, Mr. Mann is saying if there is something that's a clear defense, then you should stop the prosecution. And we think the California law provides that.

And so in that sense we think Masterpiece

should be broader than just animus. But you know what is the motivation for the lawsuit? Why didn't you pause about the free exercise rights?

Turning to the attorney-client privilege, Your Honor, I think it is very helpful but also difficult when you analogize to the criminal context of the EEOC because you've got to remember the differences and the similarities. And with respect to the EEOC context I feel like my briefing did a little disservice because I kind of just said the federal rule is, and then I followed those cases.

But if you look at them closely, they're all just core opinions and they tend to disagree with each other as to why the communications were privileged. In the first one the court essentially said well, federal privilege law is common law and we can create new privileges, so I'm going to create a de facto privilege.

But in that case, the weird context, the Bauman case, was that when the EEOC brought an age discrimination case that precluded the real parties from bringing their own suit. And if their own suit was brought, it was required to be merged into the EEOC case and the EEOC case took over. And there the court said since the real parties can't have their own attorney, their only attorney is the EEOC. Then we're going to correct this de facto privilege.

The later cases seem to focus more on the common interest offering and simply said well, both the

EEOC and you are interested in winning so there's more a common interest given you're not really their clients.

And there is a good case. The EEOC SVT case cited on page 11 of our brief, that goes into all of these and basically says they're not principal. They're just kind of practical concerns that they were trying to protect the EEOC, but they don't really make a lot of sense.

And I think the fact that the EEOC context is federal common law for the privileges is quite relevant because they have the right to create a new privilege to deal with practical concerns. In California we don't. We're limited by the Evidence Code.

And then I think if you look at 951 comparing it to the district attorney situation is exactly appropriate because there the victim comes to the DA and perhaps seeks legal services. And the DA doesn't say okay now because you wrote a declaration that you're seeking legal services all our communications are privileged. That's -- no, the DA has a duty to inform them that your communications are discoverable, you know, and I represent the interests of the people, not the interest of the victim, the justice being done.

And, Your Honor, I think the -- unfortunately I think the best way to deal with this is probably through an in-camera review. You know, the attorney-client privilege cannot be reviewed in camera and so we need a clear legal decision about that. But

the rest of this I think it -- you know, if the documents are truly irrelevant, then we don't need them. I just don't trust opposing counsel to decide what documents are irrelevant. And, you know, the work product and the -- you know, that's probably -- if you look at the 2022 Ranch case, because we do a lot of bad-faith insurance litigation, we thought that was most analogous in the sense of there the court essentially went through the interview notes with witnesses. And if it was just a factual sentence, left it. And if it was a sentence that had the attorney's impression of the interview, he would redact it. And I don't want to burden the Court with any in-camera review, but we think that's probably the best way of dealing with these privileges for work product and official information.

There is another point I wanted to make. Mr. Mann was focusing on and Your Honor seemed to indicate this, too, that the litigation began in earnest in December of 2017 or before that when they began drafting their preliminary injunction papers. And, you know, we focused more on how in the opposition to the motion to enforce the judgment and in their writ papers they focused on how we were going back to the administrative investigation and therefore, you know, the Court should not interfere with the administrative investigation. Which in our mind was, okay, they're admitting that this is the administrative investigation phase, not the litigation phase where the DFEH is

supposed to act neutrally.

But if Your Honor is inclined to think that the litigation really began in December 2017 and just in going since then, I would look back to the EEOC cases because the -- actually, I think the SVT case basically said that it was not inclined to extend the de facto attorney-client privilege even into the litigation if there were -- unless it was an age discrimination case where there was nobody besides the EEOC attorneys where the real parties do not participate in hiring an attorney.

And I think -- and in this context, yes, the real parties had their own attorney for a while. And they could hire their own attorney to intervene in this case. And in this context the SVT case says that even under the EEOC paradigm the attorney-client privilege should not apply between the EEOC and the real parties even through the litigation.

And then finally with respect to the depositions, I personally think a referee would make a lot of sense. I think we're going to have -- because we've done a lot of bad-faith insurance litigation, we know how to take the depositions of the attorney investigator. And it can be sometimes tricky. But whenever you have deposition of opposing counsel that leads to potential problems.

And with respect to the privacy interests, you know, we're not asking the Court to overrule any privacy

interest of the parties, the former DFEH investigators or any attorneys might have. You know, those can be raised and maybe a referee can consolidate them and solve everyone's problems.

THE COURT: Any final comments in response?

MR. MANN: Yes, Your Honor. I'll try to be brief.

With respect to the attorney-client privilege, counsel said that the communications are relevant to all the aspects in the case. Well, we haven't withheld any of the facts from them at all. Any facts that we learned from respondents we provided. We responded to eight sets of discovery. We've produced documents, real parties have produced documents, real parties are going to be deposed within two weeks, defendants are going to be deposing seven other folks within the next three weeks, not including the DFEH attorneys. So they're going to get all the facts that they need. And there is no need for them to get our communications with real parties.

And counsel mentioned the common interest. Whether or not you agree that Section 951 creates an attorney-client privilege, it's clear that real parties share a common interest with the DFEH. So there should be no waiver of any privileges with the information that we share with them. The privileges should stay intact because of the common interests.

THE COURT: You say that these depositions are

going to take place. They are not the subject of the further motions that are coming up before me?

MR. MANN: The further motions I'm 99 percent confident are going to be taken off calendar because we've worked it out. We just need to do a few things. And those were about -- they're not about those depositions.

The other depositions I'm talking about would be real parties, some of the folks, former employees of the Tastries that we had declarations from or identified real party's friends. So those are all folks that were involved in the case or involved in the underlying facts.

THE COURT: But not the depositions that are subject of this motion?

MR. MANN: Correct.

THE COURT: Yeah.

MR. MANN: There is no dispute as to those depositions. They're going to go forward. We've worked it out together.

THE COURT: The other thing I should ask counsel for the defense, I didn't see that there were technically notices of these depositions.

MR. TRISSELL: Your Honor, actually the depositions that are the subject of this motion, the three attorneys and the two investigators, those are scheduled for mid February, and they have been noticed and served.

THE COURT: Thank you. I had that question and it came to mind at that point.

Your further remarks?

MR. MANN: Yes. Counsel talked about the EEOC cases creating a new privilege, a de facto privilege. As we know, courts can create new privileges. But, again, we're just asking look at the Evidence Code Section 951. Anyone seeking legal services or advice is a client. So we're not seeking new privilege or de facto privilege. It's just a straight interpretation of the statute.

Counsel mentioned the 2022 Ranch case. That was pre Coito. Coito talks about -- further develops the law after 2022 Ranch as does, I believe, the Chadburne case. So those could be the cases to look at, not 2022 Ranch. Coito goes so far as to specifically say it's overruling certain aspects of 2022 Ranch.

And I would say with the depositions of the DFEH counsel, that's an extremely high bar to depose counsel. And, you know, we would say that there are other ways for defendants to get that information. So if they wanted to do a deposition by interrogatories, we might be open to that.

But, again, most of the information that they're seeking is privileged. So even if they did go forward, there is really no information to get. And if they just wants the facts of the case, they've already got that, or they can get it from the real parties and

all these other folks that they're deposing.

And if you don't have anything else, Your Honor, I'll be done.

THE COURT: Yeah. Thank you. I'm not a computer, so I'm not going to be able to simply churn this decision out. There are issues that I want to consider further in light of counsel's comments. So I'm just saying that so that counsel should be aware that it may take me some time to work these issues finally and issue a final ruling, which could impact the timing of your litigation of the case. But I'll take my time with this and show that the matter is submitted and you'll receive my final ruling.

I would ask, too, that both sides check with the court reporter before you leave off the record to make sure she has the spelling and the correct information regarding case cites and other things you've referred to in your argument.

One thing that -- I've thought about whether I should say or not, and I just don't think I would treat this case any differently than I would treat any other case, civil case, that's before me in this civil department.

And so I'll ask a rhetorical question. I'm not expecting a response from the attorneys. But it occurs to me I wonder if I could commend this case for settlement discussions to counsel. I realize there are inherent difficulties in doing that. This case has

received a lot of publicities and it involves in and of itself a great deal of public policy questions. It involves issues that have been before the United States Supreme Court. Everybody wants some sort of resolution of these issues.

Nevertheless, cases are not really about principles, p-l-e-s, they're frequently more about principals, p-a-l-s, that is, people. So I would ask counsel to consider the possibility of -- it doesn't hurt to talk, even if those talks prove fruitless. And even recognizing the difficulties that are involved with trying to settle an issue of great public concern such as this.

I am the trial judge and so I don't conduct settlement discussions. And what I'm talking about is judicially supervised settlement discussions. I don't conduct settlement discussions of my own cases unless there is a waiver of disqualification. Because effective settlement discussion involves in camera and ex-parte communication that then becomes subject to a mediation privilege. But that ex-parte communication results in a disqualification, so I don't typically do that. It is a waiverable disqualification if that waiver is received.

On the other hand, we do have -- in our court we do have a meaningful settlement process with our judges. In some courts because of the weight of the number of cases that are in our court system now the

judicially supervised settlement conferences become somewhat less meaningful simply because of the weight of litigations and are frequently conducted by pro tems that the judges don't get involved.

I'm just letting you know we do have that process still available with very meaningful judicially supervised settlement discussions. So I lay that out there for your consideration. I'll let counsel potentially discuss that between all counsel. And if that's of any interest, people should communicate that jointly with the Court if there is an interest, and we can proceed accordingly. All right.

MR. MANN: Your Honor, could -- I just have a practical consideration. I mean, part of the timing with the motions and everything and the upcoming depositions was to try to get guidance. And I think we both appreciate that these are difficult issues and that you need to take the time you need. But we clearly don't want our former counsel to be deposed. So if we don't have guidance, we are going to bring motions to quash a protective order. So I just don't know should we go ahead and do that, or do you think you have guidance as to the depositions.

THE COURT: Well, that's why I asked the question have those been noticed. The issues that would be coming up in those depositions I think are joined in this motion. I mean, counsel sort of made a preemptive motion for leave. So I think the issues are joined. If

I haven't made a decision by then, I think those depositions -- that's why I said my timing is going to affect your timing. I don't see those depositions going forward. Not the ones that you talked about that are agreed upon, but the disputed depositions. I don't see those going forward if I haven't been able to make a ruling by then. I would except counsel to simply adjust the timing of those depositions to get the benefit of my ruling. I don't need a bunch -- I don't think you need to go through the exercise because they're noticed. You know, file your own documents that raise the same issues effectively that are before me in the defense motion. That's the way I see it.

I would just ask that counsel -- now, that presumes that there would be an agreement regarding moving the dates of the depositions. I'm not preempting anybody's zealous representation of their clients. So the lawyers should do whatever they think is appropriate according to law. I'm just saying -- making my comment that perhaps if I haven't been able to rule yet, those depositions would be moved. But I'm not preempting your right to bring any motion or preempting anybody here. That's just a comment of the Court.

MR. MANN: And I just would like to clarify for Your Honor, the disputed depositions would be of the three former DFEH counsel as well as the two DFEH investigators.

THE COURT: That's what this motion involves,

and that's what I've just been informed. Those are the depositions that have been noticed for February.

MR. MANN: Right.

THE COURT: Okay. If there is nothing further, if you'll check with the court reporter, we're in recess. Thank you. The matter stands submitted. You'll receive my ruling.

MR. MANN: Thank you.

(Whereupon no further proceedings were heard in this matter on this date.)

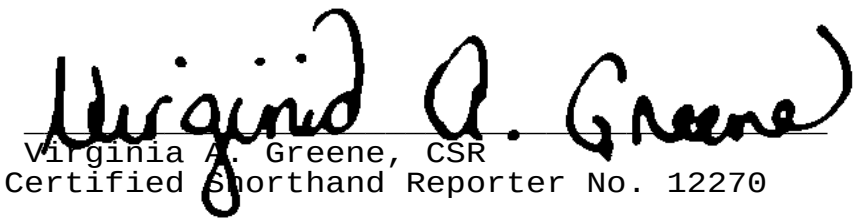
--o0o--

(Volume No. 1 consists of pages 1 through 42. There are no pages 43 through 150. Volume No. 2 will start on page 151.)

STATE OF CALIFORNIA)
) SS.
COUNTY OF KERN)

I, Virginia A. Greene, CSR No. 12270, Official Certified Shorthand Reporter of the State of California, Kern County Superior Court, do hereby certify that the foregoing transcript in the matter of DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING vs. CATHY'S CREATIONS, INC., DBA TASTRIES, A CALIFORNIA CORPORATION; CATHY MILLER, Case No. BCV-18-102633, January 22, 2020, consisting of pages numbered 1 through 42, inclusive, is a complete, true, and correct transcription of the stenographic notes as taken by me in the above-entitled matter.

Dated this 20th day of June, 2023.



Virginia A. Greene, CSR
Certified Shorthand Reporter No. 12270

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

IN AND FOR THE FIFTH APPELLATE DISTRICT

--o0o--

DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING, Plaintiff/Appellant, vs. CATHY'S CREATIONS, INC., DBA TASTRIES, A CALIFORNIA CORPORATION; CATHY MILLER, Defendant/Respondent. EILEEN RODRIGUEZ-DEL RIO and MIREYA RODRIGUEZ-DEL RIO, Real Parties in Interest	VOLUME 2 of 8 Pages 151 - 182 Case No. BCV-18-102633 Court of Appeal No. F085800 Bakersfield, California June 5, 2020

APPEAL FROM THE SUPERIOR COURT OF KERN COUNTY

HON. DAVID LAMPE, JUDGE, DEPARTMENT 11

REPORTER'S TRANSCRIPT OF PROCEEDINGS

APPEARANCES:

For the Plaintiff/ Appellant:	California Civil Rights Department Fka Department of Fair Employment & Housing By: Kendra L. Tanacca, Esq. 320 W. 4th Street, 10th, Floor Los Angeles, California 90013
For the Defendant/ Respondent:	LiMandri & Jonna By: Charles S. LiMandri, Esq. 16236 San Dieguito Road, Building 3, Suite 3015 Rancho Santa Fe, California 92091
Reported By:	Virginia A. Greene, CSR 12270 Official Court Reporter

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF KERN

METROPOLITAN DIVISION

HON. DAVID LAMPE, JUDGE, DEPARTMENT 11

--o0o--

DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING, Plaintiff, vs. CATHY'S CREATIONS, INC., DBA TASTRIES, A CALIFORNIA CORPORATION; CATHY MILLER, Defendant. EILEEN RODRIGUEZ-DEL RIO and MIREYA RODRIGUEZ-DEL RIO, Real Parties in Interest	Pages 151 - 182 Case No. BCV-18-102633 Bakersfield, California June 5, 2020

REPORTER'S TRANSCRIPT OF PROCEEDINGS

APPEARANCES:

For the Plaintiff DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING:	Department of Fair Employment & Housing By: Gregory Mann, Esq. Nelson Chan, Esq. 320 4th Street, Suite 1000 Los Angeles, California 90013
For the Defendant CATHY'S CREATIONS, INC., DBA TASTRIES, A CALIFORNIA CORPORATION; CATHY MILLER:	Freedom of Conscience Defense Fund By: Jeffrey Trissell, Esq. P.O. Box 9520 Rancho Santa Fe, California 92067
Reported By:	Virginia A. Greene, CSR 12270 Official Court Reporter

VOLUME 2

SESSIONS

PAGE

FRIDAY, JUNE 5, 2020
AFTERNOON SESSION 154

Motion 154

BAKERSFIELD, CA; FRIDAY, JUNE 5, 2020

AFTERNOON SESSION

DEPARTMENT 11 HON. DAVID LAMPE, JUDGE

--o0o--

THE COURT: We're in session. We're on the record. This is Judge David Lampe, Department 11 of the Kern County Superior Court. We're physically present in Department 13, but this is still officially Department 11 for the record.

And I'll call the case of Department of Fair Employment and Housing versus Cathy's Creations. I have on-the-line appearances. I have Mr. Mann.

MR. MANN: Good afternoon, Your Honor, good to hear from you.

THE COURT: I believe I have Ms. Miller, party although represented is also on the line.

MS. MILLER: Yes, Your Honor, I'm on the line.

THE COURT: I have Mr. Trissell.

MR. TRISSELL: Yes, Your Honor.

THE COURT: And I have Mr. Chan or Attorney Chan.

MR. CHAN: Good afternoon, Your Honor, Nelson Chan also for the Department of Fair Employment and Housing with my colleague Mr. Gregory Mann who will be presenting our argument.

THE COURT: Very good. In this case I reopened this matter. I made a tentative ruling on the discovery motions that the defendants had made. I had

set that for further hearing March 27th, and then we had the whole Covid-19 quarantine and so now we're back in court. And so the purpose of this hearing is for argument on my tentative ruling.

I think I'm going to proceed in this fashion. Although I didn't fully grant the motion, I granted it in some part, and so I would hear, I think, from the Department and its attorneys, which would be Mr. Mann.

Mr. Mann?

MR. MANN: Thank you, Your Honor. We appreciate the opportunity for further argument on these important issues, many of which are of the first impression of The Californian.

First, I'd just like to reserve all the arguments, our privileges and objections that we made in our discovery responses, our opposition brief, our separate statement and the previous oral argument.

THE COURT: That's noted.

MR. MANN: Thank you, Your Honor.

I'd like to take time to clarify the arguments in our brief in the separate statement in light of the tentative ruling. I'd got a little additional precedent in law for the Court to consider, and then I'd like to clarify some factual evidentiary misunderstandings in the tentative. And if you want any other briefing, we are willing to provide it.

THE COURT: Thank you.

MR. MANN: There is a lot to go over, and I'm

sure you'll have questions. If you'd indulge me, Your Honor, just a couple of minutes, I'd like to kind of quickly hit our main points and then I'm sure we'll want to go into depth of some of these issues and answer your questions.

The important thing to keep in mind as we consider all these issues is that defendant's sole basis here for the seeking this discovery is to assert a Masterpiece Cakeshop defense. But to apply the Masterpiece Cakeshop here would be an expansion of the holding there because Masterpiece Cakeshop does not apply to civil prosecutors. It applies to adjudicatory bodies.

The Colorado Civil Rights Commission was the decision maker. It was not a civil prosecutor. So defendants are looking to expand Masterpiece. What defendants are really asserting here is a selective prosecution defense. And when you analyze that type of defense, it's a two-step process. The first is whether or not defendants are even entitled to the discovery. And to be entitled to it, they have to present direct or circumstantial evidence that prosecutorial discretion was exercised with intentional and invidious discrimination. If they can't do that, they can't get at any of our -- they can't get at any of our documents, Your Honor, because we have prosecutorial discretion.

The second step, and we don't get there because defendants cannot make the threshold showing, is

looking at the privileges. And I'd just like to quickly go over the privileges that have been asserted here. DFEH, we've asserted our own attorney-client privilege. And California law is very clear that government entities have an attorney-client privilege with their own attorneys. We've also asserted the work product doctrine, the official information privilege and then other privileges and objections in our discovery.

Aside from the DFEH's privileges, the real parties in interest have also asserted their own privileges. They have an attorney-client privilege with their former counsel. Their former counsel has asserted her work product protections. And then they also have privileges of privacy and other objections that they asserted in their response to defendant's subpoenas.

Lastly is the real parties in interest have also asserted an attorney-client privilege with DFEH's attorneys, and we'd like to reassert all these privileges on their behalf.

And then lastly because the DFEH -- we have our own privileges, the real parties in interest have their own privileges, and we share a common interest in this litigation, none of the privileges are waived when DFEH communicates confidential information with real parties in interest and vice versa. So those are the privileges.

The defendant's brief and the tentative really focuses on real parties in interest, attorney-client

privilege with DFEH attorneys, but it's very important not to skip over or ignore any of the other asserted privileges.

And then quickly, Your Honor, in-camera review as you point out, it's not appropriate for absolutely privileged materials unless there is an exception. Defendants have not demonstrated that any exception to the attorney-client privilege or absolute work product applies here. So in-camera review we do not think is appropriate.

And, finally, the defendants do not meet the very high standard to depose DFEH attorneys because the information they seek is privileged. So we'd like to thank you for indulging me to lay that out, Your Honor. That is going to be a brief explanation of our arguments.

I'd like to dive deeper because a lot of these were not addressed in the tentative or by defendants. First, with Masterpiece, again, it supplies the Colorado Civil Rights Commission. And that was an adjudicatory body making the decision. The public prosecutor in that case was a Colorado Civil Rights revision. And there they're opposing the DFEH. And like DFEH they are not an adjudicatory body. DFEH is not an adjudicatory body. We do not make decision. We do not have administrative law judges. We're a public prosecutor that investigates, tends to conciliate and prosecute cases. So trying to apply Masterpiece to us would be an

expansion of that.

If we look at the selected prosecution defense as laid out in United States v. Armstrong 517 U.S. 456, that's a discovery case unlike Masterpiece which is not a discovery case. And U.S. v. Armstrong lays out the requirements for the selected prosecution defense.

So that's what I'd like to focus on, because that's what's appropriate here. That's what they're really asserting.

And I want to point out to the Court the State v. Arlene Flowers case. It's 193 Wash.2nd 469, and it's out of the Supreme Court of Washington state. It has a very thorough analysis of selective enforcement in a case that's very similar to ours. I'm sure you're aware of that case. It was where a florist refused to provide floral arrangements to a same-sex couple celebrating their wedding. So very similar context.

And the Court there ruled that, quote, it would take a broad expansion of Masterpiece Cakeshop to apply its holding, that the adjudicatory body hearing a case should show this neutrality to a party. You know, DFEH is a party here. And we represent DFEH bringing this case in the DFEH's name and we're allowed to zealously advocate on behalf of the DFEH. We do not have to be mutual in the same way that courts in administrative law courts are mutual. We're allowed to pick a side. I mean, we picked the side of the DFEH when we prosecute the case.

But when we prosecute, we do have to be unbiased. We have to be fair. We've done that here. And in order for defendants to get the discovery that they're seeking, they have to show that through direct or circumstantial evidence that we've exercised our prosecutorial discretion with intentional or invidious discrimination. And that applies to both criminal and civil prosecutors as stated in the People V. Supreme Court, the Lyons Buick-Opel-GMC case 17 Cal.App.3d 341 at 344.

THE COURT: Well, isn't what you just articulated the essential issue, that is, assuming you're correct that you're not an adjudicatory body, you're a prosecutorial body and that the doctrine of prosecutorial discretion applies as you state, if you decide to prosecute someone because they are a Christian, they have a particularly honestly and devoutly held belief, and that is the basis upon which you choose to prosecute them in the name of someone else who has also deeply held beliefs, I mean, to me there is the rub.

Now, you may be able to do that, but inherently then there is a showing at least to the degree of allowing a level of discovery, isn't there? And you will say no, and then I want to hear why you say no.

MR. MANN: Well, the no is because defendants have not presented any evidence that we've prosecuted

the case with bias.

THE COURT: Well, how can they? They haven't conducted any discovery yet. They have presented evidence. She is a Christian. She holds certain beliefs. You're prosecuting the case against her for that reason. That's inherent. It's inherent.

So now doesn't it need to be determined whether there is impermissible -- I mean, I'm not saying that what you're doing is wrong or right. I mean, that's not this adjudication. But it is an inherent issue on its face it seems to me.

MR. MANN: Well, I mean as you know, Your Honor, we have prosecutorial discretion. We're allowed to investigate as we see fit and the Courts are not going to question that unless there is some evidence that we're doing so with bias. The cases starting with the U.S. v. Armstrong and looking at cases I've mentioned, Montes as you cite in the tentative, they require evidence of some kind of bias before defendants can get any discovery. Because, otherwise, it's a fishing expedition.

And we're not -- one thing that stuck out at me, we're not prosecuting this case against Ms. Miller and Tastries because of her religious beliefs. We're prosecuting the case because she's admitted that she violated the Unruh Civil Rights Act. And ultimately --

THE COURT: Well, now that's an overstatement. She admits that she engaged in conduct which you assert

is a violation of the Unruh Civil Rights Act. But she asserts that she's privileged and that, therefore, it's not a violation of the act. That's the way I would see it being framed. But I understand your point, though.

Go ahead.

MR. MANN: We might be splitting hairs. But there is no dispute that she refused to provide full services, so that's why we were prosecuting the case. And ultimately there might be a defense to that. But if there is a defense to something, that doesn't mean that there wasn't a violation there to begin with.

But, again, it's not because of her beliefs. Her beliefs have to do with her defense. So, you know, as you've stated previously, and I know it's in a different context, but we were put in the position of having to do our job, which is, you know, we see a violation, we prosecute it. And that's what we did.

THE COURT: Well, again, don't -- you're a prosecuting agency. But don't you have a duty, a potential duty, in exercising your discretion you say when you see a violation. But don't you have a duty within prosecutorial decision to decide if there is a violation or if -- in other words, aren't you required to make an initial assessment of the claim of religious privilege given that your mandate is to protect people from religious discrimination as well?

I understand it may be somewhat of a catch 22, but it does seem to go to the issue of the exercise of

prosecutorial discretion.

MR. MANN: I think I understand what you're saying, Your Honor. And the issue here is that there has not been a recognized First Amendment defense to a violation of the Unruh Act, not in California. And we know in Masterpiece that they didn't address the substantive defense. So there was nothing out there telling us, hey, there is a defense to this, you shouldn't prosecute her. We saw a violation of the Unruh Act because there is no recognized defense, and we exercised our discretion to pursue a violation of the Unruh Act.

THE COURT: Okay. I understand your point. There is a unique -- there is just a unique aspect to this. Typically speaking when you look at the cases involving a prejudicial exercise of prosecutorial discretion, there is no inherent -- there is not necessarily any inherent evidence. Which is what you're saying is the first impediment to the discovery.

In other words, if an African-American citizen says I'm being prosecuted because I'm an African-American, and unless they can point to some statistics or some reasonably cognizable evidence that a prosecutor is only prosecuting on the basis of race and, you know, frequently that's very difficult to do. It's somewhat unique here.

Anyway, go ahead with your argument. I'm musing too much out loud. I'll be thinking about this

later. Go ahead.

MR. MANN: You bring up a great point, Your Honor. In your example with the African-American defendant who says they're being selectively prosecuted because of race, that is the facts in the Armstrong -- or United States v. Armstrong. In there the Supreme Court says you just can't assert it, you have to have some evidence. And they talked about, as you pointed out, statistics that could be used as evidence.

In some of the other cases there were statements from the prosecutor on the record in the media that showed bias. So the Supreme Court -- they acknowledge it's not easy, but they acknowledge that because these government prosecutors have discretion and are part of the executive, but it's not appropriate for the courts to be second guessing, and -- unless there is some evidence there that shows the potential for bias.

So it's -- I think U.S. v. Armstrong is a good one to read because it acknowledges that it's difficult, but it's not impossible. And there are other cases in California as well where defendants have asserted such a defense and failed because they did not have sufficient evidence to show that there was potential bias. The People V. Montes case that you cite in the tentative is another example of that.

So right at the outset because defendants cannot put forth any direct or circumstantial evidence of intentional, invidious discrimination by the DFEH,

the analysis ends. They're not entitled to it. They failed to meet their burden, and we're done.

Step two of the analysis -- and, again, we don't get there, but that looks at the privileges. And what I'd really like to focus on is defendants didn't really address inasmuch and the tentative doesn't address it as much. But it's the DFEH's own attorney-client privilege.

THE COURT: I can short circuit that for you. I think I probably need to do a better job in the final ruling of making it clear that I agree that -- I agree with you. That is, it is not the intent of any order of mine to require the Department to produce anything that is an actual attorney-client privilege of the Department even for in-camera review. So I may not -- looking with the benefit of time at the terms of the tentative, I may need to make it more clear.

I'm also not attempting to have the real parties in interest produce any matters that are unequivocally privileged between them and their attorney. I'm also not requiring the production -- as I intend the tentative, I'm not requiring any production of matter that is clearly work product by DFEH counsel, that is, the counsel's internal memoranda regarding strategy, law, that wouldn't be discoverable, and that wouldn't even be the subject of in-camera review. So I probably need to do a better job of clarifying that.

What I'm looking at is matters that could be

work product but that where it's been disclosed there has been -- and this may be in the area that you want to argue in terms of the common defense or common interest doctrine.

I'm looking at matters that fall into the area of -- that aren't purely internal communications of the Department but involve external communication, including communication with the real parties in interest or their counsel and vice versa. And for that to be subject -- and there may be some other categories, I'd have to think about it, if I didn't articulate it in the tentative that would be disclosed to the Court in camera for review.

That's sort of what I had in mind, and perhaps that gives you further explanation.

MR. MANN: Well, thank you, Your Honor, that's very helpful. And I can kind of short circuit and kind of get to the crux, then.

So I want to talk more about the common interest agreement as you just mentioned. But I want to highlight an argument that's in our brief. But, again, it's not in the tentative and defendants didn't address it, which is under Evidence Code Section 912(d) and 952. When disclosure is reasonably necessary for the accomplishment of the purpose for which the lawyer was consulted, lawyers are allowed to speak with third parties without waiving their own attorney-client privilege.

So what we are asserting that under the Roberts v. City of Palmdale case 5 Cal.4th 363 -- and as you've noticed we have our own attorney-client privilege. But we're allowed either Evidence Code Section 912(d) and 952 to talk with third parties when we need to advance the case.

And since the real parties in interest are the ones that were discriminated against here and since the case was brought on their behalf, we need to talk with them in order to pursue the case. We weren't discriminated against. I wasn't there. You know, the real parties in interest suffered the discrimination. They have the evidence about it. So we must speak with them, and we must be able to speak with them confidentially in order to pursue the case in the name of the DFEH.

And I'm sure, you know, 912 and these same evidence codes allow attorneys to speak with third parties and experts and maintain the privilege. And it should also apply to real parties in interest because it's definitely not something reasonably necessary but it's imperative that we be allowed to speak with them in order to pursue the case. And that's the Seahaus La Jolla Owners Association V. Superior Court court case. It's 224 Cal.App.4th 754. That is the case of right on point. And it's in a different context, but it's very analogous.

And in this case you cited in the tentative,

Your Honor, in that case a homeowner's association had retained an attorney. And the attorney represented the homeowner's association, did not represent any of the individual members of the association. But the attorney for the association would be at meetings to talk about the litigation that the association had brought. And he shared privileged information with individual members, owners of the association.

And the Court there found that sharing this information was reasonably necessary for the association litigation against the defendants. And that even though there was no representation by the attorney of the individual members, they were third parties that were necessary and there was no waiver of the attorney-client privilege between the association and the attorney. So that's a very similar situation to here. It's right on point.

And there the Court talked about the association's attorney was attempting to communicate at subject meetings with other stakeholders, the individual homeowners, in a manner that would advance their shared interests. And that's what's going on here when DFEH speaks with real parties in interest.

THE COURT: I don't know. I think you're on thin ice when you say you have a shared interest with the real parties in interest. It's the same issue that I had with the claim of an attorney-client privilege attaching between the Department and the complainants.

Because when you make arguments that you have a shared interest, then -- let's say that the defendant's attorneys develop windfall evidence that the real parties in interest actually had no interest in having a cake baked in celebration of their marital union but they actually had a secret plan to seek out a Christian baker for the purposes of initiating litigation against them, precisely as they have done, and that they're -- you know, I'm not saying that occurred here. I'm just saying that if you claim you have a shared interest with that, then what you're saying is you're adopting -- the Department has become complicit in the discriminatory plan of the real parties in interest, even if you do so unwittingly.

That's why I said before I thought it was a dangerous proposition for the Department to assert attorney-client relationship with complainants.

So, anyway, I suppose that's an editorial comment, but it's in the nature of be careful what you wish for.

Go ahead.

MR. MANN: Well, you bring up several great points there to address, Your Honor. But the last one was you talked about an attorney-client relationship. And that implies more representation. It's important when we look at the attorney-client privilege if we look at the Roberts case which I cited, and then also the Uber Technology v. Google, LLC, case 27 Cal.App. 5955.

When we look at attorney-client privilege, we look at the Evidence Code and we look at the privilege for attorney-client privilege purposes only.

We're not looking at it to see if there is traditional representation, if there is a contract, you know, retainer agreement, if there are fiduciary duties between the attorneys and the clients. That's separate. We're just looking under the Evidence Code for attorney-client purposes only.

So if you find that the attorney-client privilege here exists, you know, that covers our communications with third parties in interest through 912(d) and 952. It does not mean that we represent them or that we have a retainer agreement or that they speak on behalf of the DFEH.

So your concern about real parties, actions, you know, they're not agents of the DFEH. So what they do or what they say does not reflect on the DFEH in the way that you mentioned.

And I think that's -- that would be the same as Ms. Miller was making statements, that's not going to necessarily reflect on Mr. Limandri or his firm or vice versa. And I don't think -- well, and whatever real parties do does not reflect on the DFEH here. Again, because we're looking at the attorney-client privilege just for attorney-client privilege purposes only.

THE COURT: Okay. I understand that.

MR. MANN: Okay.

THE COURT: I mean, I understand your argument.

MR. MANN: Right. And the first point, it's not -- I don't know that it's as important. But plaintiffs have been -- I don't even want to go there. Let's skip all of that.

Plaintiffs have looked for cases to push the law forever. Rosa Parks was not just happened to be taking the bus that day. So whether or not there is knowledge going in there does not change the fact that there was a violation. But, again, there is no evidence of that here, and it doesn't change anything.

And just, you know, one -- well, I think I've hit it. The People v. Gionis case which we've cited talks about the attorney-client privilege not requiring that the attorney actually be retained. So, again, we just look at the attorney-client privilege for -- through the Evidence Code for those purposes.

I think that's what I have on the DFEH attorney-client privilege extending to cover our communications with real parties in interest through 912(d) and 952.

The common interest argument is very similar. And it's -- a lot of the cases refer back to those same two Evidence Code sections.

But let me -- I did forget. This is what I wanted to address. You questioned whether the DFEH and real parties have a common interest. And I think it's

very clear they do. Even though DFEH is the plaintiff, the real parties in interest are the real parties. They're the ones that own the substantive claim. If this case results in us getting an award, the money goes to the real parties in interest. You know, real parties under the FEHA, they have the right to intervene in the case.

And so it's to me very clear that there is a common interest here between DFEH and real parties. We're both seeking the same outcome, which is that there be a -- that the Court or jury find the violation of the Unruh Act. So I don't know how we could not have a common interest because we wouldn't be here if it were not for the real parties being discriminated against.

THE COURT: All right.

MR. MANN: And as you know, if there is a common interest shared and there are privileges, and there are privileges here, the DFEH has its work product and attorney-client. Our PI's have their attorney-client and their attorney has their work product. So because the privilege is protecting all the information exchanged through the common interest agreement or common interest doctrine, none of those privileges are waived.

Given your clarification on the order, I don't know that I need to say much about work product. And what -- most of what defendants are requesting is absolute work product. We haven't talked about the

official information privilege. I'd simply like to reserve those arguments from our brief injunctive statement and reiterate that we think that the balance here lies with holding the information, otherwise our deliberations and information from our investigation, our strategies, would be something that defense counsel could get and obviously that would give them a big advantage.

THE COURT: All right. Let me hear -- will Mr. Chan speak to this or Mr. Trissell?

MR. TRISSELL: Good afternoon, Your Honor, Jeff Trissell for the defense.

Mr. Mann's first statement was really that the Masterpiece Cakeshop only applies to adjudicatory bodies not prosecutorial bodies. And there is an argument that the courts across the country seem to be dealing with right now. There is nothing in Masterpiece itself that says that. And Mr. Mann is correct that the Washington Supreme Court did go in that direction.

But I think Masterpiece would then at least apply to the investigatory phase here when the DFEH was supposed to be acting neutrally and essentially adjudicating whether there was a -- how to proceed.

But even if Masterpiece doesn't, there is evidence of selected prosecution. And courts have looked to Masterpiece for selective prosecution. And I want to turn the Court's attention to a case that was not available on West Law until May of this year. And I

found it and submitted it. So it's the Masterpiece Cakeshop Two. So if you recall Masterpiece Cakeshop dealt with Mr. Phillips' refusal to bake a cake for a same-sex wedding.

Masterpiece Cakeshop Two deals with his refusal to bake a cake that was pink on the outside and blue on the inside to celebrate a gender transition. And in that case the Colorado Civil Rights Commission brought a second prosecution against him. And then he filed a federal 1983 action to enjoin that prosecution. And in the Court -- the District of Colorado denied the state's motion to dismiss and pointed to two pieces of evidence that adequately pleaded evidence of invidious prosecution.

And at first the District of Colorado looked to the Supreme Court to say that it was evidence of invidious prosecution that Civil Rights Commission rejected his argument that he had a message-based reason for not providing the cake.

So Mr. Mann and DFEH keeps saying we've essentially admitted that we violated the Unruh Act because Ms. Miller refused to make the cake because it was for a same-sex wedding. And that line of thinking really comes from older Supreme Court cases basically saying, you know, attacks on Yamakas, that is attacks on Jews, refusing to make a cake for a same-sex wedding is discrimination against same-sex persons.

But it's not really California law.

California Unruh Act law says if you're not discriminating based on the status, then you're not discriminating. There is no basis for discrimination. You have a legitimate other reason. And Masterpiece says that a message-based reason for refusing to make a cake for a same-sex wedding because you do not support same-sex marriage essentially calls into question those other earlier Supreme Court cases applied here.

And so the District of Colorado in Masterpiece Cakeshop Two says the states essentially refusal to listen and still proceed on the basis that your statement that you made a cake -- you refused to make a cake for a same-sex wedding is, per se, discrimination against a controlled issue. That itself was the evidence of invidious discrimination.

And the second piece of evidence or the allegation that has been adequately pleaded was that the probable cause determination to proceed with the second prosecution occurred right after the Masterpiece Cakeshop opinion was published. And so you could infer that it was in retaliation for that win in the Supreme Court. The second prosecution was initiated.

And that's how we've always felt that when the DFEH raised into court in December of several years ago right after the oral argument in Masterpiece Cakeshop there was evidence of retaliation that the DFEH would now rush into court. And that was exactly the type of evidence that the Court found sufficient in Masterpiece

Cakeshop Two to support -- to allow a prosecution lawsuit to go ahead. Even in Younger v. Harrison and all these commonly argued cases federal courts cannot be joined in the state prosecution.

And that case is -- Your Honor, it's available at --

THE COURT: Well, let me tell you -- let me tell both of you procedurally in light of listening to your arguments -- and I'm not cutting you off, Counsel, I'm just interjecting that what I'm going to do is -- I hate to do this, but I'm probably going to leave the hearing open on this matter for a period of time so that both sides will have the opportunity to essentially brief the argument that you make to me today. That would be helpful to the Court. And I mean really brief. It's without prejudice to anything else that you've filed. It's in addition to any other filings and arguments that are before the Court. But it would be helpful to me to get a summary -- I'll call it a summary brief with your additional citations or further reference to existing citations in your briefing for my further consideration of the matter and then not submit the matter until I receive that. And I'll give you time to do that.

So in terms of citing authority to me by page and line, you don't need to do that because I'm going to ask you to put that sort of citations in a new summary briefing.

All right, go ahead, Counsel.

MR. TRISSELL: I'll get that briefing to you as soon as reasonable, Your Honor.

My next point was really that the common interest doctrine -- and this, you know, I do think that the recent case from the 4th Appellate District with the Superior Court is pretty much dispositive of -- I think there the -- anyway, it's almost exactly the same situation.

And the Court did not really address the common interest doctrine in depth, but in a footnote it does simply reject it out of hand. And I think it's -- that footnote comes later in the review in the Court's conclusion. But I think it's a retrospect to its earlier lengthy discussions of how they do not have a common interest, that the state has interest in justice being done, and those are irreconcilable interests.

And so that's what I would point the Court to on the common interest doctrine.

THE COURT: All right.

MR. TRISSELL: And I think those are the main points I wanted to make, Your Honor.

THE COURT: All right. Well, I think rather than seek your reply, Mr. Mann, I am going to ask that counsel give me a summary of -- especially since the time -- the length of time that has passed, give me a summary of the arguments in very brief format. I mean, I understand the arguments you've made. And it's just a

helpful tool for me to have an outline summary type document by counsel at my disposal for further consideration.

So what if I left -- you know, I'm the only -- I just have to -- we also have a case management conference set today, so I want to talk about that.

Right now I believe I'm the only civil department in Kern County hearing cases. And I may be the only civil department in the State of California that's hearing civil cases based upon what I hear. And I don't know how long that's going to hold. But our Department 1 is doing their best to try to keep something open for civil litigation, and I guess that's me.

I say that because I'm going to have a very congested calendar. Right now I'm setting trials in July -- July 19, 2021. And I told the counsel that are sitting before me waiting for a jury that actually came back -- we had a jury trial going, and the jury was gone for 60 days and they came back to finish our civil trial. It was a very remarkable performance by the jury. And -- but I told those lawyers that I'm hearing rumors, I won't attribute them, but I'm hearing rumors that some major counties are saying they're unlikely to see civil jury proceedings again until 2022.

So I say that because I don't want to delay this ruling, but I need some additional time in light of your arguments to give full consideration to the matter.

So I would set -- I would propose to set it out an additional 30 days. Even though you may not need it, I probably need it, an additional 30 days for your supplemental briefing. So that would be to -- well, why don't I shorten that just a little bit and make that due June 26th, just simultaneous briefing under the circumstances, and then I would consider the matter submitted on that date and do my best to get a ruling out.

And then what I would propose is to continue the case management conference out to perhaps give me time to rule on that, get that out to July 31st with the idea that we would set something on that date for trial.

But I will hear from counsel on the proposed briefing schedule, date of submission and date of further conference.

Mr. Mann?

MR. MANN: Given, you know, the lockdown and protests our offices are completely closed. So the 30 days you suggested for the additional briefing, I'd actually appreciate getting the 30 days. July 31st sounds good.

THE COURT: So you want to go back to the June 26th date for the briefing?

MR. MANN: I would appreciate it, Your Honor, yeah.

THE COURT: Well, the next Friday is the 4th. So I'll make that the 10th. And then I better make

August 7th the new CMC date. So the briefing July 10th -- briefing July 10th, further CMC August 14th.

How does that sound, Mr. Mann?

MR. MANN: I appreciate it, Your Honor, that sounds good.

THE COURT: And, Mr. Trissell?

MR. TRISSELL: Your Honor, I respect that I'm sure you're very busy. I would just point out that we filed this motion in November of last year. And so we don't really have a problem with extending it to July. We just would like to get our documents.

THE COURT: Right. I understand that. I'm going to do my best to, you know, make a ruling as promptly as I can given the press of business that I'm under as well. But I'm very mindful of this, so those will be the dates.

We'll go ahead -- since it's just a CMC for setting, we'll go ahead and make the August 14th date at 8:30.

All right. Thank you very much. We're in recess.

MR. MANN: Your Honor?

THE COURT: Yes.

MR. MANN: One thing to consider. Depending on how -- what your ultimate ruling is, I can predict either side wanting to take a writ. So I would ask that maybe we need to come back and talk about the ruling or that the final order be stayed until the parties have a

chance to go through the writ process.

THE COURT: Who just spoke?

MR. MANN: I'm sorry, Mr. Mann from DFEH.

THE COURT: Yeah, put that in your brief. Put that request in your brief and then the defendant can respond to it in their brief. Even though it's a simultaneous submission, you know it's going to be in their brief, and you can respond to that request.

Okay. Very good. Thank you.

MR. MANN: Thank you, Your Honor.

MR. TRISSELL: Thank you Your Honor.

MR. CHAN: Thank you, Your Honor.

(Whereupon no further proceedings were heard in this matter on this date.)

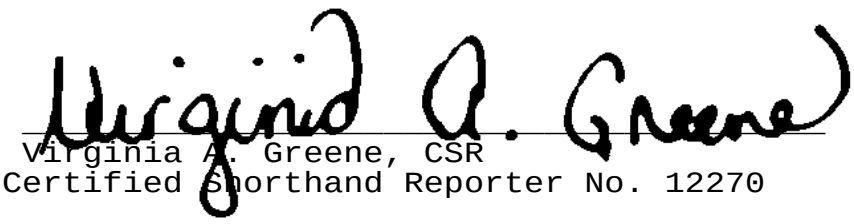
--o0o--

(Volume No. 2 consists of pages 151 through 182. There are no pages 183 through 300. Volume No. 3 will start on page 301.)

STATE OF CALIFORNIA)
) SS.
COUNTY OF KERN)

I, Virginia A. Greene, CSR No. 12270, Official Certified Shorthand Reporter of the State of California, Kern County Superior Court, do hereby certify that the foregoing transcript in the matter of DFEH vs. CATHY'S CREATIONS, INC., DBA TASTRIES, A CALIFORNIA CORPORATION; CATHY MILLER, Case No. BCV-18-102633, June 5, 2020, consisting of pages numbered 151 through 182, inclusive, is a complete, true, and correct transcription of the stenographic notes as taken by me in the above-entitled matter.

Dated this 20th day of June, 2023.



Virginia A. Greene, CSR
Certified Shorthand Reporter No. 12270

IN THE COURT OF APPEAL IN THE STATE OF CALIFORNIA

IN AND FOR THE FIFTH APPELLATE DISTRICT

--o0o--

DEPARTMENT OF FAIR EMPLOYMENT, AND HOUSING, AN AGENCY OF THE STATE OF CALIFORNIA,	Volume 3 of 8 Page 301 - 406
PLAINTIFF/APPELLANT,	Case No. BCV-18-102633
vs.	Court of Appeal No. F085800
CATHY'S CREATIONS, INC. D/B/A/ TASTRIES, A CALIFORNIA CORPORATION; AND CATHARINE MILLER, AN INDIVIDUAL,	Bakersfield, California
DEFENDANTS/RESPONDENTS.	July 22, 2022
EILEEN RODRIGUEZ-DEL RIO AND MIREYA RODRIGUEZ-DEL RIO,	
REAL PARTIES IN INTEREST	

APPEAL TO THE COURT OF APPEAL

FROM THE SUPERIOR COURT OF KERN COUNTY

HONORABLE J. ERIC BRADSHAW, JUDGE; DIVISION J

APPEARANCES:

For the Plaintiff/ Appellant:	Department of Fair Employment And Housing By: GREGORY J. MANN, ESQ. By: KENDRA TANACEA, ESQ. By: SOYEON C. MESINAS, ESQ. 320 West 4th Street, Suite 1000 Los Angeles, California 90013
For the Defendants/ Respondents:	LIMANDRI & JONNA LLP By: CHARLES LIMANDRI, ESQ. By: PAUL M. JONNA, ESQ. By: JEFFREY M. TRISSELL, ESQ. P.O. Box 9120 Rancho Santa Fe, California 92067
Reported By:	Cynthia R. Pola, CSR No. 11204 Official Reporter Pro Tempore

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF KERN

HON. J. ERIC BRADSHAW, JUDGE, DIVISION J

--o0o--

DEPARTMENT OF FAIR EMPLOYMENT, AND HOUSING, AN AGENCY OF THE STATE OF CALIFORNIA, PLAINTIFF, vs. CATHY'S CREATIONS, INC. D/B/A/ TASTRIES, A CALIFORNIA CORPORATION; AND CATHARINE MILLER, AN INDIVIDUAL, DEFENDANTS.	Case No. BCV-18-102633
EILEEN RODRIGUEZ-DEL RIO AND MIREYA RODRIGUEZ-DEL RIO, REAL PARTIES IN INTEREST	Bakersfield, California July 22, 2022

REPORTER'S TRANSCRIPT OF PROCEEDINGS

APPEARANCES:

For the Plaintiff: Department of Fair Employment and Housing
By: GREGORY J. MANN, ESQ.
By: KENDRA TANACEA, ESQ.
By: SOYEON C. MESINAS, ESQ.
320 West 4th Street, Suite 1000
Los Angeles, California 90013

For the Defendants: LIMANDRI & JONNA LLP
By: CHARLES LIMANDRI, ESQ.
By: PAUL M. JONNA, ESQ.
By: JEFFREY M. TRISSELL, ESQ.
P.O. Box 9120
Rancho Santa Fe, California 92067

Reported By: Cynthia R. Pola, CSR No. 11204
Official Reporter Pro Tempore

MASTER INDEX - VOLUME 3 - (Pages 301 - 406)

SESSIONS

	PAGE
FRIDAY, JULY 22, 2022	
AFTERNOON SESSION	304
Motions in Limine	304

BAKERSFIELD, CALIFORNIA; FRIDAY, JULY 22, 2022

AFTERNOON SESSION

HON. J. ERIC BRADSHAW, JUDGE; DIVISION J

--oOo--

(Whereupon, the following takes place in open court:)

THE COURT: Good afternoon, ladies and gentlemen. Let's turn our attention to the matter of Department of Fair Employment and Housing versus Cathy's Creations; BCV-18-102633.

Counsel, your appearances for the record, please.

MR. MANN: Gregory Mann for DFEH.

MS. TANACEA: Kendra Tanacea for DFEH.

MS. MESINAS: Soyeon Mesinas for DFEH.

MR. LIMANDRI: Good afternoon, Your Honor. Charles LiMandri for the Defendants Cathy Miller and Cathy's Creations.

MR. JONNA: Good afternoon, Your Honor. Paul Jonna for the Defendants.

MR. TRISSELL: Good afternoon, Your Honor. Jeffrey Trissell for the Defendants.

THE COURT: Can I get you two folks to spell your last names for me.

MS. TANACEA: Sure. Tanacea, T-a-n-a-c-e-a.

MS. MESINAS: Do you need my whole name or

just the last name?

THE COURT: Last name.

MS. MESINAS: Mesinas, M-e-s-i-n-a-s.

THE COURT: All right. So Counsel, we have quite a bit to plow through this afternoon. What I would like to do first is sort of lay out the roadmap the way I intend to accomplish this afternoon. We want to talk -- I want to talk about the time estimate and how things are going to go next week.

Generally speaking, this Court has probably an hour to an hour and a half's worth of morning hearings each day. My plan is tell you what the calendar looks like the next day so that we can give you a start time, but we won't be starting any earlier than 9:30. So if you don't hear anything or -- you know, our default is going to be come at 9:30. But I might be telling you to come a little later depending on what the actual schedule is starting Monday, obviously.

The -- for purposes of this trial, because parties have waived jury, it's going to be -- I'm just imagining -- I'm going to be asking you folks some questions about this, but I'm just imagining you folks have -- you know, I know a lot of preparation has gone into this. My expectation is that parties will have their witnesses in what I call stacked and wrapped. So that means I am not overly concerned about the -- having a witness sit out in the hall for 30 minutes

while another witness is on the stand. What I am concerned about is making sure this trial is handled efficiently. And so if somebody has to sit out there for a little while, what I want to avoid is situations where -- where we finish a witness and we have to wait at any material amount or significant amount of time for the next witness to be called.

To that end, I do expect there to be communication between counsel. I do expect that professional courtesy. What I've observed in this proceeding so far is that that does exist, and so I would like you guys to continue that, that professional courtesy, meaning that, you know, you're going to need to let each other know who your witnesses are going to be.

I don't know what deposition -- I know there are depositions. I don't know who all has been deposed, but, you know, if you're not leaving your stuff here overnight, which we can talk about here in a minute, you can, you know -- I want to make sure that people are able to bring the deposition transcripts that they need for the morning session or the afternoon session and that you all know what's going on so that nobody is caught flat-footed, and you're able to proceed immediately into your cross-examinations and things like that.

With respect to depositions, I would prefer that you not lodge those transcripts until you need to

lodge them and do it one at a time and do keep track of the transcripts that you're lodging so that -- so that I don't keep them unnecessarily. I want to make sure that you get your materials back.

I know that -- I was -- I was thinking that there might be some amount of the deposition testimony that would -- that would be trial testimony in this case. At least that's -- I don't know where I got that, but it seemed like I had the idea that it was communicated to me somehow that that might happen, that some deposition testimony was either going to be read or I don't know if it was going to just be presented to me, "Judge, we want you to read this. This is the testimony."

I'm not sure how you are going to handle that, but I will want that original transcript with any changes that were made to that testimony when you begin reading or however that's going to be presented. I will want that original transcript.

So again, staying with the time estimate a little bit or the timing, so the morning -- we begin in the morning around 9:30 and we will go until noon. You'll take an hour and a half lunch break and then we'll come back at 1:30, and we'll go till 4:30. That will be the schedule every day.

We will always take a midmorning and a midafternoon recess, usually 15 to 20 minutes, and we can take other breaks as needed. In a nonjury

situation, we can be a little more relaxed in terms of how we are handling that, and I will -- you know, it's -- managing the jury is one thing, but, you know, in a bench trial we can be a little more informal in terms of how we handle breaks and things like that. I'm not interested in somebody sitting there after lunch, having had three cups of coffee or whatever, and being uncomfortable, so we can take comfort breaks. It's fine. You can ask for that, and we can take a short break if we need to.

I want you folks to feel like you were treated properly here in Division J.

With respect to the time estimate, in light of the schedule that I've just announced to you, Mr. Mann, what do you anticipate will be the time consumed to finish this trial?

MR. MANN: We've been working together. We both really want to get it done next week. I think we have a total of ten witnesses. Several of which will be, I think, quick. So we are still figuring out whether or not we are going to bring a couple of their witnesses via 776 or not, but I think we both feel confident we can get it done next week.

Mr. LiMandri, Mr. Jonna, Mr. Trissell, who is speaking for you guys concerning the time estimate?

MR. LIMANDRI: I think we feel largely the same on that. It depends, of course, on how long, if they do call our witnesses, they are going to have them

on a 776 exam. That would cut down potentially direct exam time. But normally I do four or five witnesses a day, and if we're talking about a total -- I count 11 that we don't need. Should be, I would think, get through the testimony in two and a half, three days, I would hope. I know there are quite a few evidentiary motions, and I apologize for that. That's a lot. With opening statement and closing argument, I would like to think we'll certainly finish next week, Your Honor.

THE COURT: Okay. That's good. We can work with that schedule. We will -- what do you folks have -- what have you folks talked about in terms of how you want to end the case as far as argument? Do you want to roll into it right after the last witness?

MR. MANN: We haven't talked about it, but --

THE COURT: That's what I would expect normally.

MR. LIMANDRI: That would be our preference, Your Honor.

THE COURT: I know that you guys have -- I mean, in looking at these motions, and I know the law and motion that's gone before it. I'm probably not as up to speed on it as you folks are, but I know that quite a bit has gone into it, and I'm fully expecting that we can roll right into it and let you argue. And if I have any -- if I have any desire to have written briefs at some point in time on some issue, I will just let you know.

It would be helpful from my standpoint, although this is not a jury trial, I always find it helpful in bench trials for both parties to submit a burden of proof instruction, either from BAJI or CACI. I know that that's -- those instructions have been referred to in the briefing, and it would be helpful for me, just a burden of proof instruction, not a -- I don't need a whole set of jury instructions. I'm only talking about the elements of the claim or the elements of the defense from CACI or BAJI.

And then, if you have special defenses where there is no -- or special claims or issues that have elements to them, then that -- it would be helpful to just give me that. I realize that -- that -- a lot of that has been briefed for you, you know, but I don't want to -- when I want -- when I'm thinking about relevance or when I'm thinking about how to handle objections, it's sometimes helpful for me to have those up here. So as you start to argue your objections, which we may do from time to time during the course of the trial, I will have the benefit of the elements so that when you are talking about it, I can be looking at it. So that's kind of a little -- that's just something I find helpful.

MR. LIMANDRI: Your Honor, if I point out -- sorry to interrupt -- I know the trial briefs were only submitted late yesterday, so the Court --

THE COURT: I have not seen them.

MR. LIMANDRI: I haven't even had a chance to read the opposition one yet, but I do know in ours, anticipating that oftentimes the jury instructions help, even us lawyers and judges, Mr. Trissell did kind of track through BAJI elements and who had the burden of proof on the -- under WAC and then who had the burden of proof on the affirmative defenses. That might be able to present that in a more simplistic way --

THE COURT: Yeah, just a stand-alone thing is what I'm talking about.

MR. LIMANDRI: Okay.

THE COURT: One from each side. You can just staple them together, and I will have them both sitting up here. You'll always -- once you guys submit those, you can ask me to look at those, if you want to. I can go right to it, and I will have it -- I'll just have it sitting up here on the bench, and you folks can direct my attention to what we are talking about.

And it's -- from my standpoint, if you want to -- I mean, I know that when I print out jury instructions, you have the option of providing the use notes, and you're welcome to provide those use notes.

Also, I have a set of set of CACI instructions here. I don't have the BAJI instructions, I don't think. I only have the CACI. I do have access to BAJI and CACI on the computer, so there are other things that we can do, too. I can get into Westlaw

pretty quickly on this, and -- - so there's other -- other things that we can do if we start talking about something and you need me to look at something, I can access it fairly quickly.

Because it is a bench trial, most of what we're, you know, most of the discussions that -- during the course of the trial, I hope we are able to resolve a lot of things today in terms of the evidence, but there -- I expect that, based on some of the rulings I intend to give you, that from time to time somebody may be revisiting an issue, and that's going to be okay. I will let you do that. You're' just going to have to tell me that's what you're doing. And we will -- if necessary, we can get into the Evidence Code, or we can get into a case or something like that, if it is going to happen quickly during the course of the trial.

What I don't want to do, I don't want to give you the impression that we're going to be interrupting a witness to go two hours on some legal point. That's not going to happen. Usually my -- you know, my rulings are, when it comes to evidentiary matters, I'm not going to be wasting a lot of time -- wasting a lot of your trial time is what I should be saying -- doing a lot of research. I'm going to ruling on your objections, and we will be moving forward.

But the idea that -- or the thought of -- or the -- I think the value of having something for me to

reference or to -- you know, to look at that might help you as you are arguing your objections, I think that could expedite things.

We have a media request, only one so far. I plan to grant this, but I wanted to give parties an opportunity to comment. This one is from the Bakersfield Californian. I routinely grant these requests unless there's some real good reason not too.

I'm ready to hear from you, Mr. Mann, if that's what -- if you wish to comment on this.

MR. MANN: No. I think it is important for the public to know, so we have no problem with it, Your Honor.

THE COURT: Mr. LiMandri, any comments?

MR. LIMANDRI: No objection there.

I do want to point out, with respect to something the Court said, apparently anticipating that might be useful, Mr. Trissell did attach BAJI 7.92 is the only exhibit to our trial brief with comments.

THE COURT: Is it completed? In other words, is it -- I don't want a blank instruction. Because that -- and really, you know -- I'm kind of looking at Mr. Mann here because as the Plaintiff -- the Plaintiff knows how they're going to present the case, and there are options within the instruction so that -- I suspect that you folks have been around the block on this case enough to where you all know what -- how the jury instruction should be completed. But these blank form

instructions with the various options, you know, I don't know. You guys know what your case is. Give it to me completed, you know, with names, you know, proper pronouns, whatever the thing is so that I -- when I'm reading it, I'm not trying to sort through and figure out what you're arguing.

MR. LIMANDRI: We'll work that out together. Thank you.

THE COURT: Mr. LiMandri, with respect to the media request, no objection?

MR. LIMANDRI: No objection, Your Honor.

THE COURT: Okay. I will be signing that right now then.

MR. LIMANDRI: That goes to the other ones that might come in? We've had two requests already.

THE COURT: I'm going to be dealing with these one at a time, and I will always let you know when a request comes in. I'm not going to let the courtroom be turned into a, you know, media circus, but I am going to sign this order.

Just for your benefit, it's basically -- my courtroom staff will direct the media personnel where they should be, probably back there on that side over there. And since we don't have a jury, I don't have to worry about them taking pictures of the jurors and things like that. If they want to take pictures of you guys, that's fine.

I think consistent with the rules, I will not

allow video or audio at any time when the Court is not in session. So when we go to break, I'm going to require people to turn off their cameras and audio. I am not going to keep track of that, my bailiff is. That's just a rule. That gives you an opportunity to stand down a little bit and not worry what is getting caught on tape.

All right. In terms of -- in terms of exhibits in this case, Counsel, I find it helpful to -- I don't know how you guys have worked out how you are going to do your exhibits. I don't know if you have -- what you're going to do here.

Mr. Mann, do you want to discuss exhibits with me at this time?

MR. MANN: Sure. We've provided a joint -- yeah, we filed a joint exhibit list, so we're working well together on that. We've agreed and stipulated to authenticity to a lot of them. We've to admissibility for several of them. We've made that very clear on the exhibit list. I think defense counsel put together the notebooks so we should have all that we need.

Is that correct, Paul?

MR. LIMANDRI: Yes, we'll bring the notebooks Monday morning, Your Honor, with all the Exhibits. One for the Court, one for the clerk, and one for the witness, and, of course, each counsel.

THE COURT: So with respect to your stipulation, is there going to be a -- is there going

to be a list that you are going to hand Madam Clerk to keep track of what is in and not in?

MR. LIMANDRI: Yes. We have a list that indicates what exhibits have been objected to and which haven't and we'll continue to confer and hopefully have more stipulated to, so the Court doesn't have to rule necessarily on those, but we do have a list available. That was filed, I believe, last night, joint list that indicates the identity of the exhibits and which ones are stipulated and which ones are not.

THE COURT: Perfect. There is a way to generate a copy of that list that doesn't have the commentary on what is objected to, what's not objected to, basically just has received, not received. If there is a way to generate that, that columns that say that, that would be very helpful for my clerk.

MR. LIMANDRI: That's fine. The last two columns, which are blank, Your Honor, do you say date offered, date admitted.

THE COURT: Yeah. If -- if you can just take out just the name and the exhibit number or letter and -- in or out.

MR. LIMANDRI: Okay.

THE COURT: That would be great. When offered and whether it has been received and nothing else, that would be, I think, helpful from my clerk's standpoint so she wouldn't have manufacture one.

MR. LIMANDRI: We do have a -- where it says,

"brief description," I think it will helpful to the clerk because it will say whether photographs or something else, but there is no other commentary, and then we will take out the stipulations, objections, and everything else.

THE COURT: That's great. And then -- I mean, I can -- I don't mind looking at that stuff, but it is not helpful from her standpoint, and I want to give her something that is going to be useful.

MR. LIMANDRI: That's fine. We will make a new list and simplify it and give the Court the one that's already been filed.

MR. MANN: Does Madam Clerk want one that has the description?

THE COURT: Yeah, the descriptions. It's helpful if you include that description, that just saves her ink, so to speak.

MR. LIMANDRI: What I want to say, with reference which Your Honor said about ruling on matters on the witness on the stand, although the motions in limine are somewhat burdensome in number and it's just the sheer volume of paper, the whole point was to eliminate, hopefully, the Court having to make on the spot rulings while witnesses are there.

THE COURT: I get that. We are going to be talking about some of these issues pretty quick here, and we will get to that.

But I was taking more in terms of -- for

example, I already know that there are certain motions that are being made here where people are concerned about a rabbit hole that we might be going down. And I can tell you, just as a general rule, without getting into specifics right now, that I'm going to probably be letting a lot of evidence come in, subject to -- subject to -- sometimes it's over. It's done. We don't need to hear any more of that evidence. And then I would be receptive to the 352 motion. And so I'm not -- just because I may, let's say, deny a motion in limine now, or however I handle it, doesn't mean that somebody couldn't renew that motion at a later point in time after we've heard evidence and 352 starts coming into play, because I would be receptive to it at that time, or I might.

I -- I say that, I guess, as a way of saying that the rulings that I'm about to make on some of these motions, I would say are generally subject to reconsideration, if there is a reason for reconsidering things. You guys know your case. I don't know it as well as you do. I don't think the facts of this case are particularly complicated. I think the legal issues are complicated, but I don't think the facts of the case are complicated.

But there is -- I do think, based on what I've seen up to this point, that there are certain nuances that come into play, and it's because of that that I'm going to probably give everybody their head

here when it comes to the evidence in the case. It is not a jury trial. I can sort out what matters and doesn't matter. But there will come a point in time, especially if I feel like the time estimate is going out the window, that we are going to start looking very hard at repetition, and I don't -- I don't think we need a lot of repetition. I can get it.

So that's just a general comment. But I also know that there -- there -- I am not saying it would happen in this case. It happens a lot in criminal cases where we're excluding evidence, but because of the way questions get asked at a later point in time in trial it opens up some issue, and all of a sudden the evidence that I excluded suddenly becomes a lot more relevant, and that can happen. And when that does happen, I don't know if it will or won't, but when it does happen, please ask for permission. Don't just start asking the questions. Don't violate an order to exclude evidence, but just ask for permission.

Let me know what you're doing because I do keep track -- I try to keep track of how I've ruled on these motions. There is a number of them here, but I think at the end of the day, we will all -- at the end of today, we will all pretty much know where we are going. There may be some things left over for Monday, but we'll hopefully give you guys a good idea of what is going to be happening when you come in on Monday.

MR. MANN: We really worked hard, Your Honor.

We've cut 40 percent of the witnesses, both sides, so we don't want to do any cumulative evidence. If you feel you've got enough, you know, let us know, and we'll --

THE COURT: Give it to me in shovels. You don't need to spoon. I want you to be able to try your case, gentleman. I want you guys to be able to, you know, feel like, you know -- I want people to have their day in court, and I want them to feel like they have their day in court.

And so we will -- I do want to be efficient because I've got other trials stacked and racked myself, and we have to keep going, but I have the time for you guys next week. It's just turned out that way. I had two other trials that went away, so it is all you.

All right. I think that's enough of the housekeeping-type matters. I don't really need to talk to you about your witness lists because I don't have to read any witness list to a jury. I'll assume that you folks have all that under control. And what I would like to do now is start talking about some of these motions in limine and get through as many as we can, if not all of them, today.

One thing, with the multiple attorneys, I would say maybe one more housekeeping item -- and maybe I was a little presumptuous when I said, "I'll let you try your case, gentlemen." When -- I don't know

how much each attorney is going to be involved in the witness examination. If you plan on dividing that labor, here is what I ask of you: Whoever is going to be handling a direct examination, that's who I want -- you know, direct or cross-examination, that's the only attorney I want to be talking to during the course of the trial.

If -- if -- I don't want to have three people standing up and making the same objection, or different objections, even. I want all -- I want to hear from one attorney, the responsible attorney for that witness. I guess I'll know as soon as somebody starts making an objection on direct examination who the attorney is going to be during the cross-examination. So you don't have to tell me in advance. I'll realize it when you start objecting, but that is just a -- I think just a matter of I need to know who I need to be talking to on this. I did not mean to rudely exclude attorneys from this courtroom. And Mr. Mann has been doing all the talking up to this point. So I just want it very clear that I do expect that it is only going to be one person when we are dealing with a particular witness.

Okay. We are going through the Plaintiff's motions in limine.

With respect to Plaintiff's Motion in Limine Number 1, my tentative ruling is to deny the motion. I'm going to make a couple of comments here. I think

you'll find that these comments are applicable to a lot of these motions, and I -- it's -- from my standpoint, motions in limine are used to exclude evidence that the parties -- and really used to exclude specific evidence.

Many times motions are used as a way of litigating legal issues, and I'm not going to -- I'm not going to let that happen today. What we are talking about is evidence that is testimony in documents. I know that, based on the conversation that we had here, apparently there are going to be some objections to certain documents are that going to be introduced, and I will hear those objections when we go. Just on that and maybe one little housekeeping thing on that.

As we go through these, when we come to those exhibits on Monday and that gets presented, I'm going to be asking a lot of questions about, "Okay. Are we admitting exhibits right now that are being listed and are they marked properly?" I'm going to asking a lot of those types of questions.

Once an exhibit is in evidence, then there is no need, unless you have some other reason for doing it, to try to lay any more foundation for it, nor is there any reason to read it to me.

When you get into argument, if you want to read it to me, that's fine, or if you have something specifically in a document that you want to talk to a

witness about, that's okay, too. I'm not saying you can't ask witnesses about what is in a document, but I just don't want you to feel like you need to read documents to me. If you've admitted a document in evidence, I expect it, in closing argument, you are going to be telling me why that document is important. I don't need to know it as we are going through the trial.

If you are admitting it, I assume you have a reason for admitting it. If it is stipulated for admission, then I assume both parties have a reason for it and -- or at least understood that it would be coming in, and then I'll let you, later on at some important point in time, explain why that particular exhibit matters.

It is also helpful, if you have a lengthy exhibit, you know, when you do get into argument, direct me to exactly the language of that document that you're talking about, if it is not the whole document. It's helpful because I'm going to try to follow you guys when we go through that, and I would like to know what exhibits you are referring to and what specific language in the exhibit.

Coming back to these motions, on Motion in Limine Number 1, my tentative is to deny it. This is the motion to exclude evidence or argument that Tastries did not decline to take Rodriguez-Del Rios' wedding cakes order based on homosexual status, but

rather declined to take the order based on their conduct of celebrating their marriage as a gay couple.

I'm taking this right out of the motion itself. If I misstated it in some way, it is because my fat fingers typed it wrong. But the reason I'm tentatively denying this motion is because it really -- it doesn't seek to exclude any specific evidence. And that's what motions in limine are for.

Mr. Mann, I will hear from you at this time.

MR. MANN: Your Honor, given the amount that we have today, I think we are okay with that. I think this really is a legal issue, so I think we can move on and get through as many as we can today.

THE COURT: Okay. That -- obviously, what I think -- implicit in what you just said, Mr. Mann, there is going to come a time and a place to make a lot of these arguments, and I expect I am going to be seeing them again. And we are obviously not precluding anybody from making arguments when the evidence is in.

Okay. Plaintiff's Motion in Limine, Number 2 to "exclude evidence and argument that Defendant is entitled to relief on their 1st, 3rd, 4th, 5th, 7th, 8th, 10th, 14th, and 15th affirmative defenses." Tentative is to deny.

Again, the -- there's two main points on this. I think a lot of the evidence that is likely to deal with some of these affirmative defenses it is evidence that is going to come in for other reasons

anyway on the claims themselves. And again, the motion is more of a legal argument about what the evidence means, not so much -- there is no specific evidence, or at least in most cases, there is no specific evidence that we are talking about.

Mr. Mann, you have the laboring oar. My tentative is to deny.

MR. MANN: Laboring oar with my colleague there.

MS. TANACEA: Your Honor, thank you.

Although framed by the claim, it is an evidentiary motion in limine. And if you look at Exhibit 2 to the Mann Declaration, those are all the special interrogatory responses by Defendant in support of these claims.

THE COURT: And what evidence are we excluding? What specific evidence are we excluding?

MS. TANACEA: That the real parties in interest trespassed. They were invited in. They were invited over for a tasting. They were not trespassers.

So that's number one.

THE COURT: Okay. See, I look at that as a legal conclusion. I don't look at that as a -- there is going to be testimony about how they came in, right?

MS. TANACEA: Right. I just told you what the testimony is going to be.

THE COURT: Right. That they came in.

MS. TANACEA: And they were invited back to

come in.

THE COURT: There is going to be testimony about a conversation that happened or some kind of communication?

MS. TANACEA: That doesn't bear on trespass, Your Honor.

THE COURT: But isn't trespass -- isn't that the legal conclusion?

MS. TANACEA: Let me back up. Okay. If we look at Defendants' trial brief, none of these claims are briefed or any law has been submitted on it. So that's number one.

If they're going to argue that the Real Parties in Interest didn't have a real intent to order a cake, that's different than trespass. They can't be saying, "They came in. It was a trespass. They trespassed. They weren't allowed to come in." That's what we are trying to exclude. Those are fact issues.

THE COURT: Okay. And so give me an example of what actual testimony would be excluded based on this motion.

MS. TANACEA: The Real Parties in Interest were fraudsters who got their way in with improper motives and were trespassers.

THE COURT: So are you worried about the word "fraudsters"?

MS. TANACEA: Both fraudsters and trespassers.

THE COURT: And you're worried about somebody saying that?

MS. TANACEA: Yes.

THE COURT: See, this is what I want to get to.

So you don't want a particular witness using that word, or those words.

MS. TANACEA: Not unless -- there is no evidence of that. That's my point. If we go back to their special contention interrogatories, there is no evidence to support those types of statements.

THE COURT: Okay. So I'm going to grant that motion for a different reason. I don't -- I'm not going to let a witness form that lay opinion or that legal conclusion that somebody is a, quote, "fraudster" or a "trespasser." I am going to grant that motion.

This is different than what you're telling me. I'm granting a different motion. I'm saying that the witness can't use those words because that is a characterization. That is an opinion. And it is frankly argumentative, and I'm not going to let the witnesses argue. I'm going to let the attorneys argue, and if the attorney wants to use the word "fraudster" or "trespasser," they can have at it, but I'm not going to let a witness do it.

So if that's what you are talking about, then I misunderstood the motion. That language -- I'm being very specific as to those words. There is no other

words that I'm talking about right now.

So as to Number 2 -- again, this is my tentative because I'm going to listen to defense counsel here -- I'm going to preclude any witness, any witness, from testifying using the word "fraudster" or using the word "trespasser."

Was there another characterization you were concerned with?

MS. TANACEA: Yes. There is another one along same line. Shopping for a lawsuit; that they were shopping for a lawsuit.

THE COURT: So, you are worried about a witness saying that?

MS. TANACEA: In fact, there was two witnesses that were identified, Bennett and Ms. Miller, who both opined without any facts that they thought they might be shopping for a lawsuit. So it is out there in declaration, and so for that reason we don't want those statements made, either.

MR. JONNA: That's a subject of a different motion. I don't know --

MS. TANACEA: Well, it is, but it is the same if we're talking about this issue, but we can reserve it.

THE COURT: Okay. I'm going to -- this motion is limited to just the language "fraudster" and "trespasser."

All right. I'm going to grant -- my

tentative is to grant the motion precluding a witness from using those two words.

When I grant motions like this, it is incumbent upon the party who calls that witness to properly instruct them on the Court's rulings, and the rulings remain in effect for the full course of the trial unless and until taken up for reconsideration and that has to be done on request. So I'm going to assume that the party who calls that witness, either specifically admonish the witness about what language they were not permitted to use, and the attorney should not be asking them questions that draws the -- that draws the statement.

Now, I'm a little more concerned about the other one that you mentioned, but we will deal with it. I mean, if somebody has an opinion, for example, their honestly held opinion, and you ask them a question, you know, "Well, what was your opinion about what was happening here?" I'm going to let them answer that question. It's your motion. If, you know, you're going to ask that question, I'm not going to told them down. I'm assuming that you are going to avoid asking the question, and we won't cross that bridge.

MS. TANACEA: Your Honor, just to clarify. Are we talking about the shopping for the lawsuit issue?

THE COURT: Yes. I was using that as an example. You said that happened in a declaration, that

somebody had that opinion, and we're going to talk about that in a minute, but I'm using that as an example of -- of -- because it's a little different issue than what we're talking about here. I find this language, "fraudster" and "trespasser" to be argumentative and just a characterization that's not necessary. It's irrelevant. I don't need to hear people arguing and characterizing things that way.

An honestly held opinion, we might have to treat a little different, because your question, if it draws -- we can't tell a person they can't express an opinion and then ask them a question about that very opinion. That's what I'm talking about that.

MS. TANACEA: May I address it, or do you want me to wait?

THE COURT: We will wait until we cross that bridge. I'm trying to give you an example of the -- I guess the distinction I'm making here.

Mr. LiMandri, did you want to argue this?

MR. LIMANDRI: No. We are kind of perplexed if someone ever used the terms "fraudster" or "trespasser," I'm not aware of it, but I did not intend to elicit that testimony. I'm not aware of a witness who is going to actually use those words. "Shopping for a lawsuit" is a different issue to be prepared to address.

THE COURT: All right. So Number 2 is granted as to the words "fraudster" and "trespasser";

otherwise it's denied.

Plaintiff's Motion Number 3 "to exclude evidence and argument that DFEH was not neutral in its investigation or under enforcement and singled out Orthodox Christians for adverse treatment."

I'll hear your argument, Mr. Mann.

MR. MANN: Since the very beginning of this case, Your Honor, you know, when Judge Lampe ruled that there was no evidence that we were singling out Christians for prosecution, under Unruh, due to when the Fifth Appellate District ruled that Defendants' didn't have sufficient evidence that we had animus to even get discovery, it's been clear that there is no evidence of it. It's a simply an argument that the Masterpiece Cakeshop cake allows, and the Defendants are bringing it for that reason. But what the Court found in Masterpiece Cakeshop were testimony by neutral commissioners on the judicatory body making very specific statements during the adjudication that were problematic, and we don't have any of that here.

What they're complaining about here are when we filed a certain motion or when the Masterpiece Cakeshop argument was going on.

So it's going to be a big waste of time. There's -- there's no evidence that we did anything wrong. There is no way for us to present evidence to combat an argument that we filed a motion on a specific day with the intent to show animus there. And when you

look at Masterpiece, some of the language and incline, they were talking about the word "prejudice," and they were talking about how religion has been used to justify discrimination.

There are no statements like that in this case. And it is going to be a big waste of time, very prejudicial to us, to be arguing, especially when there is a media coverage that's going on that the State of California is biased against religion and biased against Ms. Miller here because of her religion.

So I mean, we can get into more specifically the kind of things that commissioner said in Masterpiece and the language that was used in Klein. They specifically used the word that Defendants were prejudiced. And we have not done anything like that here, Your Honor, and we will get to the trial much quicker. And again, the prejudice that comes to us because of these allegations would be very difficult for us to defend.

THE COURT: What -- what -- so in your mind, what evidence would actually be excluded if I granted this motion? What would we not hear from a witness or what document would not be admitted in evidence?

MR. MANN: We would not hear from Ms. Miller that DFEH discriminated against her. That's the big one. And then in Mr. Trissell's Declaration, he lays out the other, you know, so-called evidence that we filed a TRO without hearing from Defendants first,

which is not true. We had heard from them. She was on the news and in the media talking. So the fact that -- for the second one, would be that we did not hear from Defendants before we filed the TRO; that we chose to file the TRO based on the timing of the Masterpiece oral argument. Those are the three that come to mind right now, Your Honor.

THE COURT: Mr. LiMandri --

MR. MANN: I'm sorry.

THE COURT: Go ahead.

MR. MANN: Just to go more with the actual language would be: The DFEH discriminated; DFEH were biased; DFEH had animus toward religion. Those are specific words that have been used in the case.

THE COURT: Okay. Mr. LiMandri.

MR. JONNA: I'm going to handle this, Your Honor.

THE COURT: Mr. Jonna.

MR. JONNA: Just a threshold point just for the Court to be aware of, is that this concept of hostility and non-neutrality, this is clearly legally relevant in this case. I mean, Supreme Court precedent. This isn't some novel theory. The Masterpiece case discussed it at length.

So it's just important for the Court to be aware this is a very relevant legal issue. And just like the prior motion that the Court dealt with -- or two motions ago -- what the DFEH is asking the Court to

do really is to make a legal decision, almost like a disguised summary judgment motion here because this is -- really there is not a lot of evidence that we are going be covering. It's not going to take a lot of time in trial. I think the Court should hear the evidence, and then decide at the end of the case if this legal issue is relevant or not.

But basically, there is no justification on a motion in limine just wholesale exclude a legal argument from the -- from the Defendants.

So some of the things that Mr. Mann said, just so the Court has better context, you know, when you look at whether the DFEH was acting neutrally and whether they acted with hostility, you have to look at things like, how did they go about this investigation? They literally sent -- they started an administrative investigation. They asked Cathy Miller questions. Before she could even give her answers to them, they sought an injunction. And they did that in the context of this Masterpiece cake argument at the Supreme Court that was going on, and it was just like literally days of that argument. They -- in the Masterpiece Cakeshop, actually, the animus that the Court talked about was the commission repeatedly referring -- comparing the religious beliefs to racism.

We have the same exact thing happening here. I mean, we have evidence we submitted last night in Motion for Judicial Notice to show what they've done to

Cathy repeatedly throughout the deposition, throughout the litigation is compare her sincere religious beliefs to racism.

So that's not going to be voluminous evidence for the Court to consider. It's just there. The Court will decide at the end of the case if that's --

THE COURT: Well, under what circumstance would we ever allow a witness to say, "I've been discriminated against"?

MR. JONNA: So the witness -- here is the evidence we're talking about. The evidence -- a lot of it is legal arguments, by the way.

THE COURT: I know.

MR. JONNA: As far as the timing of when and how they went about this investigation, that's just -- that will take a few minutes for the Court to understand. And then as far as in what context would the Court consider -- we've asked the Court to take judicial notice of certain things that DFEH had done during the litigation, so the Court would just have, you know, those files to understand how they really abuse her during the deposition process, throughout the litigation, basically comparing her to racists.

The fact -- there is also other facts, like, for example, the fact that this is literally the only Unruh Act case they ever pursued in history to compel speech. The fact that they literally withheld documents that they were supposed to turn over from the

Real Parties because they were embarrassing and they had expletives in them. They withheld those documents.

They failed to investigate whether the Real Parties had a bona fide intent to purchase cake. We had a witness who was listed on the witness list who had a -- who submitted a Declaration that really made it suggest that the Real Parties were, in fact, shopping for a lawsuit, as they said earlier. They didn't depose that witness so we haven't -- some of that evidence --

THE COURT: The witness used those words?

MR. JONNA: Yeah, she did. And actually, probably the most concerning thing throughout this whole litigation is that they on the one hand they're saying we're not contesting Cathy Miller's religious beliefs. We're not contesting that they are sincere.

On the other hand, their big thing in this case, which I'm sure the Court has read, is that she has to change her religious beliefs. She has to allow her employees to make these cakes behind her back or without her involved. So basically what they are saying is, okay, you can have some beliefs, but we are going tell you how your beliefs really should work, and this is how they should work.

So we think that is unconstitutional animus and hostility. We think that we should make do. That's not going to be voluminous evidence. The Court will hear the evidence and at the end of the case

decide if that amounts to this Masterpiece Cakeshop hostility. But that's -- it's really not -- it is not a properly --

THE COURT: How does that hostility -- let's assume that that is all true.

Does that negate somebody's discrimination?

MR. JONNA: It is an absolute defense to the Unruh --

THE COURT: So in other words, somebody can absolutely violate Unruh, and if you prove that the investigating agency had its own animus or discriminatory intent in the way it handled that process, then the person who violated Unruh skates?

MR. JONNA: Well, that's obviously not what happened here.

THE COURT: No. I want to know how this defense words.

MR. JONNA: Right. It is an absolute defense. The case -- the claim would have to be thrown out. So they would have to -- yeah, what do you want to say?

MR. LIMANDRI: That's what happened in Masterpiece. They never got -- the reason we are here, Your Honor, the United States Supreme Court -- and I have the privilege of being there for oral argument. I was as close to the justices as I am to you. We were not arguing the case. They never got to the constitutional arguments. If they had, we wouldn't

have to be here now. They simply said because there was hostility and animus expressed by using such terms as "racism," as it was a little more extreme there, they said that, you know, Christians, would use it as an excuse to a holocaust or something like that.

The request for judicial notice that was filed actually this morning has excerpts of Cathy Miller's deposition where there's pages that go on asking her, "Well, do you shellfish?" "Do you eat pork?" The Bible doesn't allow those things, either. That's quite offensive, I think, for the State of California to be asking those kinds of questions of a witness who is asserting a constitutional right in a case like this.

And, you know, it went further. "What do you consider a serious sin?" "How about to two heterosexuals living together?" I mean, it went on and on and on where she's having to justify her faith. Asked her has she read the Bible in Greek, have read the Bible in Arabic or -- no -- Hebrew? We felt that that does manifest hostility, and we cited cases that would support that in the context of this type of claim.

MR. JONNA: It's mostly a legal argument, Your Honor. And in closing argument, we will make the -- you know, limited evidence will be referred to, and it will be mostly legal argument.

MR. LIMANDRI: That's right. I'm not going

to elicit it from any witnesses, other than, maybe Cathy's experience in four or five questions. The fact that they filed for the TRO with Judge Lampe, less than, I think, 10 days before Christmas without ever talking to her, and they had stayed up late three nights in a row answering voluminous interrogatories that the State didn't even wait to receive.

And then Judge Lampe writes, we felt, a very scholarly decision. And again, with no further investigation, they commenced a whole new lawsuit, which is -- well, we are here now.

We think all of those justify the Court looking at this, so this claim isn't thrown out on the onset. But it is mainly something the Court will have to look at when it sees the papers. There's not going to be a lot of testimony on it.

MR. JONNA: That's probably the most striking thing, actually. The fact that Judge Lampe already decided this legal question, and then they start the case all over again, and basically we are relitigating what Judge Lampe already decided like four years ago.

Anyway, I think that's -- at the end of the day, though, this is really a disguised Motion for Summary Judgment, not a motion in limine.

THE COURT: Mr. Mann.

MR. MANN: I need to set the record straight because so much of what the defense counsel said is just false.

Judge Lampe very clearly stated that if he was deciding the issue as a preliminary matter -- the TRO is obviously a preliminary matter with very little evidence. So he made it clear. We're not relitigating anything. That was a preliminary matter under a different code, and we -- Fifth District said that we could file this civil claim.

Mr. LiMandri's statement that it was a little more extreme than Masterpiece is an understatement. We've never asked Ms. Miller to justify her faith. We are not questioning her faith or the sincerity of her faith at all. But Tastries has a policy that denies cakes based on -- excuse me -- denies all baked goods based on, quote, "fundamental Christian principles" end quote. So if that is the policy, we need to understand what are the fundamental Christian principles that you are denying baked goods under.

So there was never any intent to show animosity or question anything. It is trying to understand what her policy was. We've never compared her to a racist, but when you talk about antidiscrimination laws, there's a lot of race cases. I mean, those are the main cases, you know, so we cite to race cases, and we cite to sex cases. We're not saying she's a racist or that she's sexist. That just what the precedent is.

They talk about how we went in before she had a chance to respond to discovery. We granted her an

extension and that's why we didn't have a chance to hear her. But, again, she was all over the media admitting what the policy was, saying that she had denied before, she denied then, and she was going to keep enforcing the policy. Once we got the discovery responses, it didn't change anything. It just confirmed what she already said.

They talk about this witness that supposedly claims that she saw the Real Parties here. We did interview her. Whether or not we depose her, that's a litigation decision, but we interviewed her. We interviewed lots of people. We have completed a very thorough investigation here and that's why we brought the claim.

The other specific evidence that they want to get in are legal briefs as exhibits to the case, that are admitted as evidence. We object to their request for judicial notice, and we will brief that, but like the Fifth -- we are prepared to argue it if we need to, but like the Fifth District said, they don't have any evidence. They didn't make the threshold showing to even get further discovery. So if they couldn't make a threshold showing of animus, there is no way that they can make a showing of animus.

And, again, with the words being thrown around that the DFEH discriminates against her, that the DFEH has animus towards Mrs. Miller's religion, that the DFEH did not do a thorough investigation,

these are highly inflammable statements that their witnesses intend to make with TV cameras.

THE COURT: Which witnesses?

MS. TANACEA: Your Honor --

MR. MANN: Ms. Miller has made statements like that in her deposition.

THE COURT: Ms. Tanacea.

MS. TANACEA: Yes. So I've really drilled down on this because we have been going through it again and again with defense counsel when it comes to what evidence are you going to offer in support of the animus or non-neutrality of DFEH?

I would first ask Your Honor to go to Exhibit 2 of the Mann Declaration in support of our motions in limine which are contingent interrogatories, you can read their response. It basically is just a --

THE COURT: Well, they're not going to be able to use their own response.

MS. TANACEA: No, no. I'm just giving you the background first about the facts.

THE COURT: I will take your representation.

MS. TANACEA: Okay. And then the -- what these memorandums written by the DFEH that argue law, saying, you know, Masterpiece referred to Piggy Park which was a race case. And then underscore that, if you look at the request for judicial notice, which now they're trying to get the evidence in in that manner, they are legal arguments based on precedent. They do

not show animus. And the Court can't just open this up to an inquiry over whether the DFEH's legal briefs that cite case law, relevant case law, is therefore shows some animus against the Defendant.

THE COURT: So what would I be opening up? I mean, that's what I'm trying to get a handle here. What do you think I'm going to be opening up?

MS. TANACEA: I think that, without any showing, the Defendant should not attack the State of California, with the media present, saying that there are allegations that the State of California showed animus against Mrs. Miller, her bakery, and, you know, a whole host of other situations which are simply legal briefs that are submitted arguing the law.

THE COURT: Okay. Let's -- let's -- let's -- I haven't seen the request for judicial notice.

MR. MANN: Your Honor, just to reiterate the specific language would be Mrs. Miller saying "DFEH discriminated against me. DFEH was biased against my religion," those kinds of words. "DFEH had an animus." It is not just counsel's argument. It would be at least her and potentially some of the other employees.

THE COURT: Here's -- I mean, here's my initial thought on this. First of all, if there is an absolute defense to something, I'm not cutting them off. But I'm not going to let a witness stand up here and opine what the State of California was thinking. And so, you know, I mean, I don't know where the

evidence is going to come from. And what I would expect to hear during the course of the examination is that if somebody uses language of a conclusion for argumentative testimony that, you know, or speculative testimony, let's just use that one. For example, the State of California thought or was -- true motivation was this, some witness trying to say that. There is no way that -- over an objection that is going to see the light of day. I'm going to sustain that objection.

But I'm not going to -- I'm not going to -- if there is a complete defense to the claim, I'm not going to cut them off. I don't know how they are going to get the evidence in. I don't know what the evidence is going to be. Apparently there is a request for judicial notice sitting out there somewhere. Yet another thing I need to read sometime today or over the weekend. But I'm not going to stop somebody from making a legitimate defense, nor am I going to allow witnesses to speculate or opine without foundation.

I don't know how to address this really, other than to say that I think that a timely objection -- if a witness starts using that sort of conclusory language, I would expect to hear an objection and a motion to strike. I mean, that's how I would expect it to be handled. Just like every other trial, that's the way we should do it.

I don't know, Mr. Mann, your thoughts on that -- or Ms. Tanacea?

MS. TANACEA: With respect to the -- what used to be evidence -- and that's the Declaration of Jeffery Trissell, and then became the request for judicial notice, every exhibit attached thereto is objected to as hearsay and irrelevant. I want to just put that on the record.

THE COURT: Okay. You're talking about the request for judicial notice?

MS. TANACEA: Yes.

THE COURT: Okay. I haven't looked at it yet. When I do look at it, I'm probably going to want you to state your position again. Okay? Because I'm not thinking about that right now. I'm thinking about Motion in Limine Number 3, and that's all I'm thinking about.

So the -- I'm going to deny this motion without prejudice to timely objections during the course of the proceeding. And we are going to take this one at a time. I'm having a hard time imagining how somebody -- I don't know how this is going to come up in the evidence. I will deal with the request for judicial notice separately. That's going to be -- that will be a separate discussion.

But I'm not going to allow witnesses to characterize somebody else's intentions. They may be able to talk about their own unless they characterize itself as irrelevant a fact.

MR. LIMANDRI: The way it would come up with

the way it is asking Mrs. Miller -- she not going to be speculating as to what the DFEH was thinking. She can only say what she personally experienced and observed through their interactions.

And in the way she was treated, again, the question is asked at the deposition as well concerning her religious beliefs, which went beyond what might be considered appropriate design standards for making any type of cake.

By the way, to correct the record, my client absolutely does not refuse to make baked goods for -- at all for people according to sexual orientation. Custom wedding cakes talking about here that are not made need to be ordered in advance pursuant to a whole bunch of specific requirements. Any baked good in the store anybody could buy at any time for any purpose. I think that's an important distinction, but we will deal with this as it comes up, Your Honor.

THE COURT: Counsel, I mean I understand both sides' positions on this. I'm expecting to hear objections from the Plaintiff's side as we go through these. If you hear something that you think is along the lines of what we are talking about right now that is when I expect to be hearing an objection. So we can talk about it then, either an objection because the question calls for it or a motion to strike because it was a volunteered statement.

You going to be able to work with that,

Ms. Tanacea?

MS. TANACEA: With all due respect, it implicates witnesses less. The main thrust of their evidence, quote/unquote, evidence against the DFEH was put in by Mr. Trissell, a declaration opining about the timing -- the timing of motions and actually legal briefs which are highlighted for the Court to see arguments that the DFEH made in legal briefs. I'm representing to you --

THE COURT: This is the question for judicial notice.

MS. TANACEA: Right. This is the sum total of the evidence we are talking about.

THE COURT: Okay. I thank you for that.

MR. MANN: That and the deposition but to be fair, if someone makes an argue in a brief that this is what racists did and now this is what this woman is doing, and because racists were stopped, she needs to be stopped, is a little bit disingenuous. Are you saying you are not calling at least guilty of the same type of conduct or racist did.

THE COURT: We are not going argue this right now. I'm going to rule on evidentiary motions right now. And what I'm finding is that nobody -- there is no evidence that we talking about right now.
Mr. Trissell, until he swears under oath to tell the truth and takes that witness stand, I'm not going to worrying about it.

Number 3, Plaintiff's Number 3 is denied without prejudice, timely objections during the trial.

Take a ten-minute recess.

(Recess taken.)

THE COURT: Let's go back on the record. All counsel are present. Appearances as previously indicated.

Let's take up Plaintiff's Motion in Limine Number 4. This is the motion to preclude evidence or argument that the Real Parties in Interest were, quote, "shopping for a lawsuit" end quote, instead of wedding cakes or, quote, "had a vindictive desire to see Tastries Bakery shut down and see Cathy go bankrupt," end quote. Sought media attention, thereby causing activists to harass Defendants over their beliefs and suffered no shock or emotional distress after Defendants refused to take their wedding cakes order.

This evidence appears to me -- again, I'm going to -- I'm going to enlighten some of the discussions that's preceded it, and I'm going to make a distinction between certain words that people may use. In other words, the form of the testimony versus the subject of the testimony. I find that the subject of the testimony about the true intentions of the Real Parties in Interest in the various ways that it's been described here, which I find to be argumentative, what their true motivations were or that they suffered

no damage are all relevant inquiries, and I'm going to -- my tentative is to deny the motion, but I don't know -- I haven't thought through, you know, whether or not we are expecting to hear, let's say, one person trying to characterize what another person's true intentions were. I'm obviously not going to allow that.

So I think that that point has been made clear a couple of times in this proceeding so far, and I can handle that in a timely objection when it comes up. And then I certainly think that if a question asked for that sort of information, I would expect to hear that objection. Regardless, of whether I hear that objection, at the end of the case, if somebody tries to argue to me that what one person -- what one person's testimony was about what somebody else was thinking, I can assure you that that is not going to have a lot of weight in my mind unless -- unless that thought itself has some relevance, which I can't imagine it would.

So with those thoughts in mind, I don't know who is going to handle this for the Plaintiff, but my tentative ruling would be to deny with those comments.

MR. MANN: I appreciate that, Your Honor. We've learned -- so I was going to point out the specific terms "shopping for a lawsuit, wanting Tastries to go bankrupt." I think you've made it clear that you expect us to not elicit questions that are

going to into the testimony or the witnesses opining about other motives.

THE COURT: Well, not only would I expect you not to ask the question, but I expect you to be objecting if they do.

MR. MANN: Right.

MS. TANACEA: As far as Ms. Benitas, she is not being called as a witness and her declaration is being offered to Your Honor as the evidence of shopping for a lawsuit.

THE COURT: So you folks have agreed to that?

MS. TANACEA: No. We're moving to exclude that.

MR. JONNA: That's not true, Your Honor. That's not the only evidence that their Real Parties --

THE COURT: Well, let me hear from Mr. Mann before we come over to the defense.

Ms. Tanacea, did you have something else you wanted to say?

MS. TANACEA: We're talking about actual evidence that the defense is putting forward.

THE COURT: In the declaration itself?

MS. TANACEA: Now it is in the request for judicial notice.

THE COURT: Okay. I think we covered that. We are going to have to deal with that separately.

Mr. Mann, go ahead.

MR. MANN: Another phrase that's been used is

"odd behavior" of the Real Parties here. You know, they had got in and had their order completely set and ready to go, and when they went in the second time to complete their order, Mrs. Miller starting asking them all the same questions again, and they were surprised, and why are we giving you this information? I guess she interpreted that as odd behavior and then took another step that that means that they had no -- they weren't bona fide patrons. So we are also very concerned about characterizations of odd behavior, with respect to their reaction to her questions.

THE COURT: Now, this -- this presents a little different issue. This is -- what you're talking about is a lay witness opinion about somebody else's behavior. Now, I don't know that that opinion is relevant for any purpose, but an opinion that is based on lay opinion that is reasonably based on what they're perceiving, that's fair game, assuming it's relevant testimony, which at this point I don't know if it is or isn't.

But that one doesn't bother me as much. I mean, how somebody would characterize someone else's behavior that they are perceiving, if that is a relevant piece of evidence, then I don't have a big problem with that one. It's not argumentative. It's just somebody's characterization of what they're seeing, and it doesn't -- it doesn't get into the realm of what I consider to be, you know, gross argument.

So I would make a little distinction there, but I'm not saying that it may not be appropriate to object to that. I'm saying I look at that one a little differently than I look at some of these other phrases that you brought up about somebody opining about someone else's intentions and things like that.

Did you have another comment?

MR. MANN: Again, it is really the shopping for a lawsuit and the characterization that they wanted them to go bankrupt. I would like to talk about that really quickly because --

THE COURT: All right.

MR. MANN: There is a -- you know, Defendants are arguing that before the transaction even started, that the Rodriguez-Del Rios had these false intentions to go shopping for a lawsuit. And then they say, you know, right with that that they -- because they wanted Tastries to go bankrupt. But then they point towards testimony that the Rodriguez-Del Rios discussed after they were denied their cakes. You know, after they were denied, clearly they didn't have very positive feelings towards Tastries or their experience. When they were talking about, you know, whatever happened to Tastries, they are not concerned about it. If they go bankrupt, then the Rodriguez-Del Rios don't care. That was not testimony of their state of mind was before they started the transaction. So Defendants are trying to characterize post-denial testimony as pre-denial

state of mind.

So we -- that does not seem fair, and it doesn't lay a foundation that those comments supported the shopping for a lawsuit argument.

THE COURT: So the other issue, though, that strikes me, is if I'm going to hear from Rodriguez-Del Rios, and they're going to testify in this courtroom, then what they said after the fact might very well be relevant to their -- their -- for impeachment value for their testimony here in the courtroom this time. Not as evidence of their intent before, but evidence of their biased motive interest in testifying here today. That's how I look at that.

So if they made -- you know, I don't know what the statements are. If they actually made those kinds of statements, and if it -- somebody can convince me that it bears on their credibility as a witness while testifying, because credibility of a witness is always relevant, and statements that people make that bear on somebody's intentions, that's -- that can be fair game.

MR. MANN: Understood, Your Honor, but I'm talking about witnesses trying to characterize -- "Well, they said they wanted us to go bankrupt" based on post denial --

THE COURT: You are saying one witness is saying that another witness said in characterizing it?

MR. MANN: They are saying, you know, we know

that they were shopping for a lawsuit because after we denied them, they said that, you know, they don't mind if we go bankrupt. Again, how they felt after being denied does not lay a foundation for how they felt before they even went in there.

THE COURT: Okay. I was -- my comment to you, that last comment I made, was testimony of what the witness actually said at some point in time before or after. That might be relevant to their credibility while testifying on the stand in this courtroom.

MR. MANN: I understand that, Your Honor.

THE COURT: But I am not going to, again, let one person say that the person said this, and here is what it meant or, you know, try to give me that spin on it. I don't need people to tell me that. I will make my own decisions about what I think people meant with what they said.

MR. MANN: Okay.

THE COURT: But I want to -- so once again, we are into this -- we're into the realm of this -- as I look at these motions, I'm finding, as I get deeper into them, there are things that I think are going to require some activity on the part of the Plaintiff on some of this stuff, if the defense asks certain questions, or you don't want to blunder into certain areas obviously, but the credibility of a witness while testifying here in the courtroom is absolutely a relevant area of inquiry. And statements they make

about the other side could very well be relevant.

Mr. Trissell, Mr. Jonna. Mr. -- I haven't heard from Mr. Trissell yet. Mr. LiMandri?

MR. JONNA: I think the Court's tentative to deny the motion is correct, obviously. Again, these are issues that are clearly relevant to the case. The -- there, you know, there is a legal defense here. If they don't have a bona fide intent to purchase a cake, and we have evidence to make that case, and it is not going to be extensive evidence, but the Court will hear it, and the Court will consider at the end of the case whether that evidence is sufficient or not to make that point. So I don't think -- I think the Court's general approach to this, which is to deal with it on question by question and objections raised by the other side in an appropriate way. I'm not going to go through all the evidence right now because I think the Court's tentative is to deny this motion, but I'm happy to answer any questions.

THE COURT: Well, I -- you know, I mean, I feel like I'm just repeating myself. You know, I feel like it is important that you folks have appropriate guidance, but we keep going over the same ground, and I don't want to bore you with, you know, my thoughts about how we are going to do this.

You guys are going to get to try your case. If you ask a question that's objectionable, I'm going to rule on objections. And I'm trying to give you at

least some thought as to -- and as I did with Mr. Mann just now -- there are reasons why something a person says either before or after what I'll call the "incident" might be germane to -- and might be relevant to their testimony while -- their testimony -- their credibility of that witness while testifying in court at this time.

With those thoughts in mind, anything else, Mr. Jonna?

MR. JONNA: No, Your Honor. Thank you.

THE COURT: Deny without prejudice, Number 4, denied without prejudice to a timely objection during the examination.

Plaintiff's Number 5. This is a motion by the Plaintiff to preclude the Defendant from presenting evidence or argument regarding alleged defamatory social media crews and criminal acts committed against Defendants after they refused to take the wedding cakes ordered of Real Parties in Interest based on their sexual orientation.

Mr. Mann, your comments?

MR. MANN: This one, Your Honor, I think is a good one because there is specific evidence that we want to exclude.

So to give you a visual representation of the full extent of the evidence would be this right here, Your Honor, this is double-sided so twice that was the amount of evidence Defendants presented, and they

cherry-pick -- what it is, is social media comments from Internet trolls, random people giving comments about Tastries Bakery, on Yelp page, Facebook page, after the denial of the cakes for the Rodriguez-Del Rios.

Defendants go in -- and there were comments in support. "Tastries. Good job. We support you, Mrs. Miller," and there were comments against it. "What are you doing?" "Why aren't you following the law."

Defendants cherry-pick the negative ones and want to bring that in as evidence that the Rodriguez-Del Rios directed some social media campaign against Tastries, and they have no evidence to support it except for the fact that the Rodriguez-Del Rios, did one Facebook post each describing how they felt after being, in their opinion, discriminated against. And somehow they say that this led to the Rodriguez-Del Rios orchestrating this campaign against them.

Aside from the fact that it's completely irrelevant to any issues in the case, I mean, it doesn't go to their First Amendment defenses. It doesn't go to the Unruh violation. It's just trying to make the Rodriguez-Del Rios look bad.

THE COURT: You're not talking about the social media post by the Real Parties in Interest. You're talking about the social media posts by third

parties.

MR. MANN: Exactly.

You know, there's also media posts by Rodriguez-Del Rios. I mean, those are relevant.

There was another couple that Tastries denied, another gay couple, and that couple did a Facebook post before the Rodriguez-Del Rios did, but Defendants did not say that that social media campaign was orchestrated by that couple. We asked Ms. Miller at her deposition, "Do you have any information linking the Rodriguez-Del Rios to this supposed social media campaign?" She testified, no. No knowledge that they directed anything.

So in language that they want to use is that the primary purpose of this whole litigation was to -- the primary goal was to punish Defendants.

And there is another specific piece of evidence, a picture of a Tastries' vehicle that was vandalized, that they somehow attribute to the Rodriguez-Del Rios, even though, again, Ms. Miller testified that she had no knowledge that they participated in that at all.

So it's really just a smear campaign with no link at all to the Rodriguez-Del Rios in any of these third-party -- providing these comments, good or bad, and they completely ignore that there was a pastor that supported Ms. Miller and Tastries and that had nearly 70,000 comments on it, but that somehow is not

relevant.

So this is irrelevant, very prejudicial, and there is no link at all to the Rodriguez-Del Rios, and it should be disallowed.

THE COURT: Mr. LiMandri.

MR. JONNA: Your Honor, I will be addressing it. Couple of points.

First of all, this is, again, another disguised Motion for Summary Judgment. These issues are relevant to the case --

THE COURT: What -- what -- what -- I mean, how is it relevant that -- let's say a Tastries' van was vandalized by somebody that your client can't identify.

How is that relevant?

MR. JONNA: For lots of reasons. It's relevant because, first of all, I think the Court -- I think -- I mean, that's one piece of evidence, just -- I think that piece of evidence is relevant to show what happened. How this -- how did this whole -- how did this fact pattern play out? I mean, what did the Real Parties -- you know, what happened to them and what happened to our clients. And, I mean, I think the Court would want to hear the whole context of the story.

THE COURT: Why is what happened to your client by third parties relevant?

MR. JONNA: Because a lot of what happened by

the third parties was incited by the Real Parties. So let me explain that.

THE COURT: You are going to be able to show that?

MR. JONNA: Yes. Because what happened was they made posts and very violent -- first of all, the whole thing, which I won't get into all the details, the whole thing is bizarre. They went in. They tried cakes at other places, and they were very picky. They didn't like these cakes; they're too sweet. They didn't like these cakes; they're too expensive. But then they got to Tastries, and they knew, that's where they wanted their cake, even though they never even tried the cake.

And then the second that they experienced this alleged discrimination, they went and they started this very coordinated social media storm, really.

THE COURT: Why do you say "coordinated"?

MR. JONNA: Because they did it -- in the history of Tastries Bakery, I think there has been a handful of people coming in for these orders for same-sex wedding cakes. And on this day, there were two couples that came in, very highly unusual, and right after, both of them post these viral social media posts and --

THE COURT: You are going to show that the people that came in actually made those posts?

MR. JONNA: Right. And -- but it wasn't just

those posts. So they made a post and lots of hateful comments were written under their post. Some of them violent, by the way, like, we want these people blasted. We want to have their asses whooped. Things like that. And they liked those comments. They didn't just, like, watch them or delete them or, you know, do nothing. They actually pressed "like" on the ones inciting violence.

THE COURT: So they commented on the comments?

MR. JONNA: And they expressed approval. And they said things that they admitted in their deposition were false. They said things like, these people don't -- quote, but it was along the lines, they don't want to serve gays and lesbians. They knew that was false. They knew -- at their deposition, they admitted, no, these people have gay employees. These people sell birthday cakes for LGBT people. They obviously don't deny service to LGBT people, but they said in their posts, this bakery denies service to LGBT people. So they said false things.

And then what happened afterwards, Your Honor, was an employee was raped, a car was vandalized, gay porn was flooding their inboxes. That's relevant in this court, I think, to understand how this all played out. Six employees quit.

Meanwhile, the Real Parties left with a free cake from another bakery. They got free wedding --

free photography, free makeup offers, and then there's heroes in the LGBT community for advancing this case. So I think it's important for the Court to hear the evidence, and --

THE COURT: Why is that important for me to hear?

MR. JONNA: Because one of the elements under Unruh Act is whether they, in fact, had a -- whether they, in fact, were bona fide purchasers, or whether -- what was really going on here?

THE COURT: What's going on when it is happening, not what is going on two days later. Unless you're talking about their conduct, and it bears directly on their intent, then I would maybe go along with you. But, for example, unless you can show me that somebody -- that one of the two of Real Parties in Interest vandalized a van, why should I let you talk about that?

MR. JONNA: Because, Your Honor, like I said, they said things about our clients that were false in social media, and then -- and then when violent statements were made on social media, saying that they should be blasted. They should have their asses whooped. They liked those comments. Those are two examples.

THE COURT: You are not answering my question. So their van gets -- the van gets -- I'm using that example. A van gets vandalized. You don't

know who did it. Why should I let you present that evidence?

MR. JONNA: Well, I assume -- for lots of reasons. One is I assume the Court --

THE COURT: Just give me a good one.

MR. JONNA: I assume the Court would want to know the aftermath of this incident.

THE COURT: Not interested in it.

MR. JONNA: Okay. Then I --

THE COURT: Not interested in that one.

MR. JONNA: Okay.

MR. LIMANDRI: Your Honor, if I could --

THE COURT: Hold on. We're talking here. Mr. Jonna's -- he is digging in.

MR. JONNA: Okay.

THE COURT: So the -- the comments on comments, I can understand how that might be relevant. If there's people and you can prove to me that the Real Parties in Interest made comments on, let's say, comments that were adverse to the Defendant, then I can see how that would be relevant to, for example, the credibility of the Real Parties' interest while they testify, assuming you can prove to me that they made those comments on those comments.

MR. JONNA: Judge, so I'm clear, so that I don't give the Court the wrong impression, they made a post, and then -- on Facebook -- and other people commented, but on Facebook you can actually like or --

THE COURT: Yeah, I understand. I don't know all about that, but I do understand what "likes" means.

MR. JONNA: They endorsed the comments. They didn't just leave them idle on their page. They liked --

THE COURT: That's different than not knowing who damaged the van. I mean, you are tying that conduct directly to somebody who is going to testify in this courtroom, and I'm -- I can see how that might be relevant to the credibility of the witness while testifying.

MR. JONNA: They, also, Your Honor, didn't just post this, like, in isolation. What they did was, they did something called "tag." They tagged, like, 80 people. They contacted -- right after they contacted those very prominent gay activist in town, and then they tagged like all these people. They wanted this to become a viral story, and they -- and, in our opinion, they wanted to direct all this hate to our clients.

So, I mean, they got what they wanted in the sense that -- obviously, this is an argument, and you can assess, after you hear the testimony, whether the Real Parties wanted this, but it is our position that they wanted this to happen. They wanted all these terrible things to happen to our clients. And I think that goes to their intent and motive here. What did they really want? Did they really want a wedding cake?

Or did they really want to destroy this Christian baker and make her learn a lesson?

THE COURT: But we don't learn what somebody intended by what actually happens. We learn what somebody intended by what they do or what they say, not whether it worked.

MR. JONNA: Right.

THE COURT: You know, if it didn't work, and they still did it, that would be relevant. Even if it didn't work, it would be relevant. That's the distinction I'm making.

So you're -- you know, that -- this is why I'm saying, if you can tie conduct directly to a witness who is testifying, that's one thing, but if the business was damaged, and you can't tie that directly to a witness who is testifying, I can't understand how it would be relevant.

MR. JONNA: What if you can tie it to the incident? For example, the lady who was raped said that the rapist referenced this case, referenced this controversy with the Real Parties.

THE COURT: How is that relevant to an element or a defense?

MR. JONNA: It's relevant to -- like I said, to understanding --

THE COURT: Which element and which defense?

MR. JONNA: It is relevant to understanding the intent of the Real Parties. The intent of the --

I think that the Real Parties' intent, DFEH's intent and sort of understanding the full picture of what happened. So I think it is relevant to the motive and intent. And I think that it is also very relevant context. So the Court is obviously aware this isn't a jury trial. So I don't know what -- it is not like -- there isn't going to be cumulative testimony. I can assure the Court that after you've seen a few of these examples, we are not going to keep burdening you with more. So, I mean, that's a different objection, but I don't think this is wholesale, you know, exclude the evidence is appropriate.

THE COURT: Mr. Mann.

MR. MANN: There is no testimony that the rapist said, "I'm doing this because of the Rodriguez-Del Rios." There is no --

THE COURT: We'd better take these one at a time because we've talked about a couple of different things, and I see different analysis on -- let's talk about somebody being raped for a minute. Let's use that one.

First of all, what are the facts of that circumstance? Who was it, and when did it happen? Can you tell me that.

MR. MANN: They need to tell you that, Your Honor.

THE COURT: Mr. Jonna.

MR. JONNA: We have a witness that will

testified about that. It happened after this incident.
THE COURT: Approximately when?
MR. JONNA: Let me see.
THE COURT: What was the date of this incident?
MR. MANN: August 26, 2017.
MR. JONNA: It was the evening before the TRO hearing in December, Your Honor.
THE COURT: 2017?
MR. JONNA: Correct.
THE COURT: February?
MR. JONNA: February. I'm sorry.
THE COURT: That' s okay. So 2018?
MR. JONNA: So February 2018, there was two injunction hearings.
THE COURT: Let's talk about that one. What element or issue do you think that goes to?
MR. JONNA: Well, first of all, I don't think their motions specifically addressed the rape.
THE COURT: We are here.
MR. JONNA: I will tell you, Your Honor, I mean, again, I know what the Court is getting at, and I realize -- you know, if the Court doesn't think it is relevant, then we will take that to heart. But we believe it is relevant to understand the aftermath of this incident, the motive and intent of the Real Parties. And if the Court, you know, doesn't think it is relevant, I mean, you know, we can move on,

but that's the issue.

THE COURT: All right. Well, I'm going -- as part of this motion, I'm going to order that there be no evidence or testimony about somebody being raped in February of 2018. That's excluded.

There was -- there was chat about the, I guess, a vehicle being vandalized or something.

When was that?

MR. JONNA: Let me get this.

The same night, Your Honor.

THE COURT: The same night as the rape?

MR. JONNA: Yes.

MR. LIMANDRI: And they stole the Tastries' computer out of the car, the notebook computer.

THE COURT: So vandalized and theft? All part of the same event.

MR. LIMANDRI: Yes, Your Honor.

THE COURT: And that's February of 2018? And you're -- I take it you're not going to be able to tie that directly to the -- you are not going to be able to present evidence that one of the witnesses did this?

MR. LIMANDRI: No, Your Honor.

THE COURT: I'm going to exclude that.

Mr. Mann, do you have another one for me?

MR. MANN: Those are the specifics. And then the others, again, with these third parties that the Rodriguez-Del Rios have no control over, Defendants are saying they're only link to these things are likes that

happened, again, after the denial when they're hurt.

THE COURT: Yeah, I view that a little differently, Mr. Mann. I mean, this is your client's commentary, whatever it means, on somebody else's commentary, and it goes to -- it can go to a couple of different issues. It definitely goes to the issue of if you're -- if the Del-Rios are going to testify -- and I'm assuming they are going to testify -- then their credibility as a witness while testifying, this could bear on that issue.

It might -- I don't know what the -- I don't know what the comments that they were liking say. It could bear on the issue of were they damaged. It could bear on the issue of what was their intention, depending on what the comment itself was. I don't -- again, I don't -- haven't read the comment. But what I'm saying is the -- just the idea that they're commenting on a comment, then I'm -- for purposes of this discussion, I'm assuming it was something negative about -- about the Defendant that the Real Party in Interest was liking.

Okay. That's what -- that's my assumption here. If that's not true, then we're going to need to talk about that because that might change the whole analysis. But I've been assuming for purposes of this discussion that that is true.

And here is the other thing. I mean, somebody gave me a number here. There is quite a few

of these. And I am going to limit that. So you guys to need to figure out which ones you want to use and talk about them and limit that because I'm not going to spend a lot of time with this. It's on a point that is -- that is important, but the point can be made without showing 70,000 or 70 -- whatever the number was -- of likes on comments or whatever they were. I want that limited. I'm not limiting it right now, but I expect you folks are going to meet and confer on that issue, whittle it down, and figure out what you're going to use.

MR. MANN: I mean, the fact that these are hearsay, Your Honor, so what's -- there is a issues with even their being admissible.

THE COURT: I agree with that. That's why I've been asking the question, you are going to be able to demonstrate that it was, in fact, the Real Parties In Interest that made the like. That's not always an easy thing to do, but I'm assuming for purposes of this discussion it can be done. And let's find out.

MR. LIMANDRI: They were admitted in depositions, Your Honor, so we will limit it to what we can prove.

THE COURT: You are going to have to show that it was, in fact, a witness who's testifying in this courtroom because that is the -- that's what I'm seeing. And then if it goes to some other issue, something beyond credibility, we might need to talk

about that because I would need to see what the comment was and decide whether or not it's actually probative on the other issue. Right now I'm only thinking about credibility of the witness while testifying.

MR. MANN: Understood. The question I have, Your Honor, is distinguishing the time here. You know, Defendants want to talk about, you know, giving context to the whole situation. And obviously the Unruh violation ends at the denial. The First Amendment defenses take place even before the denial. So to look at evidence that happens, you know, after somebody has been, in their opinion, discriminated against, and they're in an emotional state of mind, and they're simply liking some third party's, you know, comment on the Internet, I don't see how that plays a role in their credibility with everything that happened before the denial.

THE COURT: I will let you make that argument at the appropriate time. As I said, I'm going to limit it, but I see, if it can be proved -- if somebody says, "I hate Tastries," and your client -- it's proved that your says "like," then that -- that tends to show some fact that is disputed in this case, which is, is the credibility -- is the witness -- is the witness testimony credible. Because your clients are going to talk about a lot of things, and if it turns out that -- that they have an animus that they demonstrate after the fact, that I think bears on what they're saying to

me right now, I've got to look at their testimony through that lens, as I would any witness. And you can do the same. You know, if you find out that the owner of the Tastries said things after the fact about this, that, or the other thing, and it bears on their -- the credibility of their testimony, this goes both ways. I'm not -- we just happen to be talking about your motions right now.

But, I will say that there comes a point in time where it gets -- it goes beyond necessary. You know, once I see what it is, it is what it is, and we don't need to see multiple examples of it necessarily. You show me a few examples; I understand. You made the point; let's move on. That's how I'm looking at this right now. If you want to argue otherwise, when I start cutting you off -- Mr. Mann, I don't think I will be cutting you off -- but when I start cutting Mr. Jonna or Mr. LiMandri, you know, you better have a reason -- the defense better have a reason why we need to continue to listen to it.

MR. LIMANDRI: Understood, Your Honor.

THE COURT: Like I said, this -- this works both ways. Credibility of a witness, while testifying, is always relevant.

Things you say after the fact can very well incriminate you. It happens all the time.

I'm excluding the rape. I'm excluding the vandalism to the van and the theft associated with it.

Those are the only two examples I've been given. I've indicated, in general, what I think about the liking of social media posts.

Are there any other issues we need to talk about, Mr. Mann?

MR. MANN: The Defendants, they also claim that somehow this goes to their argument that the DFEH was biased against them, that we did not step in and stop these third-party comments. It's hard for me to even really understand what the argument is, but I would like an order that this type of -- these third-party comments cannot be used as evidence in support that DFEH was biased against their client. They certainly cannot tie us to any of the third-party comments, and I don't know what they expected us to do to stop them.

MR. LIMANDRI: Your Honor, the only thing that we would say in that regard, given the magnitude of what our client experienced in terms of the deluge of thousands of, not just negative, but in some cases very vicious comments, vulgar comments; their computers froze up with gay pornography, six employees quit. They, you know, only have 18 employees, so it was a very bad situation. These are young, unmarried women in their 20s, getting these very lurid and pornographic images, and then threats of bodily harm, which, in fact, was realized.

Now, I understand the Court's ruling. The

only thing I would say is the Real Parties did light the fuse that caused that conflagration. They specifically called this Wendy Weddell, who is a very prominent LGBT activist, as I understand, in this community, and then she had all the social media contacts. So it just did not happen. I mean, they set out to make this happen.

Now, in the face of all this, the other side -- and these are very professional attorneys and we all get along well, and it's unfortunate that certain legal arguments have to be made, but I would have thought the responsible thing to do for the State of California was to issue some kind of statement. These are good people raising legal issues that are going to be resolved in court and tell their own clients to back off. Their own clients set off to destroy our client and largely succeeded in doing it. And they are representing the Real Parties.

So to a certain extent, I think it does fall on them whether they like it or not because they could and I think should have done something about it. They are the State of California. They do have resources. The local police tried but couldn't identify these people, and -- but yet every time there was a court hearing, there was a public backlash against my client. And some kind of public statement defusing it, I think, might have been helpful.

But granted, they did not instigate any of

it. They are certainly not accusing the DFEH as wanting this to happen or making it happen, and their comments are, I think, justified, if they think anyone is accusing them directly. But indirectly, I think more could and should have been done to stop this because it was, you know, hell on wheels for our client and I think it could and should have been handled by controlling their clients and controlling the social media that they instigated, to the extent possible.

THE COURT: All right. Well, I'm ruling on motions in limine.

Mr. Mann, you've asked me to make some sort of an order here. I'm dealing with these one at a time, and it's my way to go from one box to the next box and not deal with a third box until we need to get there. So, if you need to make an oral motion, make a note of it in your notebook, because I'm not going to make a note of it now.

Number 5 -- and I'm going to Number 6 next -- and -- and if you -- I'm going to ask you at the conclusion of this if you have any oral motions you need to make that would be a good time to have an oral motion if you want me to consider something. But I'm going to want to know specifically what the motion is; what the Evidence Code, what evidence is going to be that we're talking about, what the legal basis for that objection is, and I will make a ruling. I will give everybody a chance to be heard.

Right now, on Motion Number 5, for benefit of my courtroom staff, the motion is granted in part. We are excluding evidence of the February 2018 rape. We're excluding evidence of the van vandalism and theft on or about the same date. We are -- otherwise, we are denying this motion without prejudice to a timely objection.

Let's go to Plaintiffs Motion Number 6.

Where was Number 6? There was six of them. Did I miss it? Oh, here it is.

This is Number 6. This is a motion to preclude Defendants from presenting evidence or argument that the Real Parties In Interest used the N-word in a private text message. That witness, Samuel Salazar was arrested for misdemeanor petty theft in 2005, and a couple of years later was arrested for not paying the fine related to the misdemeanor, which he then paid. Three, that he was stopped for drinking intoxicated in 2000, even though no charges were brought against him and no DUI issued.

Let me take these in reverse order. My tentative ruling is to grant as to the DUI arrest. That's excluded.

With respect to the 2005 misdemeanor, my tentative ruling to grant excluding that. I will hear comment on that one. And then with respect to the N-word in a private text message, my tentative ruling would be to grant and exclude that.

Mr. LiMandri, I will hear from you since my tentative is in favor --

MR. JONNA: Your Honor.

THE COURT: Mr. Jonna.

MR. JONNA: We don't object to the -- the Court's -- the DFEH has withdrawn Mr. Salazar as a witness with respect to the DUI and the misdemeanor. That's not an issue anymore.

With respect to the use of the N-word, that's a little bit more nuanced. I just want to explain briefly why.

THE COURT: Okay.

MR. JONNA: So initially in the case --

THE COURT: So in other words, with respect to Salazar's -- Mr. Mann, you're -- I don't know who was going to call that witness.

Are you withdrawing that witness.

MR. MANN: We were, but I would suggest go ahead and hear argument, because your decision on this may affect whether or not we want to call him.

THE COURT: Okay.

MR. JONNA: We have a joint witness list. We pulled witnesses in response to their representation that they were pulling certain witnesses. They told us days ago they were not calling Sam Salazar, so that's -- I don't even think they should have the ability to -- to do that at this point. But if we are going to argue the --

THE COURT: The petty theft one is -- the -- the arrest is not coming in. That's -- we don't need to hear any argument on that. The petty theft, that's a different issue. We are talking about moral turpitude there. But I don't know anything about that -- how are you going to prove the misdemeanor theft?

MR. JONNA: He admitted to it, Your Honor, in his deposition. He stole from his employer. He was fined. He refused to pay the fine, and he was arrested. It goes to his credibility. I mean, it's a --

THE COURT: Well, the failure to pay doesn't -- doesn't see the light of day.

Mr. Mann, let's just talk about Salazar's misdemeanor theft.

What are your comments.

MR. MANN: Theft, obviously, we're talking about -- the way I'm looking at this is, again, credibility of witness while testifying. A theft crime is a crime of moral turpitude. You know, that -- that is a -- that's definitely a -- goes to the credibility of the witness, but I'm expecting a different argument from you.

What is your argument.

MS. TANACEA: I will talking, Your Honor.

THE COURT: Ms. Tanacea, I'm sorry.

MS. TANACEA: That's okay.

It's remote in time. He's got no other problems. I mean, it's prejudicial. It just serves to embarrass a third-party witness to an event. He's not a Real Party in Interest. He is simply a witness to what occurred. It has no bearing on, you know, his ability to recall and testify to the events that happened, which, by the way, were also seen by four other people and the Defendant, too. So it is not like he's the sole witness as to these events.

THE COURT: Mr. Jonna, on this issue only.

MR. JONNA: There is not much more to say, Your Honor. If we get to -- we can get to the -- it's obviously a crime involving moral turpitude, and, you know, it should be used for impeachment. It's going to take literally five seconds. So he admitted to it at his deposition, and it's -- I think it should come in. I don't think he should be -- I think he shouldn't be allowed to testify at this point, to be honest with you.

THE COURT: Yeah, I can't get in the middle of that one. You know, I don't know what agreement you guys have had, and I have not been privy to it. I haven't signed any orders, you know, limiting witnesses. It's a matter more of a professional courtesy to me than anything. I think you guys need to talk about that one.

MR. LIMANDRI: The only thing I'll point out, Your Honor, it's just a matter of procedure, my

understanding, at least from past experiences, he submitted a joint witness list, he should have a pretty darn good reason.

THE COURT: I'm not disagreeing with that. It's that it's not a court order. I'm not disagreeing with you. I understand you're point. I do. But right now, I'm going to wait and see how this plays out, and I think, before the end of the day, you folks need to talk a little bit. Of course, we are rapidly approaching the end of the day, aren't we? I'm probably going to give you a few minutes. We are not going to finish all this today, I don't think.

Let me just say that I -- with respect to Salazar's misdemeanor petty theft, I want to think about that one. With respect to the -- let's see, I excluded the arrest. I will submit -- we'll call it submitted on the 2005 -- on the 2005 misdemeanor theft.

Do you know what the actual charge was? Was it a --

MS. TANACEA: It was a hundred dollar, I think --

THE COURT: Not the fine, but the -- what the actual charge was, do you know?

MS. TANACEA: I don't know what the charge was. I just know what happened.

THE COURT: So the testimony in the deposition was, yes, I was convicted of petty theft?

MS. TANACEA: Yeah.

THE COURT: Something like that? Like a 496, or something like that? He didn't give a code section?

MS. TANACEA: That's right. He didn't give a code section.

THE COURT: Okay. And then, Mr. Jonna, you said you wanted to comment on the other one, the third element, the N-word.

MR. JONNA: Just so the Court understands what we're talking about, the DFEH produced limited communications with the Real Parties to us, and we wanted additional communication so we subpoenaed the communications the Real Parties had with the two gentleman they were with that day. When we received those, we noticed two things.

First of all, the DFEH immediately omitted, not just one or two, but several uses between the Real Parties with respect to this incident where they used the N-word, but also -- we also noticed that the -- that one of the witnesses, who is still on the witness list, Patrick, actually made an effort to scrub the production and manipulate the production and remove references to the N-word. That fact alone goes to his credibility. But it's also, you know, we think --

THE COURT: Are these -- give me a little background. These -- are these text messages?

MR. JONNA: Yes.

THE COURT: Who are they text --

MR. JONNA: So, it is a group message. There

were a lot of group messages. But basically with the two Real Parties and their two friends, Patrick and Sam. Some of them were with, you know, some other groups, but for the most part, it is the four of them group text messages.

MS. TANACEA: I have a copy if Your Honor wants to see it. It's Exhibit 32 of the Defendants.

MR. JONNA: There are a lot of examples. They make it sound like it is one private text message. There are at least five, from different times.

THE COURT: Okay. But I guess what I'm asking you is, so there is a group text, and how does the N-word come up?

MR. JONNA: They just call -- they just have a habit of using it, and, I mean, it's unfortunate and ironic that this is a case where they're alleging, you know, discrimination and comparing our clients to racists, but they are here casually engaging in the use of the N-word. It comes up in different contexts.

THE COURT: Is there something -- I mean, maybe I'm missing something here.

Is there somebody where that's an issue.

MR. JONNA: No. There is no African-American on the chat. It is just she --

MR. MANN: Your Honor, they are using it as a salutation. It's, you know -- obviously, we wouldn't excuse it, but they're talking amongst themselves, friendly, and they refer, as friends do, again,

unsupported, but they're not calling anybody the N-word or anything like that.

THE COURT: What's the -- okay.

Mr. Jonna, what is the substance with -- beyond the N-word, what is the substance of why I'm going to be looking at the group text?

MR. JONNA: There's two reasons it's relevant, Your Honor. First of all, the DFEH didn't give it to us, and obviously they were trying to hide it.

And second of all, one the witnesses scrubbed it from his production. So he didn't even produce a full set of records. He literally manipulated them to scrub those out. I think it goes to his credibility to impeach him, and it wouldn't be, you know, much testimony, but that's the point.

THE COURT: Were these texts describing the incident itself, or --

MR. JONNA: They were back and forth following the incident. I -- I -- they were --

MR. MANN: Before the incident.

THE COURT: Before?

MR. JONNA: It was different ones. Some before, some after.

THE COURT: And this is -- Ms. Tanacea, you said this was part of Exhibit what?

MR. JONNA: Defense Exhibit 32.

THE COURT: Well, I will take a look at that.

Mr. Jonna, you agree that these texts were -- preceded the incident itself?

MR. JONNA: There were some, Your Honor, that were after the incident.

THE COURT: Okay. How many pages are there in Exhibit 32? By the way, when you say Exhibit 32, are you talking about trial exhibits or some other exhibits?

MS. TANACEA: Trial exhibits.

MR. TRISSELL: Your Honor, those exhibits are attached to my third declaration --

THE COURT: Oh, part of the motions in limine.

So Exhibit 32 to the Trissell declaration?

MR. MANN: Not 32.

MS. TANACEA: I think it was 32 in the exhibit list, the joint exhibit list.

MR. TRISSELL: It is identified as Trial Exhibit 32, and it is attached to my declaration as Trial Exhibit 32.

MR. JONNA: I have a copy of it, if the Court wants to see it.

MS. TANACEA: I do, too.

THE COURT: I do need to see it. Let's go ahead and look at it.

MR. MANN: It's kind of weird, Your Honor, but do you know the distinction -- these are N-i-g-g-a versus N-i-g-g-e-r?

THE COURT: Yeah, I've heard -- let's just say I've handled enough cases involving gang allegations and looked at many text messages and where the language is a different language for sure.

MR. LIMANDRI: It is somewhat ironic that my clients are being accused of discrimination and being compared to racists, with the -- my client does not use that word, but the people accusing them have used that word, which, you know, these days in 2022 is recognized as pretty inflammatory in any context by anyone. It may be a Black comedian can get away with it, I don't know, but nobody else. And it is just -- again, I don't think they should be able making this type of claim when they themselves are so cavalier when it comes to a racist epithets.

MR. JONNA: The second exhibit that I handed the Court is just one showing the -- Patrick scrubbing it from his production.

MR. LIMANDRI: That goes to credibility and honesty. If you are going to do it, be upfront, say we were wrong. We shouldn't have done it, but to try to hide it from us, I think adds a whole element of credibility issues.

THE COURT: I'm trying -- I don't --

MS. TANACEA: Did you take out the word in your exhibit?

MR. TRISSELL: Your Honor, the last page of Exhibit 32, which should have S-A-M written on it, if

you compare that to the page that has P-A-T written on it --

THE COURT: She's got it circled here. It is much easier to see. The last page -- I'm looking at 244?

MR. TRISSELL: And you can compare with -- the page that had a P-A-T Bates stamp, and it shows that Mr. Patrick Grijalva selectively took screen shots to omit the N-word, whereas Mr. Salazar included it.

MR. LIMANDRI: And These were the two gentlemen that were with the two Real Parties at the time of the incident. They themselves were going to seek a gay wedding cake, apparently, if the Real Parties got one.

MR. MANN: Where did you get that?

MR. LIMANDRI: That is what I was told.

MR. MANN: No.

MR. LIMANDRI: If I'm misspeaking, I'm sorry.

MR. MANN: No.

MS. TANACEA: They are in the wedding party.

MR. LIMANDRI: Right. But didn't they get married?

MR. MANN: Later.

MR. LIMANDRI: My client had the impression that they were going to seek a wedding cake eventually, too. I don't know where that came from.

Okay. I'll withdraw the comment.

MR. MANN: Patrick didn't scrub anything. He

doesn't even use the word.

THE COURT: I don't see that word mentioned in the PAT 018, unless I'm missing it.

MR. TRISSELL: Right, Your Honor, that's the point. It is the same text message from Mr. Salazar and by Mr. Grijalva. And the P-A-T production is -- cuts off right where the word would appear.

THE COURT: Even -- oh, wait. It's on the back page. Oh, okay. I see. Oh, okay. There is missing stuff.

All right. So they -- so the -- it gets modified. What does that show?

MR. LIMANDRI: Well, it shows consciousness of guilt. They're trying to --

THE COURT: Yes, but it's consciousness of guilt of what?

MR. LIMANDRI: Of knowing that they're engaged in socially inappropriate behavior of a discriminatory nature, and at the same time, they're accusing my client of that and worse. It just seems to us, it could go to credibility issues.

THE COURT: For the record, the word that we're talking about, which we're referred to as the N-word, is found in the -- in some of these pages of the exhibits spelled N-i-g-g-a. And I'm certainly not going to profess to be any sort of an expert on the vernacular or we'll say popular vernacular in certain groups of people -- among certain groups of people and

what is meant by that, but it's been represented to me that these people who are in this group text are friends and they're referring to each other this way.

MR. LIMANDRI: None of them are Black or African-American.

THE COURT: So beyond the fact that that word is in there, what -- and what you're characterizing as the irony, I guess, for lack of a better word, that your client is the subject of legal discussion using cases involving racial discrimination and they're analogizing that to what she did.

Beyond that irony, is there any relevance?

MR. JONNA: Altering the production, Your Honor.

THE COURT: Altering the production, but I'm saying beyond that.

MR. JONNA: No. I think those are the main points.

THE COURT: In other words, this would not be important from a substantive standpoint beyond the irony?

MR. LIMANDRI: No, probably not. I mean, it does show a mindset of insensitivity towards discriminatory matters on a very significant use of an inflammatory word, but then when my client engages in constitutionally protective religious speech, that she is accused of worse. So I -- it just seems to me it is a double standard.

MR. JONNA: You can be sure of the very highly relevant to the other side, my clients had that in their text messages, Your Honor, we'd be talking about that, and they would be -- so I think that that's a double standard that they have here. "It is totally irrelevant, totally fine, just ignore it." So that's the attitude that they have.

MR. LIMANDRI: Certainly is true. If our clients had used any type of epithet, racially, or sexual orientation, which she doesn't, and there's no evidence of that, it would be --

MR. MANN: Why would a racial epithet by Cathy be relevant to a sexual orientation claim?

MR. JONNA: You would definitely being using it.

THE COURT: Well, let's not get into that. We are speculating a little bit, folks.

MS. TANACEA: Your Honor, it has zero probative value. It was used amongst friends, rightly or wrongly, back and forth, kind of salutation. They are Hispanics. It's used often in that context, and it doesn't prove any issue at all in this case, and it just -- even under 352, should be excluded.

THE COURT: I am going to exclude it. The -- I will come back to this issue. Right now, the evidence is a little mysterious to me because I'm not as soaked in it as you folks are. It is one of these issues, though, that depending on how the evidence

evolves, maybe it does somehow become relevant, but right now I can't see it.

So let me hand back these exhibits you folks gave me. I got a number of pages. I think this page, was a stapled page, belongs to Ms. Tanacea, and this one belongs to Mr. Jonna. If I got that wrong, folks, please --

I know that we use the phrase "N-word" but for purposes of my -- for purposes of my ruling on evidence, I have to be a little more specific than that. The word, as I said, N-i-g-g-a, is the word that we are talking about, and I am the -- the subject of Exhibit 32 appears to have no relevance at this point in time, beyond the -- the issue of the -- what Mr. Jonna referred to as "scrubbing" it. And right now I'm not finding that to be an important fact for purposes of what we're doing here. So I'm going to exclude that -- the documents that contain that word that I've just been shown, which I think we referred to as part of Exhibit 32. With respect to -- I think that concludes the discussion of Plaintiff's Number 6.

So I've got -- the only part that remains under submission is the misdemeanor conviction for theft, and I'm going to think about that one.

You folks need to talk about whether I'm actually going to have to rule on that motion because he is actually going to testify. That's what you guys need to do.

All right. So, Mr. Mann, I've ruled on -- or taken under submission, six of your motions.

Do you have any other motions you wish to make at this time?

MR. MANN: Yes, Your Honor. The motion under Evidence Code 352.

THE COURT: Okay. And this will be -- I'm going to call this oral motion Number 7, for the benefit of my courtroom assistant. This is the Oral Motion Number 7.

What is the motion?

MR. MANN: And also under relevance, Your Honor.

THE COURT: All right. But what is the motion?

MR. MANN: To exclude the evidence of the social media comments for purposes of arguing that the DFEH had bias against Ms. Miller's religion.

THE COURT: When you say the "social media comments," are you talking about the social media comments we've already talked about?

MR. MANN: Yes.

THE COURT: The ones where your client or your Real Party in Interest made a post, other people commented on the post, and they liked the comment.

Is that what you're talking about?

MR. MANN: I'm talking about the full range of the third-party posts.

THE COURT: Okay. All third-party posts?
MR. MANN: Yes.
THE COURT: That your client commented on?
MR. MANN: All third-party posts, whether our client commented on them or not.
THE COURT: Okay. Mr. LiMandri.
MR. LIMANDRI: Basically, what I said before. Just to briefly reiterate, Your Honor, the State of California was aware of what was going on largely. It came up in Ms. Miller's depositions and other times the degree of severe harassment and difficult to imagine or describe in terms of the thousands of hateful e-mails she got, with a third of her workforce having to quit because they were afraid of actual threats of physical safety, one of which was carried out, the Court's ruled on it, but I think for context is important to understand, and this date, again, did nothing to try to diffuse the situation, even insofar as asking their own clients to not post or like hateful messages or misleading messages, or better yet to say, "Look it's a legal matter. We have different points of views. It will be decided by a court. Please, you know, don't express yourself in any way that is condoning any type of violence."
Obviously, people can express their views, but these were condoning violence and caused real harm to my client. So I thought it was relevant to bring up in the context because we are talking about the State

of California with vast resources and used none of them.

Also, it kind of goes to the balance of harms. They are going to talk about how the Real Parties are not claiming emotional distress, but if one of them said she had a nosebleed or something, they want to talk about that, really pales in comparison, and again the State, in terms of balancing harms, it didn't even take any of this apparently in consideration.

THE COURT: Well, what -- tell me how balancing harms matters to the legal issues in this case. How does it relevant to a claim or a defense?

MR. LIMANDRI: Well, the case continues to be pursued aggressively by the State, knowing that my clients continue to be targets with no efforts to, in any way, ameliorate or mitigate the harms they were experiencing in that way, when they are aware of it and could, and I think should, try to do something to stop it. That would be the only way, Your Honor.

I will admit it is somewhat attenuated and a lot of these issues, although I think they are viable claims, is really not the heart of the case, and we're going to get into that when you get into the Plaintiffs' motions in limine, so I don't want to give the Court the impression the whole case is Defendants. The whole case is going to be about these issues we've been discussing. They are important. I think these

are part of the record. The case could very well go up on appeal, and these are issues appellate courts have discussed.

The real issues, I think, that are going to be determinative for our purposes of the Constitutional issues we will get to next. But I do think that it is relevant that the State was aware and took no steps whatsoever and pressed on vigorously with the prosecution in this case without addressing any of these other, we feel, significant concerns.

THE COURT: So beyond what you've just said, I mean, Mr. Mann is sweeping up all of the social media posts in this.

Is there any relevance beyond what you just said?

MR. JONNA: Well, my understanding of what Mr. Mann said, because it shifted, is that only as it relates to the argument that it goes to the DFEH's lack of neutrality, not --

THE COURT: That's how I understood it the first time around, but this time around it's a different motion it sounds like.

MR. JONNA: I think that was your motion, wasn't it?

MR. MANN: Right.

MR. LIMANDRI: Only as it relates to the DFEH.

THE COURT: Let's -- let's let -- Mr. Mann,

let's clarify.

MR. MANN: Take it for more, Your Honor. I would like to exclude for everything.

THE COURT: Well, that, I mean, you stated it differently this last time around, so you're really going back to the earlier discussion.

MR. MANN: Let me stick with what I said, is -- is -- is limit it to the argument that the DFEH is biased against Defendants' religion -- or Defendant.

Let me add just one quick fact. Almost all of these took place before a claim was even filed with the DFEH. You know, the discrimination happened August 26th. There wasn't even a claim filed with us until October 17th, so most of the social media is going on in that realm. But we didn't find the violation until October of 2018. So this is all going on before DFEH is involved or found violations.

MR. JONNA: Can I give the Court a practical suggestion on this one?

THE COURT: Yeah. Always.

MR. JONNA: Here is what I think. This is a very important legal issue in the case. It's a side issue from the main issue, but --

THE COURT: You mean to the defense of --

MR. JONNA: Yeah, the lack of neutrality. I don't think it is smart for the Court to just say, "We are going to exclude evidence relating to this legal issue."

I think what the Court should do is see what the evidence looks like, and at the end the case, it is either going to be -- it's either going to rise to the level of lack of neutrality or it's not, and then the Court will just decide that.

But to say that we're just going to say this major First Amendment issue we're just going to wipe it out from the case at the outset, I don't think that would be appropriate. It's not going to be a lot of evidence. It is a side issue, but it is an important legal issue, and they're basically asking for large categories of evidence to just be thrown out under this analysis. I don't think that would be smart. I think that the better thing to do would just be, here is the limited evidence, and then decide at the end of the case.

MR. MANN: Meanwhile, the DFEH is prejudiced with three, you know, cameras in the courtroom. I just don't understand how were we supposed to do anything to stop third-party Internet people.

THE COURT: This is all argument right now. I mean, that's all we're doing. I'm trying to imagine the evidence that we're talking about. I'm not thinking about the argument. I'm thinking about the evidence.

MR. LIMANDRI: One of the pieces of evidence is that there was a text between the Real Parties and the two gentlemen that were with them, where a

statement is made that these Christians are just -- they're afraid of the blue wave that just came in washing out all these Republican hypocrites. And she said, "Yeah, that's exactly what the DFEH lawyer told me."

Now, that's coming from the Real Parties saying they were told by the DFEH, which, again, for us, is very political, and it is aimed at an -- animus towards Christians, and so when we say that the Real Parties are expressing this anti-Christian sentiment that it's also, to a certain extent, their cause is being taken up by lawyers of the DFEH, who, apparently, according to them, their text message share the same view.

THE COURT: All right. Here is what we are going to do, I'm going to deny this motion under 350 and 352. I'll take the evidence subject to a motion to strike, and we'll see where it goes.

But I will say this, I will be receptive to a 352 motion, if we are going to start getting into a lot of -- if we're going down a rabbit hole, Mr. Mann, please get our attention, because I don't want to go down the rabbit hole on this. This seems like a -- I understand Mr. Jonna's argument. There is a legal issue here that has to be considered, I suppose. The idea that there is something from one of the -- did you say it was from -- Mr. LiMandri, you said it was from one the parties?

MR. LIMANDRI: The Real Parties. That they are representing talking to one of the gentlemen that were there with them making reference to that. We can pull that exhibit.

THE COURT: No. I mean, at this point, I am accepting your representation that I'm going to see that evidence. You're saying that they said that some lawyer said.

MR. LIMANDRI: From the DFEH.

MR. JONNA: The DFEH told them this, yes.

THE COURT: So you know, I mean, it may amount to nothing, but at the stage of whether I hear the evidence, not hear the evidence, all the time we're spending on it right now, I'm trusting that this sort of evidence is going to come in in a block.

MR. JONNA: We spent way more on it now than we will at the trial.

MR. LIMANDRI: It is not what the trial is going to be about, Your Honor.

THE COURT: All right. Then I'm going to deny 7 without prejudice to Mr. Mann or somebody renewing this motion at an appropriate time and in the event it is getting cumulative.

Deny without prejudice oral Number 7.

Any other motions, Mr. Mann?

MR. MANN: No, Your Honor.

THE COURT: Let's take up -- what time is it?

Okay. I think we have reached as far as we

can go here. I don't suppose that it would be possible for you folks to spend a few minutes. You've heard how I'm ruling on these motions. I don't think at this point you are surprised by, hopefully, what you find to be consistency in how I intend to approach this. It's, as I said at the outset of this, I'm going to allow people to present their evidence as best I can, and figure out what's relevant, what's not relevant, what arguments work, what argument don't work, later.

We don't have a jury. I can make those calls when the time comes, and I'm going to -- I'm fully expecting to hear full and complete arguments when the time comes.

MR. LIMANDRI: I think part of the desire was just to apprise the Court in advance of what issues may come up so that you can handle it expeditiously during the trial.

THE COURT: I'm learning a lot, Mr. LiMandri.

MR. LIMANDRI: But most what you are going to see now is going to deal with what I think was the Defendants' view is the key constitutional issues and how those issues are framed. And there's -- as I read all our motions in limine, there is some overlap and a lot of them deal with the sincerity of Plaintiffs' religious beliefs and how much protection that gives them versus how the DFEH --

THE COURT: Let me do this, Mr. LiMandri because we only have a couple of minutes here before we

are going to break.

If you had to summarize a couple of the key arguments in your motions -- because I'm going to rule on these motions, but if you had to summarize a couple of the key points, I'm going to let you do that right now and then we'll let Mr. Mann or Ms. Tanacea, or whoever wants to speak here, respond to that. We are going to call it a day. If you want to give me something to think about as I read these motions.

MR. LIMANDRI: As we see it, I think the key points we were trying to make to focus the issues to hopefully make it easier on the Court and make the trial go faster is that it seems there is no dispute -- there is in a lot of cases, but not this one, about the sincerity of Cathy Miller's religious beliefs concerning the sanctity of marriage and why she feels, in good conscience, she can't make or create, you know, from scratch, or however they do it, a wedding cake for a same-sex couple.

We feel that issue should preclude a lot of other evidence and argument because it's undisputed. And that goes to one element of the Unruh Act, did she have an intent to discriminate, which would be an arbitrary or invidious intent. No, because they admit she had reasonable, religious, sincere, belief in the sanctity of marriage. And that not only means it's not arbitrary invidious under the Unruh Act, it also means it is protected under both the free exercise and free

speech clauses of the United States Constitution and free exercise clause of the California Constitution. It also goes to affirmative defense.

These motions in limine largely try to focus the issues on that, so the case can hopefully be more easily and expeditiously resolved. And getting into other things about whether she would make a cake for other people in other circumstances, for example, we don't think is particularly helpful or fair because one, it's never come up. She's never been asked to make a wedding cake for two gay people just living together or two heterosexuals living together for that reason. But she was asked a lot of hypothetical questions to try to expand the DFEH's attempt to show, oops, she discriminated on sexual orientation, not just marriage.

We believe there is a legitimate distinction there. But the main point, and I'll finish with this, in a number of cases we've cited for both the United States Supreme Court of Obergefell and Masterpiece, and the California Supreme Court in re: Marriage cases, they've said over and over, if the message is sincere and goes to simply making a wedding cake, in the case of Masterpiece, if the message is sincere, and it's religiously based, and it is not a pretext for some type of invidious or arbitrary discrimination, and it is a message, okay, that's protected. But if it is just discrimination like, I will not make a cake for

any gay person, regardless of the purpose, whether it's already in the case pre-made, or whether they want to have a custom cake, that's sexual orientation discrimination, pure and simple.

But if she will not create a wedding cake for a marriage because it sends a message -- now, the last thing -- I think they are going to try to argue that that message of a wedding cake might be interpreted differently, but they cite a United States Supreme Court Spence case, which we quote on page 25 of our brief, right out of their papers, that says the people are going to understand the message as a wedding, that's protected. They say that in their papers. They admit that. You can't look at a three-tier, white cake, which you will see a picture of, that the Real Parties got and say, anyone who is going to go by there and see there's a reception going on, are going to say that's for anything other than a wedding. Can they make a cake like that for another occasion? Sure. But it's quintessentially used for weddings and sends that message, and that is what Judge Lampe found. And there's been no material change in the facts.

THE COURT: Well, one thing I want to say. Everybody's been talking about Judge Lampe, Judge Lampe, Judge Lampe. You know, I'm not Judge Lampe. And so -- I like Judge Lampe just fine, but I have to make a decision here. And frankly, I think whatever has preceded where we are today, it

doesn't mean anything. I'm looking at this through fresh eyes, and although a little bit tired, and I'm sure you guys are, too, so you know, you don't have to tell me what Judge Lampe did because I'm not going to be guided by that. I can tell you that right now.

MR. LIMANDRI: Well, the United States Supreme Court and Masterpiece and Justice Kennedy, who authored the main decision, who we quote, largely says the same thing, people have a right to have these views that are religiously-based, sincerely held, and have them be respected. And the California Supreme Court said the same thing, and marriage cases. We think that is what this case will be about. And that's mainly the thrust, I think, of most of Plaintiffs' motions in limine. Thank you, Your Honor.

THE COURT: Mr. LiMandri.

MR. JONNA: Defendants.

MR. LIMANDRI: Defendants. I usually represent the Plaintiffs.

THE COURT: I got you.

Mr. LiMandri, we're operating on the first -- actually, I should ask Mr. Mann. We're operating on the first amended complaint; is that right?

Mr. Mann, you want to close us out today?

MR. MANN: Yeah. Just to complete Justice Kennedy's quote, that doesn't mean that those religious beliefs allow business person to ignore neutral and generally applicable public accommodations law.

Luckily, none of this is going matter because Unruh passed a strict scrutiny; California Supreme Court doesn't pass a strict scrutiny. So when we cut to the chase at the end that's all that's going to matter.

I think a lot of Defendants' motions in limine, we can work on getting rid of -- we have dropped some witnesses, there is nuance in there. The main thrust is that the DFEH does not question the question sincerity of the religious beliefs, and that's this issue. We don't challenge it. We don't question it. We respect it. I've defended many religious complainants. But Defendants try to take that and say because the DFEH admits that now they can't put forth any evidence on the element of Unruh, and on all these important issues that are not about the sincerity of her religious beliefs, they're about the issues in the case.

So it's -- you know, there will be nuanced arguments, but, you know, DFEH doesn't question her religion, but it doesn't mean that that's a get-out-of-jail-free card for her to impose her religion on her customers or her employees. She has her religious practice, but the law is still the law. And as Justice Kennedy said, sometimes even with the religious practice, you have to follow the law.

So it's the expansive use of the DFEH not questioning her religious sincerity that's going to be the issue.

THE COURT: Counsel, I appreciate your comments today. We will continue this discussion on Monday at approximately -- let's go off the record for a minute.

(Discussion held off the record.)

THE COURT: Back on the record.

Report at 9:30, and we will continue. My plan is to go a little quicker through the defense motions.

Ms. Mesinas, you've been quiet today.

Ms. Tenacea, thank you for your comments.

Mr. Mann, Mr. LiMandri, Mr. Jonna, Mr. Trissell, thank you for your comments.

We will stand in recess, and I'll see you on Monday morning.

MR. LIMANDRI: Can I ask you one quick question? I assume we're going to do opening statements on Monday after we finished this.

Do you have any thoughts about length and use potentially of exhibits during opening statements.

THE COURT: We can go off the record here, I think. We are in recess.

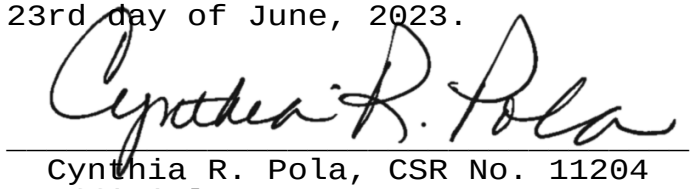
(Whereupon, proceedings adjourned.)

(Volume 3 consists of pages 301 through page 406. There are no pages 407 through page 600. Volume 4 will start on page 601.)

STATE OF CALIFORNIA)
) ss.
COUNTY OF KERN)

I, Cynthia R. Pola, hereby certify that I, as Official Reporter Pro Tempore of the Superior Court, County of Kern, do hereby certify that the foregoing transcript in the matter of DFEH vs. CATHY'S CREATIONS, LLC, ET AL.; Case No. BCV-18-102633, July 22, 2022, consisting of pages numbered 301 through 406, inclusive, is a complete, true, and correct transcription of the stenographic notes as taken by me in the above-entitled matter.

Dated this 23rd day of June, 2023.



Cynthia R. Pola, CSR No. 11204
Official Reporter Pro Tempore

IN THE COURT OF APPEAL IN THE STATE OF CALIFORNIA

IN AND FOR THE FIFTH APPELLATE DISTRICT

--o0o--

DEPARTMENT OF FAIR EMPLOYMENT, AND HOUSING, AN AGENCY OF THE STATE OF CALIFORNIA, PLAINTIFF/APPELLANT, vs. CATHY'S CREATIONS, INC. D/B/A/ TASTRIES, A CALIFORNIA CORPORATION; AND CATHARINE MILLER, AN INDIVIDUAL, DEFENDANTS/RESPONDENTS.	Volume 4 of 8 Page 601 - 783 Case No. BCV-18-102633 Court of Appeal No. F085800 Bakersfield, California July 25, 2022
EILEEN RODRIGUEZ-DEL RIO AND MIREYA RODRIGUEZ-DEL RIO, REAL PARTIES IN INTEREST	

APPEAL TO THE COURT OF APPEAL

FROM THE SUPERIOR COURT OF KERN COUNTY

HONORABLE J. ERIC BRADSHAW, JUDGE; DIVISION J

APPEARANCES:

For the Plaintiff/ Appellant:	Department of Fair Employment And Housing By: GREGORY J. MANN, ESQ. By: KENDRA TANACEA, ESQ. By: SOYEON C. MESINAS, ESQ. 320 West 4th Street, Suite 1000 Los Angeles, California 90013
For the Defendants/ Respondents:	LIMANDRI & JONNA LLP By: CHARLES LIMANDRI, ESQ. By: PAUL M. JONNA, ESQ. By: JEFFREY M. TRISSELL, ESQ. P.O. Box 9120 Rancho Santa Fe, California 92067
Reported By:	Cynthia R. Pola, CSR No. 11204 Official Reporter Pro Tempore

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF KERN

HON. J. ERIC BRADSHAW, JUDGE, DIVISION J

--o0o--

DEPARTMENT OF FAIR EMPLOYMENT, AND HOUSING, AN AGENCY OF THE STATE OF CALIFORNIA, PLAINTIFF, vs. CATHY'S CREATIONS, INC. D/B/A/ TASTRIES, A CALIFORNIA CORPORATION; AND CATHARINE MILLER, AN INDIVIDUAL, DEFENDANTS. EILEEN RODRIGUEZ-DEL RIO AND MIREYA RODRIGUEZ-DEL RIO, REAL PARTIES IN INTEREST	Case No. BCV-18-102633 Bakersfield, California July 25, 2022

REPORTER'S TRANSCRIPT OF PROCEEDINGS

APPEARANCES:

For the Plaintiff: Department of Fair Employment and Housing
By: GREGORY J. MANN, ESQ.
By: KENDRA TANACEA, ESQ.
By: SOYEON C. MESINAS, ESQ.
320 West 4th Street, Suite 1000
Los Angeles, California 90013

For the Defendants: LIMANDRI & JONNA LLP
By: CHARLES LIMANDRI, ESQ.
By: PAUL M. JONNA, ESQ.
By: JEFFREY M. TRISSELL, ESQ.
P.O. Box 9120
Rancho Santa Fe, California 92067

Reported By: Cynthia R. Pola, CSR No. 11204
Official Reporter Pro Tempore

MASTER INDEX - VOLUME 4 - (Pages 601 - 783)

SESSIONS

	PAGE
MONDAY, JULY 25, 2022	
MORNING SESSION	601
Motions in Limine	601
AFTERNOON SESSION	686
Motions in Limine	686
Plaintiff's Opening Statement	736
Defendants' Opening Statement	756

BAKERSFIELD, CALIFORNIA; MONDAY, JULY 25, 2022

MORNING SESSION

HON. J. ERIC BRADSHAW, JUDGE; DIVISION J

--oOo--

(Whereupon, the following takes place in open court:)

THE COURT: Good morning, Counsel. We return to this the matter of DFEH versus Cathy's Creations; BCV-18-102633.

Ms. Mesinas, Ms. Tanacea, Mr. Mann, Mr. Trissell, Mr. Jonna, and Mr. LiMandri. All counsel appearances as previously indicated.

Counsel, first step on our agenda is we have a couple more media requests. My inclination is to grant these requests even though they are late filed. I'm going to grant these requests and allow the media for trial proceedings while the court is in session.

Any comments from the Plaintiff?

MR. MANN: No, Your Honor.

THE COURT: Comments from the defense?

MR. LIMANDRI: No, Your Honor.

THE COURT: Couple other housekeeping matters. I received several other documents, and so let's talk about some of this.

I've got -- let's see. I've got a little bench brief on burden of proof elements. I appreciate

that. I will keep that by the side here.

I did have a chance to look at the trial briefs. And I can't say that I was able to study them, as I've got a lot of paper in this case, so -- but I did -- I did have a chance to look at those.

I've also got a couple other motions from the Plaintiff which they're calling motions 8 and 9. We had oral motion 7, so these would be sequential. I'm going to go ahead and deal with those first before we go to the defense motions.

There is also, from the Plaintiff, an opposition to the request for judicial notice. I have looked at that request for judicial notice. And once again, I would not say I studied 500 pages of deposition transcripts and pleadings and briefs, et cetera, et cetera. The highlighting was helpful to understand what the argument was, and we are going to -- we will take that issue up this morning as well on the issue of the request for judicial notice and that particular defense. So we will deal with that this morning.

Let's start with the Plaintiff's motion in limine Number 8 --

Well, first of all, is there anything about last Friday in terms of rulings or anything that -- everybody good? We know where we stand on all those? Anything -- any clarification needed?

Mr. Jonna, you have a quizzical look on your

face.

MR. JONNA: I just want to, for the record, object to the Plaintiff's filing new motions in limine after the deadline, after the Court asked if there were any additional motions in limine, and they said they had one oral motion to make.

On Sunday, the day before trial, they told us they just thought of this motion in limine that same day. And then for them to burden the Court, when we have a trial estimate, the trial is going to conclude on Friday, with additional motions in limine. I think the Court should summarily reject their attempt to even have those motions heard.

THE COURT: I respect that comment. There's quite a bit of paperwork in here, but I think what I'm going to do is deal with the motion and get the defense -- feels that they need additional time to study this after our initial comments, and what I would intend to do with this, then, I will probably give you that chance.

I'm not trying to jam anybody up here, but I feel like we want to -- want to hear some of this stuff out so that we have an idea of what we are doing during the trial. I think it is worthwhile to deal with it. Although, I recognize, and I will say, that it is late in the game to be filing these motions in limine. It is not helpful from the standpoint of all the paper that's getting filed in this case and there's hundreds

and hundreds of pages. I don't know what you guys -- I don't know where you guys think I went to school, but I don't read that fast. And so it's just -- it's a lot of paper. It's hard to manage it.

That being said, I do think it is important for certain evidentiary issues to get discussed or at least, you know, have some air here before we start the evidence so that when I'm ruling on objections, I have in mind some of the comments you are about to make.

Let's talk about motion in limine Number 8. This is the Plaintiff's motion in limine to exclude Miller's testimony and other Tastries' bakers' testimonies about the design and artistry involved in making cakes and baked goods at Tastries, and that Defendants will serve some gay individuals and other non-marriage contacts, and Ms. Tanacea's declaration and support.

Ms. Tanacea, I presume that this is your -- going to be your ball to carry, so to speak.

MS. TANACEA: Yes, Your Honor.

THE COURT: Why don't I let you address this. I have not had the chance to read this, and -- but my initial take on this sort of thing is -- it kind of gets swept up in some of the discussion that we had on Friday, but I want to hear your comments here.

MS. TANACEA: Sure. And we do apologize for filing late. We got it to the Defendants as soon as it was finalized. I think what became apparent to me was

not earlier, through all the exhibits -- when they were finally being ironed out during the pretrial, which was after the motions in limine were done, we kept working on exhibits, is that there is going to be a lot of exhibits introduced, videos about artistry, about the art it takes to create a cake, and et cetera, et cetera. And a lot of testimony on that issue.

And all we are saying is that artistry is not relevant to any issue to be tried in this case. We don't need that because the Real Parties in Interest were denied service. And the cake that they wanted was a plain cake that Defendants admit would have been made for anybody, if they were not entering into a same-sex marriage.

So what we have here is one plain cake that we can show the Court a picture of, and we don't need the artistry to show that they are somehow -- somehow it defeats Unruh claim.

Turning to defense's First Amendment free speech. The artistry does not bear on that issue, as well. If we look at the design standards, which all parties have agreed are -- is admissible. It is Exhibit 8, in trial Exhibit 8. There are standard service from Tastries that enumerates the request that won't be made under certain circumstances.

And if the Court looks at Exhibit 8 and looks at the bullet points, the first five bullet points have to do with the portrayal of some image, i.e.,

portraying explicit sexual content, promoting marijuana or casual drug use. That would be a depiction of a marijuana leaf or some other symbol that would promote marijuana use. Featuring alcohol products or drunkenness, i.e., Jack Daniel's bottles, or maybe a picture of somebody, you know, passed out. This is what we talking about. We are talking about depictions on the cake.

THE COURT: When you say Exhibit 8, Ms. Tanacea, you are not referring to your motion; is that right?

MS. TANACEA: No. I'm talking about the trial Exhibit 8, which everyone has agreed is in evidence.

THE COURT: Okay. I've actually seen this exhibit. I'm familiar with the content of that exhibit.

MS. TANACEA: Okay. And then, when we go on to depictions of horror, witches, spirits, satanic, or demonic content, again, that would be art, drawing, some depiction, or shape of the cake, or something of that nature. So far, so good.

Now we come to the last thing, which is the controlling standard, our case, which is, requests that violate fundamental Christian principles, wedding cakes must not contradict God's sacrament of marriage between a man and a woman. Now, that is not related to design, depiction, image, artistry. That is -- that bears on

what is the use of this cake, whatever it looks like.

So we have a three-tiered, white -- plain white cake, without any congratulatory message or any topper or any writing whatsoever, and the denial of that cake was not because it depicted something. In fact, we have request for admissions, and Defendants freely admit they would make that cake for a birthday, that same cake, or they would make that cake for a quinceañera, which means the design doesn't matter. The quote/unquote, the "artistry" doesn't matter because it is the intended use of the cake upon which the decision is made, not anything to do with design, depiction, image, et cetera.

MR. MANN: I just want to make one addition, Your Honor, is that that policy denies all cakes to same-sex couples. So we have a plain cake here, but the design doesn't matter at all. If it was a beautiful, big cake, if it is a small cake, the policy denies all cakes. So if the design doesn't matter, the artistry doesn't matter.

THE COURT: I can't hold Mr. Jonna down here.

Are you guys finished, Ms. Tanacea?

MS. TANACEA: Unless you have any other questions.

THE COURT: No. We are doing a little bit of freewheeling here because this is a new issue, so I'm going to let Mr. Jonna have a say.

MR. JONNA: Your Honor, honestly, it's hard

to take this motion seriously. What they are trying to ask the Court to do is pretty much end the case on a motion in limine on one of those fundamental issues in the case, which is, is -- are these cakes the Real Parties requested? Is that cake art? I mean, that's one of the core issues in this case, and they've confused the issue here. This is a very straightforward case.

The Real Parties came in and they requested a specific cake. This isn't about all the design standards and all the different policies and bake goods. This is about the cake that came in on that day and requested.

Our client makes cakes for -- doesn't, you know, refuse orders based on someone sexual orientation. She refuses orders that send certain messages. It doesn't matter if the person who walks in is heterosexual, homosexual, bisexual. Their sexual orientation is irrelevant. It's the message that the cake is sending.

So the question becomes, under the free speech defense, was this -- is this art? Art is speech. That's a very clear, black letter concept in the law. Art is speech. Was the cake that they requested art -- artistic in nature?

So if the Court is going to grant the motion, basically, this is not just a disguised of a motion for summary judgment. This is a case dispositive motion in

limine. The Court certainly shouldn't entertain it. First of all, it's untimely. Second of all, there's just no justification.

I mean, just so the Court -- to refresh the Court's memory about the, you know, we raised these arguments on summary judgment. There are two issues with the free-speech analysis. Compelled speech. And under that concept, the DFEH is trying to apply the Unruh Act that would force Tastries to speak when it doesn't want to speak.

And then the other issue is content discrimination against expressive conduct. The DFEH wants to force Tastries to express a specific message.

So for compelled speech the question is whether Tastries' wedding cakes count as protected speech under the First Amendment or whether they are simply a product, like a tire.

And like I said, the law is clear that art is speech. And the Court previously found in this case that Defendants' wedding cakes qualify as symbolic speech because they send a message of congratulations that you entered into a marriage, and that the message would be understood. Because a wedding cake, as the Court has previously said in this case, is used traditionally as the centerpiece in the celebration of a marriage. And the wedding cake reflects traditions and symbolisms.

So the Court previously -- Judge Lampe held a

wedding cake is an artistic expression by the person making it that it is to be used traditionally as a centerpiece in the celebration of a marriage.

So our position in this case, Your Honor, is going to be that the wedding cake that the real parties requested was artistic in nature. They were asking our client to engage in protected speech, forcing her to do that. But the government needs to satisfy strict scrutiny.

So again, these are all legal issues. This is not an evidentiary motion right now. This is a motion for summary adjudication, summary judgment. And so I think -- I don't even really want to seriously entertain the argument because it's so honestly ridiculous to be raising that as a motion in limine. But no, this is a very key issue in the case, and there is lot more that can be said, but I don't know if it is productive use of the Court's time.

THE COURT: Ms. Tanacea, what exactly would we exclude if I grant this motion? What would be excluded?

MS. TANACEA: Any and all testimony about the artistry to make batter, to make frosting and fillings, and the cake itself. And all testimony and pictures showing -- and videos, showing, you know -- putting together the cake and putting the cream on it. And there are many, many exhibits, such exhibits that have been offered for that purpose.

I would like to respond, as well, if I answered your question.

THE COURT: I think so. Go ahead.

MS. TANACEA: Okay. So first of all, this is a motion in limine because I urge the Court to look at Page 8 of my brief. These are their responses to request for admission which are binding on them. And these lead one to know that artistry does not matter based on their own responses.

"Admit that white or off-white round, three-tier cakes with buttercream frosting and no written message can be used as part of events other than weddings.

"Admit.

"Admit that Tastries has sold white or off-white round, three-tier cakes with buttercream frosting and no written message for use as part of events other than weddings.

"Admit.

"Admit you will sell premade case cakes --"

Now, this is important. A premade case cake is made ahead of time just for sale to the general public. It is put in a case, and it's there for a day or two for the general public to buy. Okay?

"Admit you will sell premade case cakes to customers for any purpose, including their use in the celebration of same-sex marriages."

Okay. Now, this is important because if

there is a case cake that looks just like the preordered cake, they admit they will sell it. So the design -- the depiction has nothing to do with whether or not Tastries will sell or provide a cake in this circumstance.

And, again, I'll refer the Court back to the standards, which say the last one is about the customer -- the use the customer is putting the cake to. That is the context. It has nothing to do with the design.

The Rodriguez-Del Rios could have ordered a cake in the shape of a bell. The Rodriguez-Del Rios could have ordered a three-tiered, chocolate cake. They could have ordered something very elaborate with, you know, rosettes and all sorts of intricate artistry, and they still would have been denied the cake. The artistry does not matter. It does not matter.

THE COURT: Mr. Jonna?

MR. LIMANDRI: May I say something, Your Honor?

THE COURT: Mr. LiMandri.

MR. LIMANDRI: Thank you, Your Honor.

Your Honor, I think we need to keep in mind that the State of California is acting in a prosecutorial capacity in this case. This case, as Your Honor is aware of I'm sure, volumes of papers and thousands of hours literally that have been put into the case over five years. We've litigated many, many

issues actually to death. I think we had 27 motions in limine. If what they are coming up with now -- basically we got these papers the night before trial -- all the rulings you made last Friday don't matter and nor do any of the other rulings in the case. So they basically discovered, remarkably, within 24 hours of a trial, after five years of litigating, a theory that would end the case.

Obviously, my clients' due process rights are also being implicated, which is why the objection on timeliness is certainly appropriate. But beyond that, it really is ridiculous because no Court has found that in these cases where context matters so much, and free speech the message matters so much. All the rest of that, what cakes they make or don't make, are not the issue before this Court.

The only issue before the Court is what these Real Parties wanted. They wanted a wedding cake. And even as of this morning, Mr. Mann and I stipulated as to what exhibits we'll use in opening statement, including at least two wedding cake exhibits I'm going to show the Court. Now all of a sudden they're making a motion in limine after I -- we stipulated I could show those in opening statement because it's central to our defense, that we can't even show those. So I don't even know what I do for an opening statement that I worked on all weekend.

So it really is -- I'm sorry. After 40 years

of litigating over 50 civil jury trials, I've never experienced anything quite as audacious as this motion, and I don't mean to get too worked up about it, but, quite frankly, it is outrageous.

THE COURT: Let's not get worked up about anything here.

Ms. Tanacea, I understand your argument, but I think that -- and I'm not -- I've already said I'm going to hear this motion. So I understand the defense objection to the timeliness of it, but here I am going to deny this motion.

I think that this is something that should be argued. I need to understand the context. Maybe you're right; maybe you're wrong. At this point I don't know -- I haven't heard the evidence. I feel I need to hear this evidence in order to -- and I think, as you folks saw on Friday, you know, my approach to this trial -- I don't -- I feel like we are spending a lot of time on pretrial motions that probably could -- just the time we are taking up on them, we would be able to get through a couple of the witnesses.

That being said, I think that I really need to understand the context of what people's thoughts were. I've said in ruling on some motions earlier that the nuances of the intentions here seem to be very important to me in terms of how I analyze this from a legal standpoint. And it's for that reason that I want

to understand the context. I want to understand.

Now, will I be receptive? I mean, I don't know how many photographs of cakes we are going to be looking at or how much video footage, but I tell you, people can explain to me what's going on and show me a couple of pictures, and I will -- think I'll have it. And I will be receptive to a 352 motion when the time comes if we're -- if I feel that we're are gilding lilies or beating dead horses.

So I just want to -- I want this trial to be done in an efficient way and -- but I also feel that for the context and the -- understanding the parties' intentions, I really need to hear this evidence. So I'm going to deny this motion.

Let's take up Plaintiff's motion Number 9.

MR. MANN: You will get to hear from Soyeon on that, Your Honor.

THE COURT: All right. Let's see here. Hold on. So this is Plaintiff's motion in limine number 9 to exclude evidence or argument of speculative lost profits. And then this is Ms. Mesinas' declaration.

Again, I have not read this motion. I'm relying on -- because of where we are in this trial, I'm relying on trial counsels' ability to summarize their argument here, and I will be ruling based on that, just as I have done with Ms. Tanacea's motion.

Ms. Mesinas, would you like to comment, please?

MS. MESINAS: Yes, Your Honor.

So the DFEH would like to exclude speculative lost profits, argument based on speculative lost profits, and specifically Defendants' trial Exhibits Number 15, 16, and 17. For these reason, because, first, they are inadmissible hearsay. Second, speculation and lack of foundation; and, third, they are prejudicial to the DFEH.

The Defendants argue that if they are forced to comply with the Unruh, they ignore the three options provided by North Coast and instead contend that they would be forced to close Tastries because the wedding cake sales comprise about a third of their revenue, 25 to 30 percent. However, they ignore the other option provided North Coast in which they can provide cake through other employees who do not share the religious objections.

And turning to the Exhibits 15, 16, and 17, they are inadmissible hearsay, and they also lack foundation. We have no meaningful evidence regarding the calculation of the lost profits. We have no idea who the author was that generated these documents. And on those documents they say that the sales for the marriage-related baked goods only contribute 10 to 23 percent of their sales. However, Defendants speculatively and hyperbolically argue that if they have to comply with the Unruh they would be forced to close.

These documents are also prejudicial because while 17 was provided during the discovery, 15 and 16 were not produced during discovery, and that is an unfair surprise to the DFEH. And we were unable to be given an opportunity to depose the authors of the documents and really question how they got to those findings.

And, therefore, we respectfully request this Court to exclude those documents and the arguments related to speculative lost profits.

MR. LIMANDRI: Your Honor, I think that it will make it easier if we -- we don't need those three documents. So we can withdraw those exhibits. But when you are ready, I will address the other issue.

THE COURT: 15, 16, and 17?

MR. LIMANDRI: Right. We never intended to use them unless necessary, and I don't think it is necessary.

THE COURT: All right. So it will show that Defendants have withdrawn those exhibits.

Go ahead and comment.

MR. LIMANDRI: The testimony on the lost profits is only relevant as to the balance of harms. My clients are not the Plaintiffs. They're not making a lost earnings claim. However, Michael Miller, Cathy Miller's husband who serves as a business advisor to Tastries, is an actual employee of Tastries, is a certified public accountant and handles all the

financial matters for Tastries, including the books and including paying taxes for Tastries, and he is very well-qualified to testify as to the financial impact of the subject incident on Tastries financially.

And basically his testimony will be -- and he was deposed twice on these issues. So there is no surprise that the average loss currently is about 20 percent from the loss of the wedding business because typically, as one would imagine, Tastries makes more money on wedding cakes than they do on the smaller baked items. And although people come in and bought more smaller baked items to support Tastries through this, the loss to the wedding cake business has far and away been a much greater financial burden. And he will testify that if they are forced to give up their wedding cake business, the company losing 25 percent of their revenues would not be able to remain solvent and stay in business.

That will be the testimony. He was deposed twice. He's testifying as a percipient witness, but obviously having worked as a CPA and having a MBA in finance or MA in finance, he is qualified to do the job that he is, in fact, doing. So he's testifying as a percipient witness and was fully deposed on these very issues.

THE COURT: Ms. Mesinas?

MS. MESINAS: First of all, you know, there are other choices that Defendants can make. They can

provide the cakes for all, stop making cakes for anybody, or provide the cakes through other employees who do not share the objections. The choice is up to the Defendants. However, if they do refuse to -- and cease to provide any wedding cakes for anybody, they can mitigate it other ways as they have done during COVID.

Further, they stated that they would not be calling any experts. They do not provide any disclosure of experts. And so the DFEH did not have an opportunity to call an expert to really question their sort of analyses.

THE COURT: So was there a demand under 2034 for an exchange of expert witness?

MR. MANN: Yes.

THE COURT: And were any witnesses disclosed?

MR. MANN: No.

MR. LIMANDRI: There was no written demand. We discussed we are not going to be calling experts.

THE COURT: Was there -- what I'm asking is a very specific question.

Was there a demand under the CCP for an exchange of expert witnesses in this case?

MR. MANN: Yes.

THE COURT: Who has it? Where is it?

MR. MANN: We sent it to them.

THE COURT: No, no. I mean where is it right now?

MR. TRISSELL: Your Honor, we responded with an objection that the demand was untimely.

THE COURT: Okay. So we might have to sort that one out. So that -- to me that's the first cut at this is -- is this witness -- what's the witness' name?

MR. LIMANDRI: Michael Miller. He is an employee of Tastries. He is a business advisor. He's a CPA. He does their finances. He is testifying more as a percipient witness, and he can say he does the books and this is what the loss has been.

Now, you could say that's an expert, but he wasn't retained.

THE COURT: So he's going to be testifying to historical information?

MR. LIMANDRI: Exactly. That's all.

THE COURT: All right. So he is not going to be rendering opinions?

MR. LIMANDRI: No, nothing as to projections. This is just what's happened.

THE COURT: When you say this is what's happened, are you saying --

MR. LIMANDRI: Based upon the past few years' earnings and if they lost the business, they couldn't continue -- if they lost the wedding cake business, they could not continue to operate because that is too significant a portion of their business. That's what he is going to say.

THE COURT: All right. So let me rephrase my

question to the Plaintiff.

Was there a timely demand for exchange of expert witnesses under the CCP?

MR. MANN: We believe it was timely, Your Honor.

THE COURT: Okay. Well, I guess we are going to have to sort that out.

With respect to Exhibits 15, 16, and 17, they are withdrawing them. So I am going to grant that part of the motion.

So the motion is granted as to Exhibits 15, 16, and 17. Those will not come into evidence.

As to the oral testimony of the bookkeeper that has been deposed twice, I'm going to have to get a little more information.

Ms. Tanacea, Ms. Mesinas, who wants to speak?

MS. MESINAS: I would like to speak, Your Honor. So we did send discovery requests regarding their sales analysis and just to question the sort of veracity of their statements that they would be forced to cease operations. But they failed to provide any sort of underlying document, such as profit and loss statements, balance sheets, ledgers, any other documents that would support their argument that they would have to cease any wedding sales. And so we believe we are prejudiced, and it would be unfair for the Court to allow this testimony in.

MR. LIMANDRI: We gave them those exhibits

which summarized that information.

MS. TANACEA: Your Honor, may I?

THE COURT: Hold on. One at a time, now. Ms. Tanacea.

MS. TANACEA: Yes. Let's take a step back here. Okay? Not only was there a demand -- we'll check when it was, and we will bring it to the Court. But secondly, throughout this whole process we discussed this issue of experts with defense counsel who continually said they will not be calling any experts, and we said, fine, we will not be calling any experts either. So that's that issue. I mean, that was stated in numerous meet-and-confer conferences.

Now, you just heard Mr. LiMandri talk about Mr. Miller's qualifications. And, yes, he is qualified, highly qualified. He is a business consultant. He has an MBA. He knows finance. And now we are hearing that he's going to testify as a percipient, although he's just been qualified as an expert, and that's where the problem lies.

THE COURT: Just because he is an expert doesn't mean that he's going to be rendering an opinion.

MS. TANACEA: But he has done an analysis. That's what he's talking about.

THE COURT: Yeah, I don't know exactly. So you're saying you deposed him, and you heard his analysis?

MS. TANACEA: No, Your Honor.

THE COURT: Okay. So that's where I'm going with this.

MS. TANACEA: Because we would have taken an expert witness-type deposition if we had known he was going to come up here with all these credentials and talk about sales loss at Tastries for multiple years, then we would have then retained an expert, not just, like, to -- not just to dispute him, but just to, you know, look at the underlying data. Is it right? Is it accurate?

I mean we have that right if he is going to be called to just testify in that manner. And that is very prejudicial, especially since the defense continually told us we were not going to have experts in this case.

THE COURT: I mean, at this point, I'm not sure that whether or not somebody suffered a loss is an opinion. I'm not sure that that's an opinion at all. I mean, if I have ten dollars in my wallet and I wind up with only five dollars, it's not an opinion that I don't have that extra five dollars in my wallet, you know. So I'm not sure where we are going with this.

MS. TANACEA: Well, as the Court knows, okay, analysis has to do with how you characterize and aggregate the underlying data. For example, when they say wedding cakes as a category, are they talking about just wedding cakes, or are they adding, like, dessert

bars that they do for weddings, or are they talking about something else? Do other things get swept up into these categories?

We know that they have some kind of system, but we don't know how they are categorizing the orders, where they're putting them, which bears on the actual result percentages. It is not just like here is -- this is the data, Your Honor. It is no, there is data which has been interpreted and then percentages attributed.

THE COURT: So you're saying there are opinions?

MS. TANACEA: Yes, most definitely.

THE COURT: So then that brings us back to the was there a timely demand and how the people respond. And that's -- I need to answer that question before we go a step further.

MR. LIMANDRI: The only other -- again, if I could reiterate, he gave this testimony in his deposition. And twice he was deposed, and they asked him all the questions about this.

THE COURT: That's a separate issue.

MR. LIMANDRI: Yeah.

THE COURT: Separate issue.

MR. LIMANDRI: But there's just still prejudice.

THE COURT: Whether he was deposed or not, at this stage, without my having looked at whether or not

there was a timely demand, is not relevant. I'm going to look and see if there has been a timely demand.

MR. LIMANDRI: That's fine.

THE COURT: I will take this one under submission. We may need to talk about this one a little bit more before he testifies. He shouldn't plan on giving any testimony on this subject until we have had a full discussion on it.

And where would Mr. Miller's testimony come in the trial, Counsel.

MR. MANN: Not until Defendants' case, Your Honor.

THE COURT: Okay. So we have time. People can do their research and answer my question about whether there was a timely demand. I want to get over that one first because if there wasn't a timely demand, all bets are off. And if you guys want to be gunslingers coming in here without asking for a timely exchange of experts, then that's the way the case is going to get tried. There may be other objections at this point, but I want to get past that one first.

So number -- I think it is Number 9, I'm going to take under submission pending further information and giving the defense an opportunity to oppose this motion. So this one is under submission.

Now we are going to take up the defense motion. Let's go to the Defendants' motions. Defendants' Motion in Limine Number 1 for an order

finding that the Plaintiff has judicially admitted the sincerity of Defendants' religious beliefs exclusion of contrary evidence or argument.

So I heard in this courtroom a couple of times that the Plaintiff does not contest the sincerity of the Defendants' religion beliefs, but there's opposition to this motion.

So Mr. Mann, why don't you explain why you believe that we need to get into this, or Ms. Tanacea or Ms. Mesinas. I'm not sure who is going to be arguing this one.

MR. MANN: This one is mine, Your Honor.

THE COURT: All right.

MR. MANN: I was feeling left out.

So we are not questioning her religious beliefs. If you look at our opposition, we kind of broke down what they're requesting. There is Part 1, Part 2A and 2B.

So Part 1 is that we don't question the sincerity of her religious beliefs. So that one, we don't even need to talk about.

Part 2 is Defendants' religious beliefs about how they cannot participate and promote an event that is contrary to their faith. We don't question that, either. That's her belief. She can believe what she wants.

It's the second part of that that's the problem, what constitutes such participation or

promotion. And that's a very important legal issue in the case. So she can believe what she wants and she can believe that she cannot participate, but she can't define what constitutes her participation or promotion. That's a legal issue. We need evidence on that and that will be dispositive here.

THE COURT: So with those comments in mind, because I wasn't going to try to articulate the Plaintiff's position on this, the defense has a number of requests for admissions, and it seems that both sides want to use requests for admissions to cut off the other side.

What I'm going to do is deny this motion without prejudice. This is my tentative ruling. I'm going to hear from the defense, but fundamentally, I accept Mr. Mann's proposition that this Court, apparently, is going to have to look at the issue of participation and promotion and -- as part of the issues involved in this case.

And so I expect that what is going to happen is I'm not going to -- I mean, fundamentally, the issue of requests for admissions is used to remove issues from a case. What I find about these requests for admissions -- and I would say the ones that I read that were submitted by the Plaintiff as well is -- you know, there is quite a few requests that are very, very specific, and they don't necessarily eliminate the broader issues that are at play here. They might

eliminate certain factual testimony. Might. But I think the way I want to handle that is to allow counsel to examine and then read the requests for admissions that they believe apply, or maybe you guys will have a more expeditious way of doing that. I mean, obviously, people are going to be introducing the answers to requests for admissions on both sides certainly are going to be given the chance to do that. I'm going to have to sort out what they mean. So that is kind of the way I'm looking at it.

Mr. LiMandri, do you wish to comment?

MR. LIMANDRI: Only that I agree with what the Court is saying. And Mr. Mann, basically, agreed with the only two points we asked in the motion in limine, that the religious beliefs about marriage are sincere. They are not pretextual.

And the second point was her beliefs about what she can do are sincere. We didn't ask for any more than that. They went ahead and said we asked for something more, and then are opposing, but we didn't ask for it.

So I have no problem the way the Court's articulating how it should proceed.

THE COURT: So my ruling on Defense Number 1 is to deny without prejudice to the parties' abilities to submit the request for admissions. I'm going to hear the testimony. And then, if during the course of the testimony, someone were to contradict something

that was specifically stated in a request for admission, that might be a good time to hit them with it or at least read it so that I know that I've got that context. But it is not necessary to do it right then because I think a more efficient way, given the number of requests I think I'm going to be looking at here, is to do it when we are waiting for another witness to come here. You can start reading them in evidence. I think I would use that as what I call a gap filler, so to speak, and just try to be efficient in how you do that.

And then if you get towards the end of your case and you still haven't done it, we will just block out some time and let you do it, to read them into evidence. Or if you folks want to stipulate to just admitting the written, you know, requests and answers, that might be another way to do it, too. I'm not going to -- that's normally not what I would want to see in front a jury, but here in a court trial, that might be an efficient way to do it. I will let you guys sort that out.

Number 1 is denied without prejudice.

With respect to Number 2, an order finding a judicial admission or sexual orientation discrimination outside the context of same-sex marriage, excluding contrary evidence of argument.

Here again, my tentative ruling is to deny without prejudice. The -- I'm just going to -- my

tentative ruling is to deny without prejudice.

Mr. LiMandri, do you wish to comment?

MR. LIMANDRI: Only this would be a recurring theme, Your Honor. It comes up again in Plaintiff's motion in limine Number 6 regarding hypotheticals. And so I don't keep repeating myself, hopefully, I can say this once, although, I meant to bring up in opening, so I will see how that goes. But what we have going on is a certain set of facts that present themselves that are largely undisputed regarding this case about what the Real Parties requested and what transpired. It's always been a case about a wedding cake. But now -- and about the wedding. But now, it's because the Plaintiff is trying to morph it into something different and wants to elicit testimony on things that never have happened before with my client and are highly unlikely to ever happen, which is people wanting cakes for other events other than a wedding that she might object to but that -- relate to a wedding. And then they ask hypotheticals about engagement parties or about anniversaries or even about housewarmings, or about adopting children. All of these things that have never happened and are highly speculative and are improper hypotheticals that are not the facts before the Court.

As the Court has pointed out, there is enough, I think, on everyone's plate to deal with the actual facts we know occurred. And we strenuously

object to the Plaintiff trying to inject into the case issues that are not dispositive of the case, including whether or not our client would bake a cake for other occasions, particularly when it doesn't happen, regardless of sexual orientation, people don't ask to have her make these types of cakes.

And the only other thing I should point out is they need to know for wedding cakes who the bride and groom is and such. But normally, they don't know anyone's sexual orientation. It doesn't come up. People want to come in and get cookies or brownies or cupcakes, or whatever. So it is just a nonissue. They'll bake those for whoever asks for them. People don't say I'm going to have it for an engagement or anniversary.

And when they do make those cakes for weddings, which they do, as a dessert table, it is always with a cake.

So it is never something where someone comes in for a same-sex wedding or an opposite-sex wedding or any other kind of wedding and says I want a dozen cupcakes. They want one -- for a dessert table and we have pictures of that, too.

So I just -- I think it's important for the Court to know, because it's turning out to be a key issue that was never involved in the case early on, and we never anticipated nor do we think should be, and that is whether our client would make cakes for other

occasions that are not at issue in the case.

So I think we will limit the trial to have it focus on the issues so we can get through it in a week as planned. But anyhow, that's the purpose of this.

And again, it also comes up with a speculative hypothetical.

THE COURT: I have reviewed, obviously, a number of questions and answers that were given in deposition.

Mr. Mann, is it your intention to -- what do you -- what's your intention here? Because when I say "deny without prejudice," I mean to a timely objection, and I suspect we are going to be hearing that objection when we start getting into questions that have nothing to do with this case, in my opinion. So probing somebody on hypothetical scenarios, what's your plan here?

MR. MANN: Well, we are seeking an order that's going to apply going forward, Your Honor. This policy is what it is. We are not going to ask about hypotheticals that Mrs. Miller or her employers were unsure of. But when we asked her, does this apply to anniversaries? Correct. Bridal showers? Correct. Bachelor/bachelorette parties? Correct.

THE COURT: But why should we even talk about that since it is not what happened here?

MR. MANN: Because it is in the design standards. It is the policy to deny any baked good.

THE COURT: So just let me be clear. So the facts of this case are about the design standards? That's what we are litigating here? We are not litigating what actually happened? We are going to put that aside, and we are going to bring out a piece of paper, and that's what we are going to be talking about?

MR. MANN: The design standards are why the cakes were denied.

THE COURT: But is it the -- is the why important, from your standpoint?

MR. MANN: Well, they just stipulate that it applies in these --

THE COURT: I'm just asking is the why important from your standpoint? Is that an important fact?

MR. MANN: If a decision is made under a policy, then the policy is important, yes.

THE COURT: Okay.

MR. MANN: But, like I say, if they will stipulate to these four other occasions with Mrs. Miller in -- was -- testified about that it applies, then we will never have to mention it.

MS. TANACEA: Your Honor, let me just put it into context. Those questions came under a discussion of the design standards like -- so it says, you know, we won't make cakes. But then the questions are well, does that include, you know, if it were brownies, or if

it were this, or if it were that?

Now, Mrs. Miller, writes the policy, enforces the policy. It was never always written. It was part oral. It was oral in the beginning, so it's part oral, part written. And so her answers bear on Tastries' policy and how they will decide whether the deny making a cake based on that last principle.

THE COURT: Is there anything in Unruh that says a policy is illegal, a policy, or is it what people do that is illegal?

MS. TANACEA: What it goes to show are the reasons that certain things are made --

THE COURT: So you're saying it's relevant to the issue of intent?

MS. TANACEA: Yes.

MR. JONNA: Your Honor, can I make one point?

THE COURT: Mr. Jonna.

MR. JONNA: So this is a really important, the elephant-in-the-room issue. This is unusual because you don't just have a Plaintiff and a Defendant. You have the DFEH and you have Real Parties. So the big question that I think the Court is going to be faced with is what is this scope of this case?

If you look at their complaint, this is not -- first of all, this is not a class action. This is not a case challenging all kinds of policies. This is a case challenging one transaction, one specific

incident that occurred in time, with specific Real Parties, and they're saying that constitutes a violation of the Unruh Act.

So I think the Court's inclination here is correct. We can't morph this into some broad case litigating a whole set of policies with hypothetical situations and get some broad injunction that bans our client from -- they don't have a standing. That is not this case.

This is DFEH has a specific Real Party in Interest here challenging a specific transaction, and this is what this case has been about. That's what it's been about these last five years. They never amended their complaint to make this a broader case. It's just a fundamental point here about the scope of the case.

THE COURT: So I think what I'm hearing what Ms. Tanacea is saying, and frankly, what I agree with, is that the why, why somebody did what they did, goes to the issue of intent. And to the extent that there is some written policy that was part of the thought process, then I probably need to listen to it. But the hypothetical questions, you know, I can see that we might get far afield on that, and so I'm just going to have to listen to it. I'm going to have to hear the context for the question.

I'm denying this motion without prejudice to a timely objection. I'm not saying right now that

anybody's got carte blanche to exceed what I consider the scope of the issues in this case, but right now the issues are a little murky to me. The facts, although everybody keeps saying they are simple, and I keep agreeing with that, but it seems that the facts are relatively simple and the legal issues become a little more complicated.

MR. LIMANDRI: The only thing I might add, clarity, again, come up in the opening statement, certainly with Cathy Miller's testimony -- and I don't think it is going to be disputed -- they had an oral policy prior to the Obergefell decision that came out in 2015 with the U.S. Supreme Court that made same-sex weddings legal, then the issue arose where they ended up delivering a wedding cake and didn't realize it was a same-sex wedding and felt that this was not something they could do in good conscience continuously, so they developed the written standards.

The issue has only presented itself with same-sex couples after that several times, asking for a wedding cake, and it's only been dealt with in the context of a wedding cake. All of these other hypothetical examples of what might happen have never happened. And quite frankly, given the publicity about this case, will never happen unless it's a setup where someone, you know, wants to go in on a pretext at this point and try to order something. But it would not happen because, again, they only order these types of

baked goods in the context of a wedding cake for a wedding. Never has it arisen in any other situation.

So I wanted the Court to understand what the evidence will be in that regard so when the testimony comes in, maybe it will be clear in context.

THE COURT: All I will say at this point, besides denying without prejudice, is the -- and that's without prejudice to a timely objection as we are listening to the testimony. What I will say is, I'm finding it hard to understand how hypothetical questions about what would happen in a birthday or what would happen at some other type of event is going to be that important from my standpoint in understanding what somebody was thinking when this was happening. Because this is what was happening, not those other things.

Maybe I can be convinced otherwise when the time comes. Right now I'm simply saying denied without prejudice. The Plaintiff wins this one for the time being, and we'll have to hear the questions and the context, and then I'll be making my rulings.

Yeah, Ms. Tanacea.

MS. TANACEA: Just one last comment, Your Honor. They are not hypothetical comments. We urge you to look at them. The question is would you apply these design standards to X or Y or --

THE COURT: Would you? It starts with "would you." It's not did you. The whole "would you" thing, it makes it a hypothetical.

MS. TANACEA: And second -- I appreciate that, Your Honor.

Second, we have injunctive relief going forward. So that would also be included in the scope of the injunctive relief we request.

THE COURT: Maybe it is; maybe it isn't. I'm deciding this case. I'm telling everybody right now, that in terms of my view, I think you are right. I do think you're right about how the policy bears on the issues of intent, but it's the intent to do what? It is the intent to do what in the context of the facts of this case. I don't want people to feel like they're going to be given carte blanche to get beyond that issue.

MR. LIMANDRI: The last thing I would say, Your Honor, is they really are putting my client in a box because they admit that she has sincerely held religious beliefs regarding marriage between one man and one woman. And that's the issue in this case with a wedding cake. But then you ask her to commit to, well, then, would you make an engagement cake? If she says, yes, then she is violating what she just said that marriage should be between one man and one woman. That goes to the engagement as well as the wedding.

Now, no one has ever asked her to make an engagement cake, so I guess she would have to consult with a lawyer at this point, if someone did, but that never happened before. But again, she had to give a

answer that is consistent with her conscience and -- otherwise she would be a hypocrite because how can you make one without the other.

So I just wanted, again, the Court to understand the context in which those questions arose in deposition.

THE COURT: Understand.

MR. MANN: I'll just wrap it up real quick, Your Honor. They make engagement cakes, anniversary cakes, all the time. They just haven't been asked by same-sex couples, but it will be four questions on cross that she's already admitted to, and that's it.

MR. LIMANDRI: And she may have made them for them without even knowing. If they don't tell them, they don't ask. My client does not ask someone's sexual orientation.

THE COURT: That might be cannon fodder for further examination. I don't know.

Ladies and gentlemen, we are going to try the case. I promise you. I may let questions be asked that I don't think are particularly germane because I want to just get through it, and it is only marginally relevant. But as I've said before, there does come a time where I'm going to be very receptive to the 352 objection, and I'm not going to let somebody's -- I am not going to let somebody be harassed about their sexual orientation or about their religion.

So, you know, we are going to understand that we're talking about a lot of emotional things here, and as far as I'm concerned, the factual and legal -- the legal question or the factual question that I need to get here, the one of intent, does necessarily sweep up a little broader area of inquiry than, say, you know, did somebody strike somebody in the face?

You know, so that's about as much guidance I can give you now, and we'll see where it takes us. We are going to Number 3.

The Defendants' motion Number 3 tentative is to grant this motion.

Comments, Mr. Mann?

MR. MANN: Yes, Your Honor. The Real Parties' emotional distress is relevant here beyond damages. It is relevant to the pre-exercise claim and specifically, the substantial burden analysis under Smith v. Fair Employment and Housing Commission.

When you look at the substantial burden to Mrs. Miller's religious belief, or the -- I'm sorry -- or the practice of her religious belief, you must take into account how practicing her belief is going to affect third parties.

If you grant and allow her to use her religious beliefs for Tastries to deny cakes to people like the Rodriguez-Del Rios, the Rodriguez-Del Rios were hurt. You have to take that into account. You don't just look at the burden to the business owner.

You have to look at the burden to the customers. That's the California Supreme Court in Smith v. Fair Employment and Housing Counsel. So it is very relevant to an issue in this case beyond damages. Obviously also relevant to damages.

THE COURT: Maybe I misread your opposition Mr. Mann. I thought you agreed that this motion should be granted.

MS. TANACEA: Your Honor, we agree that there was no damage claim for the emotional distress is what we agreed to.

THE COURT: All right. All right.

Mr. Jonna.

MR. JONNA: This is a relatively straightforward one. We served discovery. We asked for information about emotional distress. The DFEH objected to the discovery, and they specifically said that the information that we are seeking is irrelevant because they're not seeking emotional distress damages. They blocked discovery and we proceeded accordingly. If they would have answered the interrogatories or the discovery requests, we probably would have sent additional requests, maybe third-party subpoenas, but they made it clear to us that emotional distress was not an issue in this case, because they are not seeking emotional distress damages. They didn't answer. They didn't provide information. They didn't provide records. So they need to be bound by that.

Our argument is not a relevance argument. Our argument is a judicial estoppel argument. They made a representation that this was an irrelevant issue.

THE COURT: In the answer, Mr. Mann -- I'm just looking at the motion here. I have to go to another document to see the request.

What exactly was the request, Mr. Jonna?

MR. JONNA: Let me pull them up, Your Honor.

THE COURT: You quoted the answer here. You said, "With respect to the interrogatory asking for information to justify the alleged emotional distress, Plaintiff DFEH stated 'because this interrogatory seeks information related to the Real Parties' emotional distress, but DFEH does not seek emotional distress damages in this case. DFEH objects to this interrogatory as exceeding the permissible scope of discovery, and in that the information sought is irrelevant, that is, the information related to the parties' emotional distress. It's irrelevant to the subject matter in this action, and the information is not reasonably calculated to lead to the discovery of admissible evidence.'"

Maybe I'm -- I was --

MR. JONNA: Here's what one of them was, Your Honor. "Describe in detail" -- this is Special Interrogatory Number 11 -- "Describe in detail the basis for the contention in Paragraph 42 of the first

amended complaint that Mireya Rodriguez-Del Rio or Eileen Rodriguez-Del Rio were, quote, 'stunned, hurt, and offended' by Mrs. Miller's refusal to serve them based solely on their sexual orientation."

That wasn't even, by the way -- that wasn't even a request seeking information about damages. That was just -- justify for us, provide more information that they were hurt and offended by this.

And they responded by saying, "This interrogatory seeks information related to Real Parties' emotional distress, but DFEH does not seek emotional distress damages in this case. DFEH objects that the interrogatories exceeding the personal scope of discovery and that the information as thought is irrelevant to the subject matter of this action. Information is not reasonably calculated to lead to the discovery of admissible evidence."

THE COURT: So, Mr. Mann, let me ask you: Did you not just cut off the very line of inquiry that -- I mean, did you not just -- you said that it's not relevant. You refused to provide information, and you cut them off. Why should you be permitted to talk about it here in this courtroom if you cut them off?

MR. MANN: We cut them off regarding damages, but they probed the Rodriguez-Del Rios in their deposition about it. We mentioned in the complaint and in every document we filed. In summary judgment we talked about their emotional distress damages and their

dignity because it is important to the substantial burden, and just the context of understanding what happens when somebody gets discriminated against. They need to be able to talk about that issue, but it is very key to the substantial burden analysis.

MR. JONNA: It's absolutely false that we probed them. I deposed the Real Parties, Your Honor. It was made very clear to us in the course of this case, emotional distress is not relevant. We are not seeking emotional distress damages. It's irrelevant. If -- Your Honor knows, if that was an issue, we would have sent subpoenas to medical providers. We would have wanted psychiatric records. That was something we did not explore because they cut us off.

MR. MANN: There was no -- the extent of it was not we were claiming therapy or psychiatric damages like that. And all of this --

THE COURT: How would they know that, if you didn't answer the question?

MR. MANN: Paul asked them about their --

THE COURT: I'm sorry?

MR. MANN: Paul did ask them about their emotional distress at their depos.

THE COURT: Here is what we need to do: I'm going to need to see more information on this. What bothers me is that I see this answer. It's the kind of answer that would cause me to not ask more questions.

Now whether if more questions were asked,

that might change the analysis a little bit. I'm not going to do this right now.

MR. MANN: Your Honor, we supplemented our response to the interrogatory.

THE COURT: All right. Was there -- okay. Go ahead.

MR. MANN: This is the Supplemental Response to the Amended Special Interrogatory Number 11. "Eileen Rodriguez-Del Rio was hurt and angry because Defendant Miller's discrimination against her and Mireya was unfair."

MR. JONNA: Your Honor, that's --

MR. MANN: "Mireya Rodriguez-Del Rio was stunned and hurt because she had not previously experienced overt discrimination based on her sexual orientation. It was especially hurtful because Real Parties were seeking a cake to celebrate their wedding which was going to be a special day for them."

We further supplemented our response to it, Your Honor. I don't know if you want me to read more, but we further supplemented. So we supplemented it twice, and it was always something that we talked about throughout the case. The issue was we weren't seeking it for damages.

THE COURT: Mr. Jonna.

MR. JONNA: Your Honor, first of all, they never withdrew their objections. They never told us that -- I mean it's funny that we asked for information

on emotional distress and they object, and they say, we aren't seeking emotional distress damages, and then they provide one sentence of a supplemental response, but that's supposed to cue to us that they are no longer -- the emotional distress is now irrelevant inquiry?

I did not give it to them in depositions. I asked them general questions like, what are you seeking in this case? And they said things like emotional distress, like they made a passing reference to the fact that they were -- we didn't probe further. They told us it was not a relevant area of inquiry. This supplemental response doesn't withdraw the objections, doesn't change their position. It provides very little information, so --

THE COURT: Well, I guess the way I have to approach this is, you know, if I can assume the supplemental response which is not discussed in any of the paperwork here, the information was provided, but it was cryptic. And I don't expect the testimony on this to be any more than cryptic.

Mr. Mann, you have a comment on that?

MR. MANN: It won't be cryptic. It will be very specific in how they're feeling, but it's not going to talk about, you know, psychologists or therapists. It's just going to be them talking about how it made them feel and how they responded. And everything they'll talk about has been in the documents

since the complaint.

THE COURT: Mr. Jonna, I'm going to deny this motion without prejudice, but here's what I'm going to offer you.

Do you want a 402 hearing on this issue? I mean, to know the extent. I mean, if you feel that you were cut off and you want an opportunity to examine to find out what you don't know, maybe we let Mr. Mann make his offer of proof and you decide from there where we go with it. Although I will say this, in a 402 hearing we are usually talking about a jury, and I feel like the better way to approach it would be to let them testify, and you can read your answers, and I'll decide what to do with it. Either way, you know, I want to get past this. And there is a certain amount of just wanting to get past this that is motivating me right now.

He's read an answer to me that says okay, you put it in play. And it's pretty cryptic, and I'm being assured that the testimony is going to be very specific about this. I probably would hold Mr. Mann to that in the face of an objection if it went much beyond what the answer was.

MR. LIMANDRI: I think that's sufficient, Your Honor. I think a 402 hearing is not necessary in the interest of time, and we will deal with it when we hear the testimony.

THE COURT: All right. Mr. Mann, I'm going

to deny this motion without prejudice because of what you told me here in the supplemental response, but it's a very short response. You know, if I find that there is some level of surprise in what these people say, I'm going to be very receptive to a motion to strike the testimony.

MR. MANN: Okay, Your Honor. There won't be surprise. In the deposition they talked about what happened, and it will be along those lines.

THE COURT: Okay.

MR. MANN: In fact, Mr. Jonna --

THE COURT: I said okay. You don't want to steal defeat from the jaws of victory, Mr. Mann.

Let's go to Number 4. This is defense motion in limine number 4 for an order finding a judicial admission concerning Defendants' referal practice and exclusion of contrary evidence argument.

Going to deny without prejudice.

Comments, Mr. LiMandri. This is without prejudice to a timely objection. I think that this information is -- you know, to the extent we are talking about policies, I have already -- we've had that discussion. And, you know, to the extent this information bears on somebody's intent, I think I need to hear it and that's how I'm looking at it.

MR. LIMANDRI: That's fine, Your Honor.

THE COURT: All right. Let's go to Number 5.

Tentative on Number 5 is to grant. This is

Defendants' motion in limine for an order excluding evidence argument concerning prior labor disputes.

Mr. Mann, comments?

MR. MANN: We were willing to go with this one, but then they said, oh, we might want to use it to impeach one of your witnesses. So --

THE COURT: Well, if it becomes relevant, then I can be asked to reconsider the ruling. I mean, if somebody injects the issue, then that would be a time for you to say, Judge, I would like you to reconsider your ruling on Number 5.

MR. MANN: That's fine.

THE COURT: Is that workable?

MR. MANN: Yeah.

THE COURT: All right. I'm going to grant 5.

Defendants' Number 6, for an in limine order, excluding questions about hypothetical situations with which there's presently no existing policy.

I think we talked about this a little bit. Does this go beyond what we've already talked about?

MR. LIMANDRI: No. I think you covered it.

THE COURT: So I guess I would refer people back to our discussion.

Which one was it, Ms. Tanacea?

MR. LIMANDRI: Defense Number 2, Your Honor. So it would be the same issue we talked about with regard to Defense Number 2, we'll be alert to make the appropriate objections as questions arise, particularly

hypotheticals, if that's how the Court wants me to handle that.

THE COURT: Yes, that's how I want to handle it. So I'm going to basically incorporate my ruling on Defense motion number 2. And we'll take these during the course of the examination.

So 6 is denied without prejudice subject to a timely objection.

Does anybody else wish to comment on this?

Defense Number 7.

MR. JONNA: Your Honor, I believe 7 is moot now because there was a similar motion made by the Plaintiffs to exclude this evidence which the Court denied. And this motion was to have the Court deem that -- allow that evidence, which I think there is no need to argue that now.

MS. TANACEA: I respectfully disagree, Your Honor.

THE COURT: Well, let's hear it. So this is Number 7. This is defense motion in limine for an order finding admissible evidence of non-neutrality by Plaintiff DFEH in violation of the preexercise clause.

Do you wish to comment, Mr. Jonna?

MR. JONNA: Well, Your Honor, if you recall last Friday, I explained to the Court why I believe this is very relevant. This issue is not only from the Masterpiece case and the Supreme Court but also just First Amendment jurisprudence generally whether the

DFEH has acted neutrally or failed to act neutrally is a key legal issue in this case. So the suggestion that I made to the Court, which I believe the Court adopted, was to allow this -- allow us to, you know, not cut off this legal issue through the Plaintiff's motion in limine, allow us to put the limited evidence that we have and then decide at the end of the case if it amounts to anything or not. But I'm not going to go through all the evidence of bias. A lot of it was submitted in connection with the --

THE COURT: This is Mr. Trissell's declaration and the request for judicial notice?

MR. JONNA: That's right. And so unless the Court would like me to repeat some of that evidence, I think that the point is -- I thought what the Court ruled last week is it was going to not cut that issue out of the case.

THE COURT: I actually didn't rule on this. We had a discussion, and I think that Ms. Tanacea, I believe, had objected, although kind of in the middle of a different discussion, to the request for judicial notice. So I think that whole thing is in play, and I promised everybody that I would come back to that request for judicial notice. That is my recollection of our discussion. We did talk about it and I probably did express some thoughts on it, but I did not rule.

MR. JONNA: Right, not on the request for judicial notice. Sorry. I didn't mean to suggest that

you ruled on that. So that's the issue. I guess it's tied to the request for judicial notice. Would you like to --

THE COURT: Let's go ahead and why don't we hear Ms. Tanacea's comments on the request for judicial notice. I know the Plaintiff has objected.

So, Ms. Tanacea, I presume you have been laboring more on this one.

MS. TANACEA: Yeah, sure, Your Honor. Thank you.

Defendants keep asserting they have evidence of bias. And what I'm asking this Court to look at is, do they have this evidence as they purport? They have no witnesses. They have no documents that they can enter into evidence, either via judicial notice or the declaration, which they did initially. I'm not going to repeat what I wrote in my brief in opposition, but all of their requests should be denied for various reasons. They're irrelevant, hearsay, 352.

And then even if the Court were to take judicial notice that the DFEH filed an opposition to a motion for summary judgment, all that they get from that is that it was filed on that date. They do not get the contents of it entered into evidence.

So there is absolutely no evidence. There is just no evidence no matter how they want to argue it or cut it. There is no witness that is going to say it. There's no documents. And for all the reasons we

talked about earlier -- I'm not going to repeat that -- we really think that this issue should be removed. There is just no showing. There is no evidentiary showing, even going back to the motions in limine, I attached their responses to our contention interrogatories. And if the Court looks at its Exhibit 2, the Mann declaration, you will see that there is no evidence. It is just their argument, but there is no evidence. And they can't just argue untethered evidence. They can't put true admissible evidence into this courtroom. They cannot say we are biased.

THE COURT: Mr. Jonna, just let's talk about -- is there any evidence you intend to introduce on this issue beyond the request for judicial notice?

MR. JONNA: Cathy Miller's testimony, Your Honor.

THE COURT: Can you give me an offer of proof just in substance what we are talking about here?

MR. JONNA: So how the DFEH conducted the investigation from her perceptive, how they -- you know, she -- like I -- just this past last week they sent her request for information. She was in the middle of preparing those requests, and they rushed to seek an injunction. The way they handled the deposition, the way they harassed her and berated her and belittled her religious beliefs, and, you know, that is going to be very limited testimony which she

should be entitled to provide the Court just on this issue of lack of neutrality and animus to religion, that, again, is not just a small deal. It's the basis on which the Supreme Court decided the Masterpiece Cakeshop case. And that is evidence, I mean, what she experienced firsthand.

But also the -- also the conduct of the DFEH in this litigation is evidence. I mean, it's subject to judicial notice. We are not asking the Court to accept the truth of what was said in there, but we asking the Court to take notice of what statements they've made and how -- and by the way, in the Masterpiece case, part of the evidence was the Colorado commission's comparison of Jack Phillips' religious beliefs to racism. So that was evidence in that case, and that's what they've done throughout this case, not only in the deposition but in the briefing.

And, you know, there's also an exhibit that we will be using with the Real Parties where they -- we discussed this earlier. It's Exhibit 671 where apparently the DFEH told the Real Parties that our clients are scared of the blue wave that came in and washed a bunch of Republican hypocrites out of office and that we're grasping at straws. Mireya Rodriguez-Del Rio said that's what the deep lawyer from the DFEH said. So that's an exhibit that we'll be using. It is limited evidence, Your Honor. It's not going to take up a lot of time, and I think it would be

inappropriate for the Court to just -- anyway, our motion is asking the Court to allow this limited evidence and then, you know, with that request for judicial notice, just to take notice that those are the statements that were made in the course of this litigation.

THE COURT: Ms. Tanacea.

MS. TANACEA: Yes. There is no evidence. I just keep saying that. Just because they say there is evidence -- I mean, they can't get in the things they want to get in that they say is evidence.

So let's talk about Masterpiece. In Masterpiece, the Colorado commissioners were on a transcript saying, oh, religion has been used for years to discriminate against people, and they made these comments that were recorded, recorded comments by commissioners that were judging the case.

You are judging this case. We are not judging this case. And we have acted neutrally through the investigation and through the litigation. Now, there's no question litigation is stressful, and I'm sure Mrs. Miller felt burdened by having to answer interrogatories and upset if things were filed, but that is just litigation. It is simply litigation. It is nothing more than that, steps in litigation that happened. It is not a comment.

Now, on the one hand they say we don't want the statements, but on the other hand, what they have

highlighted in the briefs were when we say as in Piggie Park, you know, separate but equal, et cetera, et cetera, we talk about the case, and then somehow there is this leap made that because we are arguing a race case from the '60s by analogy that that shows bias. What that does is chill advocacy. We are able to argue precedent without being accused of bias.

I have put in my opposition every single quote that they highlighted for Your Honor so that you can see that all we are doing is making legal arguments and then they can put in our legal briefs and say, aha, they mentioned a race case and, therefore, they're biased against our client and they're calling her a racist. That's the leap we have to make from a legal argument in multiple briefs that the DFEH filed with this court.

THE COURT: So we are talking the legal briefs is one sort of, I guess, group of evidence. There is the deposition testimony. How do you handle that -- or the questions, the investigation?

MS. TANACEA: You mean like the interrogatories? They're routinely sent out with --

THE COURT: I'm sorry?

MS. TANACEA: They're, like, interrogatories that are in the investigation stage. So they're just -- and again, another DFEH practice during the investigation. We serve -- they're not -- they're called supplemental questions when it is in the

investigation, but it's not interrogatories as in litigation.

MR. LIMANDRI: Your Honor, one of the key points we made early on is that the investigation has not been neutral. They went in for the TRO shortly before Christmas 2017, and never talked to our client. And they actually said their reason was because they saw her on the news.

I mean, I'm just -- I'm stunned that would be the extent of their investigation that as to what my client's motivations were and why my client acted the way she did. Because we know the news doesn't always report everything that is said. It's basically, brief clips.

So they didn't care enough about my client's point of view before they launched on this five-year crusade to shut her down. And then after they lost, they quickly filed a another lawsuit without investigation regarding her.

And in Masterpiece that, alone, they brought a second lawsuit of -- after they lost in the Supreme Court, on same-sex marriage over a transgender cake, and that was upheld by the trial court to be retaliatory.

It's not just the statements made in the pleadings, which, quite frankly, are offensive to keep saying this is what racists did and that's why we are going to stop you. Okay. Whether they say that we are

just citing precedent, no, they are arguing that this is equivalent to racism. And in the Masterpiece case cake, the Supreme Court said that, in and of itself, was evidence of non-neutrality.

The questions in the depositions, which have not been addressed were disparaging of religious beliefs. It is inappropriate to ask a Christian if they read their Bible in Greek or Hebrew, or if they eat shellfish, or if they eat pork, or if they think it is as a big a sin to make a cake for a cohabiting heterosexual couple that's getting married.

Testing one's faith in that manner is inappropriate and was disparaging of -- and belittling religious beliefs the way certain questions were asked. My client spontaneously said that. I can't you believe, you know, you are going there and doing this. But if you want to quote the Bible, she said, I will take my Bible out, and I'll read you the passages I'm relying on.

So I think all of that goes to non-neutrality, even insofar as bringing up, the day before trial, a so-called defense that would end the entire case. I see no neutrality here at all, including the arguments that, well, she can always just violate her conscience, even as of this morning. They don't need to go out of business, just make the cakes because we want her to. It shows non-neutrality and complete insensitivity to the religious beliefs that

are at issue.

And then again, I think that one text message alone about Christians are afraid of the blue wave that washed all these hypocritical Republicans out of office, which the Real Parties said the DFEH lawyer said is enough evidence, in and of itself, that it is very political and ideological.

So for all of those reasons, I believe, Your Honor, there is a sufficient case for the Court to consider.

I've now given you most of the evidence without going through the specific quotes so that you can consider that. But I don't think it is appropriate to take a defense the United States Supreme Court said is a complete defense, regardless of any alleged discrimination -- and we quoted other authority in our trial brief to that effect -- and just say that you are going to strike that defense, you know, entirely at this juncture.

THE COURT: Ms. Tanacea.

MR. MANN: Your Honor, I have to take this one because I have been on the case since the beginning.

So first, I have to correct the record because most of what Mr. LiMandri says is just false.

So let's start right at the beginning so I can make this clear. DFEH is not requesting, not seeking an order that Tastries bake cakes for same-sex

couples. That's not what we are seeking. The California Supreme Court lays out three options. We are just saying Tastries, you pick whichever option you want. So we are not requesting a specific order for her or Tastries to bake cakes. That's number one.

Number two, Mr. LiMandri just, maybe 15 minutes ago, referred to the DFEH as a civil prosecutor. We are not a neutral. We are a civil prosecutor. We don't have to be neutral. Once we decide that a violation occurs, we prosecute it, and that's what we did here.

During -- we had a -- when the case came to us, the Real Parties told us what happened. And then we didn't just see Mrs. Miller with little quotes on the news. There were long interviews of her where she said, yes, this is the policy Tastries follows. Tastries has followed this policy to deny same-sex couples in the past, and we are going to keep pursuing this policy.

Based on that, under Government Code 12974, which allows us to seek preliminary relief based on a preliminary investigation. So we just followed the statute and came in seeking a TRO.

We did ask for interrogatories to explain, and they were due before we filed the TRO, but she asked for an extension. We granted her an extension, so we didn't get those until afterwards.

But she admitted the same thing in the

interrogatories as she did on TV, that the Tastries has a policy and Tastries follows the policy. So we just followed our statute.

Counsel talks about Masterpiece and how some -- how somehow, by us citing race cases that means that we are calling Mrs. Miller a racist. Masterpiece cites those very same cases that we do to say that there are times when business owners have to curb their religious beliefs to neutral, applicable public accommodations laws.

So we are citing the very same cases as Masterpiece. They don't think Justice Kennedy or any of the other justices were calling Phillips a racist, so how are we calling her?

I'll say this right now for everybody, Your Honor, we are not saying that Mrs. Miller is a bigot. We are not saying that she has hatred in her heart towards the LBGTQ community. We are simply saying that she broke the Unruh Act.

So we are not calling her a racist. We never have. We are not concurring with that. We are simply citing precedent.

Lastly, can you read the last sentence of that text message, Chuck, that you put up there?

MR. LIMANDRI: It's here somewhere. Hold on. Do you have it? Maybe I put it away.

It reads: "It's Christian view so, of course, that's how outlandish an exaggerated it sounds.

They're scared of the blue wave that came in and washed a bunch of those Republican hypocrites out of office. They're gasping at straws."

MR. MANN: "They're grasping at straws." How does they're grasping at straws, especially in reference to defense counsel's arguments, show any bias against religion? It doesn't. Not to mention that that's hearsay and it lacks foundation.

Lastly, the reasons for the questions at deposition were because again, Your Honor, we have to talk about those design standards.

Tastries is denying these cakes because of that last design standard, which doesn't talk about the depictions or presentations. It talks about anything that violates fundamental Christian principles.

So if cakes are going to be denied based on fundamental Christian principles, we need to understand what Mrs. Miller believes the fundamental Christian principles are so we understand the scope of the policy.

We weren't's trying to embarrass her. We weren't's trying to harass her. We were just trying to say this is a pretty open policy, fundamental Christian principles. So what does that mean? And we asked her questions about that. And from her answer, we'll see in testimony, that there is a lot of inconsistency on how those fundamental Christian principles are applied.

They are always applied against same-sex

couples that are breaking the fundamental Christian principle she believes that marriage is one man and one woman. But she talked about several other fundamental Christian principles that Tastries does not deny cakes.

THE COURT: Like what?

MR. MANN: Like people that are living together before they're married, people that are divorced getting married, people have that children out of wedlock who then get married. These were principles that she said those are -- those goes against my fundamental Christian principles, but Tastries bakes cakes. Why? She doesn't ask about them.

So she finds out when a same-sex couple is getting married because the form asks for both of their names. So she sees Eileen and Mireya. She knows it's a same-sex couple. She knows that violates a fundamental Christian principle. They don't get a cake.

But Bob and Mary, who have a child out of wedlock, which violates her fundamental Christian principles, I'm not going to ask them, so I'm going to go ahead and make a cake.

Ted and Lisa, they're living together before they're married. That violates her fundamental Christian principle. I'm not going to ask them. They get a cake.

She put her fundamental Christian principles at issue by basing the policy on that. So we had to

understand the scope. No intention to harass or embarrass her, simply to understand what her principles are.

And she referenced the Bible, I believe Leviticus, talks about homosexuality being an abomination. Leviticus talks about a lot of things, including don't eat shellfish, including, I believe, not cutting the sideburns. Leviticus talks about a lot of things are inappropriate. And Mr. LiMandri told me those don't apply anymore. We've got refrigerators.

So it's trying to understand how the policy is going to be applied. Is it going to be applied consistently, or is it going to be applied against only same-sex couples?

MR. LIMANDRI: Your Honor, one final question -- one final distinction. Again, from the Christian standpoint, Mrs. Miller said, in the deposition very sincerely, we're all sinners. I'm not here to judge anybody. I'm not judging same-sex couples. I don't interrogate everybody on what their living situation is. But on marriage, it is very fundamental, and that's what they said in Obergefell. That's what they said in Masterpiece in the United States Supreme Court. You know, if you are going to change the definition and everybody knows it is either two men, two women or a man and a woman, on that most fundamental precept on which Christianity is based from the first book of -- chapter and -- first book of

Genesis, God made man and woman in His image and likeness and told them to be helpmates and produce and multiply and all that.

From that foundational premise, okay, that's what she has based the policy on. Obviously, she can't base it on every infraction each every one of us makes, including her admittedly. But marriage is unique and the courts have all recognized that. And it is a definitional thing. They haven't changed the definition of other sins, but they have changed the definition of marriage, so that's what makes it unique.

So it is not fair to bring into the discussion all the range of potential human failings that the Bible identifies. This is foundational. It is like a Ten Commandments-type issues.

MR. JONNA: Your Honor, one last comment. We're now arguing the merits of this defense. Now, you've heard most of the arguments and evidence, and I think what we are saying is don't cut this out of the case. Decide at the end of the case if that -- if what we say amounts to non-neutrality and amounts to it or not. We are not asking the Court to decide that issue, but I think, again, we're going back to what I said earlier, it wouldn't be appropriate, in our opinion, to just cut this issue out of the case right now.

THE COURT: Ms. Tanacea, I will give you the final. We've got to move on.

MS. TANACEA: Yes. Actually, it is

appropriate. That's why we are having an evidentiary hearing. There has to be evidence to support statements otherwise everybody could get up and just say whatever they want and argue it. And that's not what we do here in a court of law. We look at it and we say is this evidence and is it admissible. That's exactly what I'm asking for.

And everything that has been said is -- really boils down to those documents on the request for judicial notice, and they're not evidence. They're just not even admissible evidence. And even if admissible, they are not evidence of what they purport it to be.

And I just urge the Court to really just look at the statements. And I feel as if this one is extremely important because if the Court would allow the Defendants to argue that the DFEH, because we cited to a U.S. Supreme Court, Piggie Park, and because we made arguments, you know, talking about the Unruh Act in contexts that were first race, then sex, that, you know, as we progressed through the years, it is going to just chill -- chill the freedom of expression and speech completely. These are legal arguments. They're legal arguments.

And then with respect to the depositions, Greg handled all of those issues with the deposition, with the comments made --

THE COURT: Do you think, Ms. Tanacea, that

asking questions in a deposition about whether somebody has read the Bible in Greek or Hebrew or Aramaic or things like that, or whether they still eat shellfish, the things in Leviticus that Mr. Mann is referring to, do you think that somebody might view that as a little bit of pressure to be confronted with the Bible by people who may or may not have the same faith and be asked questions that appear to be unrelated to the actual facts of the case and are going after what seem -- or the line of questioning makes it seem -- makes the belief system seem inconsistent? Do you think that's okay?

MS. TANACEA: I don't think that's what happened.

THE COURT: Well, but I'm not saying that's what happened. I'm saying, do you think that somebody might perceive it that way reasonably?

MS. TANACEA: I don't because Mrs. Miller is very fluent with the Bible. She has the cites and the quotes right at her fingertips.

So it was part of the bigger discussion of the fundamental Christian beliefs as per the policy.

THE COURT: Yeah, but there is nothing in the policy about eating shellfish, is there? Why was that question asked?

MR. MANN: Your Honor, she had her Bible with her tabbed to be able to look at specific scripture to respond. So, again, I was trying to understand the

scope of the policy and the consistency --

THE COURT: Where in the policy did it talk about shellfish? That is what I'm trying to find out here.

MR. MANN: The policy didn't talk about shellfish. The policy talked about fundamental Christian principles, but the way the policy appears is that only certain of them are cherry-picked. So we ask about other fundamental Christian principles and why do you not apply those.

THE COURT: What difference does that make?

MR. MANN: Because if she is only applying certain fundamental Christian principles to deny certain protected classes, then that's a violation.

THE COURT: So the State is going to judge whether somebody's belief is sincere? Isn't that what we are talking about here?

MR. MANN: No. No. It is separate, Your Honor.

THE COURT: Because it sounds like that is what you are talking about. You are saying, well, you do this, but you don't do that. That sounds like questioning somebody's sincerity to me.

MR. MANN: No. It is about the scope of the policy.

THE COURT: But the policy says nothing about shellfish. That's what I'm trying to get at here. Why was that example raised?

MR. MANN: If I could take it back, Your Honor, to avoid all this, I would do it. Okay? It happens in deposition.

THE COURT: I know. Mr. Mann, that's the best answer, I think, is --

MR. MANN: Okay. But I think the rest of what I was asking and the key ones that I mentioned were she said that she believed premarital -- having kids before marriage was her fundamental -- you know, that that was wrong, that was her fundamental Christian principle, yet she never asked about it.

The fact that she believed that cohabitation before marriage broke a fundamental Christian principle and yet she does not deny cakes under that.

So, you know, there is not going to be any questions at trial about shellfish or what you read the Bible in. I happen to be a history fan and -- so I let myself go.

But the questions will be about the specific fundamental Christian principles that she identified in open-ended questions and why Tastries doesn't apply the policy in those situations. So that's what it will be limited to.

And, again, she put it at issue by basing a policy on a wide open basis like fundamental Christian principles.

MR. LIMANDRI: She said I don't know what people's state of mind is when they get married. The

people who may be cohabiting may realize that's wrong. I'm getting married. That's God's plan. That's why the policy says marriage, one man and one woman. That's the only message she could send.

None of us are perfect before we get married, but how we get married is the issue and the foundational principle. And that's what the policy stands for, nothing else.

So the other questions are completely irrelevant and prejudicial and, quite frankly, offensive and should have been perceived as such by any reasonable person asking them.

And the cases are clear. You are not supposed to put the person's religious beliefs to the test. And that's obviously what was happening, and that was not appropriate in this circumstance.

So for that reason alone it is improper, I think, to dismiss this outright.

Look, I don't think the case is going to turn on this issue. So I just think it would be better for the Court to reserve on it rather than rule on it at the outset. And we're only having a discussion, not because they want to throw stones at opposing counsel. I think they're nice people. I think they're wrong. I don't want to embarrass everybody. I don't even want to make them necessarily look bad.

But, by the same token, it is a legitimate defense, and it's a meritorious defense we believe.

And I think we have a right to make, and I don't think the Court should strike it at this juncture.

MS. TANACEA: It --

THE COURT: Hold on. I've heard plenty. We got to move on here. I'm going it take this one under submission.

There are certainly things -- I think as Ms. Tanacea has stated, there are certain things in that request for judicial notice dealing with legal arguments and analysis of cases that -- I mean, I'm going to have to really study Masterpiece, but it strikes me that attorneys drawing analogies to other cases that dealt with certain types of facts as a form of discrimination are going to be -- and arguing that they are analogous, that strikes me as something that lawyers -- what lawyers do and so -- but having said that, I -- you know, I am a little troubled by the idea that -- that people can be interrogated about their faith, apparently the way she was; that the government is doing that to somebody, that does trouble me a little bit, but I am not ruling on this motion yet.

I want to -- the first cut is going to be this request for judicial notice, which, fortunately, is just a legal analysis of what kinds of things the Court can judicially notice and what is the extent of that judicial notice and does that necessarily present the necessary evidence.

And I suppose the next thing I am going to

have to decide is am I going to let -- you know, I mean, there was a deposition taken, questions were asked and answered. I mean, you know, that's a little different situation than -- in terms of how that can be presented.

And there was also the -- I think Mr. Jonna mentioned the -- or Mr. LiMandri mentioned the -- oh, there was the blue wave social media, or whatever that was.

I just need to look at some of these things, and I do put the legal argument in a different category than I put some of this other stuff. But I'm going to look at it. It is under submission. We have to move on, Counsel.

MR. LIMANDRI: I did forget one thing. I'm sorry. There was also a question about whether Christians used the Bible to justify slavery in the deposition. We found that highly offensive. And I pointed out that Christians led the slavery abolition movements and -- as well as the Civil Rights Movement, like Reverend Martin Luther King. And to try to say that Christians use the Bible to try to justify slavery -- that was in the deposition. That was one of those questions I felt was highly offensive and inappropriate.

THE COURT: Okay. We are not talking about this motion anymore, Counsel. I have got it under submission. And I need to look at this request for

judicial notice and decide where I want to go with this. So it is under submission.

Let's go to Number 8. Is 8 really a -- sort of an extension of 7?

MR. LIMANDRI: It is. And I don't think we need to talk about it anymore. The Court has been very patient with us on these. Because it is really saying the same thing. They are not going to be, I think, making arguments about racism based on what has been said here today. So I could either withdraw it, you could deny it, or do -- take it under submission, or whatever.

THE COURT: I will tell you what, I like the idea of withdrawing it.

MR. LIMANDRI: I'll withdraw it.

THE COURT: Yes. If you're offering to withdraw it, I think I am going to let you do that. And I'll even say that that it is subject to you renewing the motion if you find that it becomes important at a later time.

We will show Number 8 has been withdrawn.

MR. LIMANDRI: Thank you, Your Honor.

THE COURT: Thank you.

All right. Let's go to Number 9. Let's see. This is Defendants' motion for a finding of judicial admission concerning Defendants' intent and exclusion of prosecutorial argument concerning dual intent, both religious and discriminatory.

My tentative ruling is to deny this motion. This is, to me, a legal argument. I'm not going -- I'm certainly not going to preclude the parties in this case from making arguments about what the true intentions were based on the facts of the case. So I'm just not going to do it. I'm going to hear argument on that. And I'm going to be guided by the facts and the law and the arguments of counsel. I'm very interested in the arguments of counsel, and I -- now that I'm starting to hear some of the same arguments over again, I'm feeling like maybe I'm getting on top of this a little bit. So I'm going to -- my tentative is to deny this.

Mr. LiMandri, your comments.

MR. LIMANDRI: No, we accept the Court's ruling and thank the Court for the consideration.

THE COURT: Number 10, to exclude evidence or argument concerning Defendants' religious beliefs outside the context of conventional -- covenantal -- I'm sorry -- covenantal marriage for the purpose of impeaching Defendants.

So I guess where I'm kind of leaning on this is I think in a very, very indirect way this does bear on intention. But I will tell you folks, as I have said already, that I think that this case is going to be resolved on the specific facts of the case no matter what sort of an injunction people are looking for.

And it doesn't matter to me what sort of

relief we are going to be talking about later on. That does not guide my analysis of whether or not there is some kind of violation. That's where we go after we've determine there is a violation and how do we fix that.

But the purpose -- for purposes of this, I've heard Mr. Mann's comments about why he was asking certain questions. I'm not prepared to say that was right or wrong at this point. I'm simply going to say that exploring the outer boundaries of the topic could, I think, reasonably be viewed as a way of understanding the intention and that is a proper subject for purposes of trial.

I think this case -- the nuance intentions or the nuance of intent and what it means and -- in light of the facts and circumstances surrounding this case are important, and I'm going to let parties have a little bit of latitude here.

So my intention is to deny this without prejudice and hear this evidence.

Mr. Jonna, you look like you are about ready to scream on me here.

MR. JONNA: No, that's fine, Your Honor. We will just take it question by question and see how it goes. I mean, since they're not contesting the sincerity of religious beliefs, it does -- we would think, you know, a lot of these questions would not be relevant. But if you -- we're okay with the Court's approach, and we'll just --

THE COURT: Let me just put it this way: I'm not blowing the lid off of the area of inquiry because I think it's an interesting area of inquiry.

I'm looking at it for a very specific reason. What were the intentions? And if it starts to go to an area where I'm not being helped by the information that I'm getting in the questions and answers because I don't see how it can go to intent, I probably would cut it off.

But, you know, at this point I'm not prepared to say that. I'm not going to ask Mr. Mann to tell me what questions he's going to ask, and I don't know what the answers are going to be. And you folks may know all those things, but I don't know them yet. And so I'm just going to let this play out a little bit, and then we will see where we go with it.

MR. JONNA: Sounds good.

THE COURT: Number 11, court order excluding evidence or argument about Defendants' proprietary recipes, ingredients, and suppliers.

Mr. Mann, you are going to need to explain your opposition to this a little bit. I mean, I -- oh, Ms. Tanacea. I'm sorry.

MS. TANACEA: That's okay. That's okay.

This is very simple. Okay. For just the larger framing is that we don't think artistry is important at all. And we don't think it is relevant, as you know, and that's the general proposition.

To this motion, Defendants say that we cannot speak about proprietary information, but this is not proprietary information.

Number one, if, in fact, Defendants are going to put on the argument that it is such an art to make the cake in substance, the ingredients, and in decoration, which is what is going to be said, then we just want to put on the evidence, which I have put in the motion, which is that they buy box mix -- and this is in 2017 at the time it happened. I know things have changed now. But at the time it happened, cakes were made from boxes, box cake mix, and frosting was bought at Sam's Club. And we have Mr. Miller testifying that he bought these supplies for the cakes, and we have witnesses who will say that that is, indeed, how the cakes were made.

So that is relevant to the extent of artistry when cakes are made for preorder. And that's it.

THE COURT: Mr. LiMandri.

MR. TRISSELL: Your Honor, I'll --

THE COURT: Mr. Trissell.

MR. LIMANDRI: Be careful now.

MR. TRISSELL: This essentially comes down to a 352 issue. You know, yes, we will -- Mrs. Miller will testify that the -- developing the recipes is art, but these issues don't really go to -- they are far more prejudicial than probative. And I think --

THE COURT: What's prejudicial about the

recipe?

MR. TRISSELL: And I think that turns back to actually -- and, of course, we'll want to spend more time on it, but the DFEH hostility.

You know, in terms of Mrs. Miller's testimony, she will testify that this is -- the DFEH's misunderstanding of her recipes and placing that in a complaint is the single thing that hurt her the most and made her feel like the DFEH was biased. And that's because they misconstrued her testimony in a way to try to make it seem less compelling. You know, yes, in the Bakersfield heat sometimes --

THE COURT: So let me just stop you, Mr. Trissell. On the one hand you are arguing that you want to present evidence that they overreach, and on the other hand you are trying to exclude that evidence?

MR. TRISSELL: You're right, Your Honor. And that's because that is --

THE COURT: So do you want to present that evidence or not? I'm not going to ask you that question.

MR. TRISSELL: No, Your Honor. We do not want to present that evidence, but we want that evidence -- the evidence regarding that, yes, in the Bakersfield heat sometimes you need to use a box mix and add additional ingredients to it to make the cake last; that, yes, it is difficult for small bakeries to make lactose-free buttercream. That is something that

is industry-wide that's not -- make these cakes any less artistic, and it really has no bearing on -- or very, very little bearing on our argument as to art.

THE COURT: All right. So, Ms. Tanacea, how far we are going with the recipes?

MS. TANACEA: Not far. Just what I've put in there, just that -- it is not even the recipe. It's the fact that these cakes that were premade in 2017 were box cake mix ingredients to which like egg and -- I don't know --

THE COURT: I mean, I don't know what goes in a box, but --

MS. TANACEA: Yeah. And then the frosting was out of the tub from Sam's Club. And the reason for that, again -- and it's not just the artistry. It goes to -- because the artistry dovetails to whether it is more artistic or is it a product.

You know, there have been references here that, you know, it's not a tire; but, you know, one could argue, too, that if you are using box mixes and Sam's Club frosting, that there is a little less artistry -- artistic speech involved than if you are actually really laboring and making the cake in a different way. I mean, that's the issue.

THE COURT: I'm going to deny this motion. It is going to be -- I'm going to let the Plaintiff go there on this issue, but I don't expect that this is going to consume a lot of time. And if it does, I will

be very receptive to the 352 objection.

Now, the word "proprietary" does bother me, though. If -- I mean, if there are trade secrets involved here, you know, but I haven't heard anything that I would call proprietary at this point, you know.

I'm just going to leave that comment kind of hanging out there, and I'm going to allow a certain amount of inquiry on this. It doesn't sound like it is going to be a lot, and we'll see where it goes. So that's Number 11.

Number 12 just got admitted here, folks, for an order finding admissible the evidence of hate mail received by the Defendants, I think we talked a little bit about this one.

This lines up with -- I think it was Plaintiff's motion -- which motion was that?

MS. TANACEA: Number 5, Your Honor.

THE COURT: So I indicated in response to 5 we were excluding evidence of a February 2018 rape; we're excluding evidence of a van being vandalized. But we are permitting, to a certain extent, social media posts that are being liked by the Defendants. And this is to understand this emotional distress and all -- basically all the reasons that we talked about last time.

So in connection with this, my ruling on 12 is identical to my ruling on 5 when it comes to these social media posts.

And, as I said -- and I encouraged you folks to do, it -- it kind of sounded like I would be looking at a lot of these. And I understand that volume sometimes has it's own message, but I think that can be handled expeditiously, and I don't expect to be receiving volumes of these.

Pick some ones that you want to look at, you know. And if you want to have more generic testimony and -- you know, there were many more like these, something like that, you know, I personally wouldn't have a problem with that.

Now, there could be other reasons for objecting to that, and I'm not saying how I would rule on those objections. But if you guys want to get together and meet and confer on this, I am going to allow a certain amount of this because -- for the reasons that we have already discussed in connection with Plaintiff's motion in limine number 5.

So this is granted consistent with my ruling on Plaintiff's motion in limine number 5.

MR. JONNA: Your Honor, may I please be heard just briefly?

THE COURT: Yes, Mr. Jonna.

MR. JONNA: Okay. So with Plaintiff's motion in limine 5, I believe the Court was allowing some comments where the Real Parties liked the comment?

THE COURT: Right.

MR. JONNA: But I want to just really quickly

explain why I think for this one you should allow at least three more exhibits, and this is -- and, by the way, those comments --

THE COURT: Can I do this, Mr. Jonna, because of the time?

MR. JONNA: Sure.

THE COURT: Could I have you show those three to the Plaintiffs, talk about what you are doing, and see if you can come to an agreement on that? And then let's talk about it after lunch.

MR. JONNA: Yes, Your Honor.

THE COURT: So we are going to stop with Number 12. I'll hear further comment on Number 12 when we come back from lunch.

Counsel, we will see you at 1:30. We are in recess.

(Lunch recess taken.)

//

//

BAKERSFIELD, CALIFORNIA; MONDAY, JULY 25, 2022

AFTERNOON SESSION

HON. J. ERIC BRADSHAW, JUDGE; DIVISION J

--oOo--

(Whereupon, the following takes place in open court:)

THE COURT: Good afternoon. Let's go back on the record on DFEH versus Cathy's Creations. Appearances of counsel as previously indicated.

Counsel, we had one additional media request, which I did grant.

We have a discussion sort of pending on Number 12. I think we were sort of in the middle of that, and I don't know if there was additional commentary.

Mr. Jonna, I think you wish to comment; is that right?

MR. JONNA: Yes, Your Honor. Previously the Court had ruled that certain comments that the Real Parties liked would be allowed, and those are social media comments, and we've narrowed that down. There's only a handful, not too many.

In addition, though, there was a -- the Court may recall, there were a number of hateful comments that were directed towards our clients that the Real Party did not comment on and there was a mountain of

that evidence which we're only asking the Court to allow us to use three exhibits, and I -- I don't think the other side is going to agree to us using them. I do have copies for them for the Court.

I will just say -- just to refresh the Court's memory about this issue -- very briefly, after the Real Parties left Tastries, immediately after, they posted on social media about their experience. Immediately after, they called local activist, Whitney Weddell, and got in touch with her, and they had a strategy to light up social media and to draw attention to this issue. They testified at their depositions, certain the witnesses, that it's common when you alert the public to people holding firm on their religious beliefs on this issue, backlash from the LGBT community, very nasty, negative backlash is not uncommon.

It's our position that they were aware and intended for this media storm to occur. And certain of that evidence the Court has already ruled would not be allowed in the trial. And I'm not arguing about that, but there was a few examples of the type of hate that was directed towards our client that I think is relevant to the -- this was touched on in our brief -- but very briefly, also relevant to determining whether the government has a compelling interest in applying the Unruh Act to our clients in this specific case.

I won't bore the Court with all the legal

analysis, but basically, under the federal Free Exercise Clause, in order to satisfy strict scrutiny, the government has to state what its compelling interest is and can't do so in a general manner. It has to -- it can't rely on broadly formulated interests. So like, for example, the courts have -- Supreme Court has said, the question is not whether the city has compelling interest in enforcing its nondiscrimination policies, generally, but whether it has such an interest in denying an exception to this particular party.

And the Supreme Court has also said the compelling interest test is satisfied through the application of the challenge law to the person, the particular claimant, whose sincere exercise in religion is being substantially burdened. The Court has said that context matters in applying the compelling interest test and strict scrutiny does take relevant differences into account.

And so our position is that the proper inquiry is that whether the government has a compelling interest in eradicating sexual orientation discrimination by requiring Tastries Bakery to make wedding cakes for same-sex weddings. And so where -- the context here, where Defendants' decision to adhere to their religion faith has led to severe harassment and violence directed against them, the compellingness [sic] of the governing interest can falter.

We don't intend to consume a lot of time at trial. But there are three exhibits, and I have copies for the Court that we want to very briefly ask Cathy Miller because these were directed towards her specifically.

Copies for the other side. Again, these were --

THE COURT: So this is part of the motion Number 12.

Your point is?

MR. JONNA: Your Honor, just some limited evidence on how on the backlash that's resulted from Cathy standing firm on her religious beliefs and how that's affected her. Some limited testimony on that, I think is appropriate. So I'll just ask the Court to allow as to ask Cathy about these three discreet --

THE COURT: Explain to me how this factors into the compelling interest requirement. I'm not following that.

MR. JONNA: In order to understand how applying the Unruh Act towards Cathy and understanding how it's -- you know, the courts have said repeatedly, and we have a brief on this. I didn't want to supply another brief for the Court. We do have a number of cases explaining that context matters. How applying the law to this particular party, how it affects them, that context is relevant to the Court. And so it's a -- you know, it's the inquiry like can't be

formulated broadly. We just have an interest in compelling -- in eradicating discrimination. It has to be directed towards this specific party in the case. And so we think some limited evidence in the context of the Bakersfield community specifically, and, you know, how Cathy Miller's decision to adhere to her religious beliefs in the context of retaliation that was leveled against her in the local community, I think that evidence is relevant to the compellingness of the government interest in applying the Unruh Act to them here.

THE COURT: Mr. Mann.

MR. MANN: So the first thing I need to do, Your Honor, is reframe this accurately. This is not happening because Eileen and Mireya shared their pain about being discriminated against. This is happening because Tastries refused to serve them. And when people found out what Tastries did, they were upset because people know what the law is.

So the Defendants can point the finger at Eileen and Mireya as much as they want, but it's because of Tastries' actions.

These are Yelp pages, Tastries' Yelp pages. They are not part of Eileen's or Mireya's social media sites. So people are going to Tastries once they heard about what Tastries did. There is no link to Eileen and Mireya at all. They didn't like it. They didn't suggest anybody to do it. Defendants asked them at the

depo. They don't know these people. There is no link to them at all. It's not relevant, and it is highly prejudicial, and it ignores the fact that people are doing this because of Tastries' actions.

MR. JONNA: There is a link.

MR. MANN: Can I please continue?

THE COURT: Yes, you may.

MR. MANN: What Paul is talking about with this compelling interest is the Fulton v. City of Philadelphia case. That's one you're going to need to get into because they tried to rely on it, Your Honor. The Fulton versus City of Philadelphia did not provide a public accommodations law. So it's not even applicable here. It involved a private contract between a Catholic social services organization, not a public business, not a for-profit business, but a Catholic nonprofit social service agency and a private contract with the city. And the Supreme Court said this it was not a public accommodation. So Fulton doesn't apply here at all.

Moreover, the contract in Fulton allowed for discretionary exemptions to the contract. The contract said that these social service organizations need to not discriminate against -- based on sexual orientation. But the contract said that the person who runs could give discretionary exemptions. So it is not a public accommodation. It's a private religious organization, and there were discretionary exemptions

to the contract. None of that is present in this case.

Unruh is a public accommodation. Tastries is a business. And Unruh applies equally to everybody; there are no exemptions. So Fulton, completely inapposite. You'll see that right away when you read it, Your Honor.

Lastly, Defendants completely ignore all the support that they got. There were just as many people in the community that were saying, we support you, Tastries. Good job. So if they're going to put on anything from these random third people that -- that Mireya and Eileen didn't know, we are going to have to go and show all these random third people that supported them, including this pastor who posted about it and had 70,000 likes.

So for all those reasons, this stuff has to kept out. Highly prejudicial and very cumulative.

MR. JONNA: Two points, Your Honor. First of all, the evidence that you will hear from Cathy Miller and from others and from the Real Parties themselves, is that the Real Parties did instigate this. The Real Parties sought this exact outcome by their coordinated strategy to get this immediately viral on social media by tagging people, by contacting Whitney Weddell, and by making this sort of like a viral story within a matter of minutes or hours.

So the evidence is not that they just sat there and this just happened randomly. This was a

coordinated strategy and an attack on Tastries and Cathy Miller.

The second point, Your Honor -- first of all, I'm not going to get into why Fulton is directly on point. That's already mentioned in our trial brief. In terms of all the exceptions and other reasons why Fulton applies, it is not really the point of -- I don't think it's productive to get into that here. But what this fundamentally comes down to is, our client -- Greg Mann said this happened because of our client's actions. Our client's actions were her standing firm in her faith and her sincere religious beliefs.

You have a clash here where the government is trying to enforce this law in a way that would basically destroy our client's exercise of her religion. And so the Court's going to be having to ask is there a compelling interest in applying the Unruh Act in this context where basically Cathy Miller's religious beliefs are disfavored and publically -- she's being publically persecuted for them. I think that some limited explanation from Cathy -- and by the way, it doesn't have to be just through these exhibits. She can also testify about what happened to her. But these exhibits are not being offered for the truth of the matter asserted here, obviously. They are not -- just to show limited context for the Court on what she experienced as a result of standing firm in her faith.

MR. MANN: I need to remind you, Your Honor, that another couple that was denied that day made Facebook posts before Eileen and Mireya did. Defendants can't link any of this to them, either, but it was not just Eileen and Mireya that were expressing their pain about being denied by Tastries.

MR. LIMANDRI: They did contact Whitney Weddell, Your Honor. They didn't lie about what happened -- to call our client a bigot that hates lesbians, which is what the Real Parties did. And they also said in their own postings that she won't serve gays at all, which is a lie. And that went to Whitney Weddell and then that went viral and that invited all of this. When they were shown these types of text messages at their deposition they said, it's unfortunate, but we don't regret what we did. We don't regret the comments that we made. We don't regret how we went about it.

So I think it also serves legitimate impeachment purpose. Now that the Court has seen those, and I understand they are somewhat distasteful and inflammatory, if the Court prefer only brief testimony on the type of text messages she received, but those three were directed to her personally, and she was aware of them. We thought it would be appropriate to have those three to go into evidence, not read into the record.

THE COURT: Okay. So Counsel, I'm going to

exclude those exhibits, but if -- this is one of these rulings where -- at this point, the reason I'm excluding it is because I find it to be irrelevant and more I think it's a 352 issue to me. It's -- I don't understand the relevance of it, and in the context of the legal claims and defenses that are being made, but as I continue to review information in this case, this is truly one of these rulings where, depending on how the evidence evolves, I might be convinced to change my mind. I am not inviting counsel, although I've said it a couple of times on these pretrial rulings, counsel are certainly -- it's okay to ask the Court to reconsider a ruling. It's okay to get permission, but I don't expect to be buried with another round of motions with everybody trying to relitigate what we've already done.

However, this is truly one where -- I don't find this relevant because it cannot be tied to the Real Parties in Interest. If it was tied to the Real Parties in Interest directly, then in light of some of the claims about emotional distress and some of these other things, I -- well, some of the other issues that have been presented, I might look at this differently. But these cannot be tied to them, at least not directly. I understand the indirect link that the Defendants seek to make here, and I'm not doubting that there is that sort of an indirect link.

We live in a society where idiots get on

social media and say all kinds of stupid things. I mean, that's just a fact, and it's a regrettable fact, but it's not going to guide my decision in this case. I have to look at the legal issues, the factual issues that I believe are going to resolve the case, and this does not help me. I do not see how this helps me.

MR. LIMANDRI: Understood, Your Honor.

THE COURT: So I understand that from the defense standpoint -- well, I mean, I can look at this two ways. I understand that from the Plaintiff's standpoint, or the Real Parties' standpoint, they might view comments of folks who have honestly held religious beliefs to be hurtful because of what they perceive to be the exclusion.

On the other hand, these are nasty. They can't get any nastier than this.

MR. LIMANDRI: Yes, that's right.

THE COURT: And you know -- but I don't know that -- I don't know that it was predictable that this was the natural consequence of somebody posting their experience on this day.

So it's because of that, that sort of way of looking at it, that right now I don't see the relevance of this. And we'll just -- again, I'm not inviting people to ask me to relitigate these things. I have to say this is one where if the evidence evolves a certain way -- I don't know how the evidence is going to

evolve. It's one of those kinds of motions where I can see changing my mind, but I can't tell you the circumstances under which that would happen. I can't even imagine.

MR. LIMANDRI: Fair enough, Your Honor.

THE COURT: With respect to Number 12, it's granted, consistent with my earlier ruling in connection with Plaintiff's motion number 5, but that is limited to posts that the Real Parties liked. I use the word "liked" in the sense of the social media like.

I will tell you, folks, I don't understand social media. I don't do social media. I was told in Judicial College not to get involved in social media, and I think that was good advice. But I know a lot of people do. And I just -- so you guys, you're going to have to treat me like a third grader, something less than that, because third graders know more about it than I do. I don't understand exactly how this works. Don't presume anything. Just giving you that knowledge.

And then with respect to the ones that were, quote, "liked" by the Real Parties that's -- a certain amount of that is coming in. As to third party posts that cannot be linked to the Real Parties, I'm excluding that evidence.

MR. LIMANDRI: If it's any consolation, I have no idea how social media works, either, as my kids constantly like to remind me.

THE COURT: Well, Mr. LiMandri, I'm just looking at the color of hair here in the courtroom.

MR. LIMANDRI: That's correct.

MR. MANN: For clarification, though, we are free to introduce posts where Tastries is being supported by third parties as well on their Yelp pages where people are supporting them and encouraging them to continue what they are doing.

THE COURT: Under what circumstances? I thought that this whole idea of posts by third parties -- why would we do that?

MR. MANN: I'm just saying it's turnabout is fair play.

THE COURT: You mean if they ask for reconsideration.

MR. MANN: Well, they're getting into the likes, so if Tastries likes -- if somebody -- if Tastries likes a comment, then we would like to show that as well.

THE COURT: So you are going to show that Tastries liked -- that the --

MR. MANN: A link, yes.

THE COURT: That this -- Cathy Miller liked something. That's what you are going to show? Because that's how specific I am when it comes to Real Parties in Interest. It's got to be them.

MR. MANN: I agree. Tastries is --

THE COURT: And because it's an issue of

intent, it's got to be Cathy Miller.

MR. MANN: Tastries is a Defendant.

THE COURT: Cathy Miller.

MR. JONNA: I don't think those exhibits are on our exhibit list, and I don't think there was a motion in limine on that issue. So again, we're just -- we are adding issues now.

MR. MANN: You don't do a motion in limine to get something --

THE COURT: Well, no, no. Counsel, no crosstalk, please.

I'm going to treat this as a separate issue because this is the first time that I've considered it as an evidentiary issue. I'm dealing with these motions, this -- that is not being mentioned here. You can make an oral motion after this is over, and we can talk about it. I don't want to shoot from the hip on that one. Let's talk about it after that.

MR. MANN: And I understand you're point. If it's not Cathy, we won't do it, Your Honor.

THE COURT: All right.

But as to Number 12, I feel that I've articulated myself as much as probably anybody wants to hear.

MR. LIMANDRI: Thank you.

THE COURT: Let's go to 13.

MR. LIMANDRI: I think the Court has already ruled on that, Your Honor. And Mr. Mann and I have,

I think, reached an agreement with regard to certain photos of the bakery that hopefully will obviate the need for a site visit. We made the invitation if at any time the Court feels it would be helpful to Your Honor, that we, of course, would be happy to accommodate the Court. But otherwise, we are assuming that will not be necessary.

THE COURT: All right. Because I was going to deny that without prejudice. And then if you folks are looking to me to let you know, I will do that. And if you, as I say, during the course of the trial, this is one where I don't feel, based on what I'm hearing, that that's going to be an important circumstance. I think photographs can show me what I need to see. But this -- again, this is one where I -- at this point, I don't see the need for it.

MR. MANN: Your Honor, the only caveat I just want to add is that we're okay with the photographs, but the understanding is that none of them were taken as of 2017. So they're provided to give you a general idea of what Tastries looks like. We're not saying that that is how Tastries looked like in 2017 when this happened.

MR. LIMANDRI: Foundation won't be laid. That substantially is similar to what existed at the time of the subject --

THE COURT: That's the foundation I would be looking for. I mean, if it's substantially similar

there's going to have to be a pretty specific objection as to why it shouldn't be admitted if I get that testimony. And that's because of my belief that these specific dimensions of the counter, which might have been extended six inches, you know, or new glass on the --

MR. MANN: It's not --

THE COURT: -- on the case. You know, I can't see that being real important. Or the fact that it had fingerprints on it one day and it was clean the next.

You know what I'm saying, Mr. Mann?

MR. MANN: Yeah, yeah.

THE COURT: Sometimes it does matter. I've had one too many cases where it did.

MR. MANN: Understood, Your Honor.

THE COURT: Number 14.

MR. LIMANDRI: I believe that's been resolved among counsel. Am I correct?

MS. MESINAS: However, we would like to oppose their -- those items undisclosed --

THE COURT: I'm sorry. You are going -- let me just ask. What is on the table right now? Is this motion on the table?

MR. JONNA: No, because, Your Honor, they withdrew Natalie Boatwright, Justin Salinas -- all of these witnesses have been withdrawn. So no, this motion is moot now.

MR. LIMANDRI: You have to slow down for the court reporter.

THE COURT: Yes, please slow down. I'm usually the one they're throwing something at when I'm reading something.

MR. JONNA: All of these witnesses who they didn't properly disclose they've now withdrawn, so our position is this motion is moot now.

THE COURT: All right.

MS. MESINAS: In our opposition, we moved to exclude their undisclosed witnesses.

THE COURT: You want to make a motion?

MS. MESINAS: Oh, in our opposition, we have argued to also exclude their undisclosed witnesses, but if you would like us to make an oral argu- --

THE COURT: Yes. I'm ruling on the defense motions right now. This is Number 14, and I'm showing that this motion is being withdrawn. Correct, Mr. Jonna?

MR. JONNA: Yes, Your Honor.

THE COURT: This motion is withdrawn. And that's because the Plaintiff has withdrawn certain witnesses.

You wish to identify those witnesses, Mr. Jonna?

MR. JONNA: Yes, Your Honor. Natalie Boatwright, Justin Salinas --

THE COURT: Boatwright, B-o- --

MR. JONNA: B-o-a-t-w-r-i-g-h-t. Justin Salinas, S-a-l-i-n-a-s; Justin Unruh, U-n-r-u-h; Ted Freitas, F-r-e-i-t-a-s; Adam Ramos, R-a-m-o-s.

THE COURT: All right. 14 is withdrawn in light of that understanding.

Number 15.

MR. LIMANDRI: Likewise, my understanding, Your Honor, is Justin Salinas has been withdrawn as a witness. So we would withdraw motion number --

THE COURT: I got to let you guys meet and confer more.

MR. LIMANDRI: Yeah, Motion in Limine Number 15.

THE COURT: So 15 is withdrawn?

MR. LIMANDRI: Yes, Your Honor.

THE COURT: Because Salinas is not testifying?

MR. LIMANDRI: Correct.

MR. MANN: Despite the passion, we get along, Your Honor. We get along.

MR. LIMANDRI: We do, actually.

THE COURT: Let's see. Number 16. 16 is -- as I understand, it is from the -- from the Plaintiff's standpoint is -- I don't want to try to speak for you here, Mr. Mann, but my understanding is that from your standpoint, under Unruh, this is one of the options. The various ways somebody could comply with that rule is why you would want to talk about it.

MR. MANN: Correct.

THE COURT: Mr. Jonna.

MR. JONNA: Your Honor, so there is going to be quite a bit of time sucked by this evidence. And I think that it should be excluded. Let me just explain very briefly.

THE COURT: Okay.

MR. JONNA: So that's a legal argument whether, in fact, North Coast actually requires that. First of all, we dispute that, that that's -- that North Coast applies here for a lot of reasons, which are in our trial brief.

And the most notable reason, which I think is important for the Court to be aware of, is that North Coast didn't deal with the sole proprietor situation, which is what we have here. And the concurring opinion by Justice Baxter makes that clear.

North Coast was a medical practice. It was -- the Court in its concurrence made very it clear that it would be a separate question for another day about how this would come out -- this would play out where you have a sole proprietorship. Because Cathy's employees are her agents. She is responsible for them. Tastries is her operation. There is no partner to refer other orders to. Referring to other employees is making her do it.

So first of all, the main witness that they are going to call on this issue is Mary Johnson. We

think that her testimony is completely irrelevant, and she should be excluded because we are not disputing -- you are going to hear about this underground operation at Tastries where there were some employees who wanted to fulfill these orders behind Cathy's back by violating all of her policies and doing it without her knowledge or consent.

We are not disputing that that occurred. We are not disputing, you know, the -- but we do think it is an irrelevant issue because they're not disputing the sincerity of her religious beliefs. She said that it would violate her faith to either make these -- fulfill these orders or to have someone else in her bakery do them.

So either way, if the Court orders -- you know, if the result is that she either has to make them or an employee has to make them, she is just not going to make wedding cakes, and Tastries will be shut down.

So it's just a matter of streamlining the trial. If they want to make the legal argument that North Coast requires this, they can make that legal argument. We are not disputing this underground operation occurred, and we don't think that the issue is relevant in light of the fact that they're not contesting the sincerity of her religious beliefs. And that's kind of a nutshell summary.

THE COURT: Mr. Mann.

MR. MANN: I am going to make one point and

pass it to my colleague.

Just because we are not the disputing her religious beliefs doesn't mean that she gets to use her beliefs to dictate what the law is.

And Defendants continue to keep trying to say DFEH doesn't dispute her religious beliefs, so her beliefs are more important than the Unruh Act. And in Masterpiece, right up front, Justice Kennedy says, like, no, like, you can have your beliefs, but sometimes you have to adjust your conduct when you are a business owner.

So I just want to make that point so -- that we are not disputing her beliefs, but she still has to adjust her conduct to stay within the law.

MS. TANACEA: So because we made the stipulation and withdrew so many witnesses, Mary Johnson is the one employee we want to testify. Mary Johnson worked for Tastries for five years. That's a significant amount of time. She has knowledge of policy. She has knowledge that bear on the making of cakes and the baking of cakes and the delivery of cakes well beyond whether or not employees managed to make cakes for same-sex weddings. So it is just much more than that, and she can testify to her experience as a witness to how policies worked and what happened and many more issues that are at play here, not that single issue.

THE COURT: Mr. Jonna.

MR. JONNA: Just the last thing I would say is, sure, she can testify about other things, but this whole concept of an underground operation and whether -- exploring in detail whether there can be employees at Tastries making these cakes behind Cathy's back -- I mean, I think that is an irrelevant legal issue, because either way, she won't allow that. It's going to violate her faith.

So I think it wouldn't be incorrect for the Court to just streamline the trial by accepting our representation that she -- Cathy is not disputing some employees had violated her policy. But Cathy will testify it doesn't change the analysis for her. For her, Tastries is an extension of her. She oversees and is intimately involved with every aspect of the baking process. And she is not going to just have her employees make cakes that she finds morally objectionable.

MS. TANACEA: If I may, Your Honor, one last point.

Just as counsel stated that Cathy is going to say that nobody should have done this, and, you know, underground shouldn't have happened. So Mary's testimony is relevant to show why some people felt that it was right to do that and maybe they didn't share Mrs. Miller's religious beliefs.

So it is relevant. It is relevant just for the reasons Mr. Jonna just said.

THE COURT: Mr. Jonna.

MR. JONNA: The religious beliefs of her employees are not relevant at all. That's completely irrelevant.

THE COURT: Counsel, I'm going to deny this motion.

I'm going to hear the evidence. I may ultimately decide that this is a real important factor. I may decide that it is not important. But I'm going to hear the evidence.

So the motion is denied.

MR. JONNA: Number 17 is kind of moot, Your Honor, at this point because we'll just have to see how it goes. There were more witnesses earlier. We'll just reserve on that. I don't think we need a ruling on that right now.

THE COURT: Withdrawn?

MR. JONNA: Yes, Your Honor.

THE COURT: Bless your soul.

All right. That's all of the written defense motions through Number 17.

Are there any oral motions from the defense at this time?

MR. LIMANDRI: No, Your Honor.

MR. JONNA: No, Your Honor.

THE COURT: All right. And are there any additional motions from the Plaintiff?

MS. MESINAS: DFEH would like to move to

exclude Defendants' undisclosed witnesses, specifically Ms. Melinda Missy Massey.

THE COURT: Hold on one second. Let me catch up with you in my notes here.

So this is -- I suppose this would be -

MS. MESINAS: Number 10, Your Honor.

THE COURT: Plaintiff's oral motion Number 10. And the motion is -

MS. MESINAS: To exclude Defendants' undisclosed witnesses, specifically Ms. Melinda Missy Massey and Pastor Roger Spradlin.

THE COURT: And the basis -- the legal basis for this motion?

MS. MESINAS: The DFEH was unfairly surprised by the addition of these two additional individuals never specifically mentioned in this case in the course of litigation for the last five years. And the DFEH will be unduly prejudiced if these witnesses are allowed to testify at trial because we had no opportunity to depose these witnesses and have no idea what they're going to testify as to, as well as Pastor Roger Spradlin's testimony is irrelevant because the DFEH has never questioned and will not question the sincerely held religious beliefs of Mrs. Miller.

MR. JONNA: I would like to respond, Your Honor.

THE COURT: Just a minute.

So what's your offer of proof, Mr. Jonna or

Mr. LiMandri, as to what Melinda Massey is going to talk about.

MR. JONNA: So Your Honor, Melinda -- first of all, let me just -- it's Missy Massey. But first of all --

THE COURT: That's one word or hyphenated?

MR. JONNA: Missy is her first name, and her last name is Massey.

THE COURT: I'm sorry. I said Melinda. I don't know why I did that. Missy Massey.

Okay. And what's your offer of proof?

MR. JONNA: First of all, I want to the Court to know that we did make it very clear multiple times that we reserve the right to call all current and former Tastries employees, and she was identified as one of those employees.

THE COURT: So she is a former employee?

MR. JONNA: Correct. She has been identified. They chose not to depose her during the litigation. In light of the Court's ruling, allowing Mary Johnson and the testimony about the underground operation and all that, it's essential that Missy Massey testifies. And so, she was -- she was hired at the end of 2015. She was there until November 2017. She was a baker in the back. She is familiar with the policies at Tastries, familiar with Cathy Miller and how she interacted with customers and employees. She was there the day the Rodriguez-Del Rios came. She is

very familiar with how Mrs. Miller handled orders for the LGBT community. She'll probably respond to a lot of the false testimony that Mary Johnson is going to provide. And she was there for the aftermath of the -- what happened in the bakery after the incident, as well. So she --

THE COURT: So she is a percipient witness?

MR. JONNA: Correct.

THE COURT: Ms. Mesinas, you said that -- you represented to me that this witness wasn't disclosed.

What do you mean by that?

MS. MESINAS: So while they did respond in their discovery responses that they reserve the right to call any former or current employees, and they provided a witness list with a 132 other individuals. And so basically, they are saying that by reserving their right to call any former or current employees, they expected us to depose any one of these 132 witnesses. They never mentioned Ms. Massey by name.

THE COURT: Except in the list?

MS. MESINAS: Yes.

MR. JONNA: They asked for all relevant witnesses. We provided a list of witnesses. I don't know the number. I can't refute what she's saying. I don't have a list in front of me.

MS. MESINAS: I have a copy.

MR. JONNA: Well, it doesn't matter. I mean, she was listed as a witness. They elected not to

depose her. We're not supposed to tell her which ones are our favorite witnesses. We identified her as a witness. She's -- her -- a lot of other former employees we could call, but in light of the fact the Court is going to allow Mary Johnson to testify, I think it's essential to allow Missy Massey to be --

THE COURT: Were there any -- was there any investigation done, Ms. Mesinas, about who was there when this all happened?

MS. MESINAS: Yes. We asked about a form interrogatory about that and they only identified Ms. Rosemary Perez, as well as Mrs. Cathy Miller, Mr. Miller, and our Real Parties in Interest, but they only named Ms. Rosemary Perez. They never mentioned Ms. Massey.

MR. JONNA: She wasn't there -- she was working in this bakery that day, but she wasn't an eyewitness to the events. I didn't mean to say she actually witnessed the incident, but she was there that day in the back.

THE COURT: And what about --

MR. JONNA: They could have asked that question in the deposition who was at the bakery that day?

THE COURT: What about the -- Ms. Mesinas, what about -- the Plaintiff has just giving me all kinds of reasons why -- is it Mary Johnson? I'm sorry.

MR. JONNA: Yes.

THE COURT: Mary Johnson. Why that is an important witness? Why wouldn't it be important to have another witness if they are going to talk about the same things?

MS. MESINAS: I agree, Your Honor, however the defense had an opportunity to depose Ms. Johnson. We didn't have an opportunity to depose Ms. Massey because they withheld that information from us.

MR. JONNA: We noticed Mary Johnson's deposition. They could have noticed Missy Massey. You know, that's just how it played out. We noticed her deposition. We never stopped them from deposing her. That would be a whole different situation. They never asked to depose her.

THE COURT: So Ms. Mesinas, you had a list of employees, and you picked Mary Johnson?

MR. MANN: I can speak to that, Your Honor.

THE COURT: Or you picked Mary Johnson because you liked the deposition testimony she gave? What led you to want Mary Johnson to testify?

MR. MANN: She wasn't on the case, Your Honor I can speak to that. They knew about Mary Johnson because we've disclosed her. And that's why they deposed her. They give us a list of 132 witnesses, and they say we are going to call any of these at trial. What do you think they would have done if we did 132 depo notices? DFEH is being biased. The DFEH has aggressive litigation tactics. We had a good

relationship, and we talked about the witnesses that were important, and her name never came up. Never. You know, the witnesses that we dropped, their names came up, and they deposed them, and we dropped them anyway. But this -- it came completely out of the blue, Your Honor. If we would have -- if they would have mentioned her at all other than that list, we would have deposed her.

MR. JONNA: Your Honor, I don't know what that interrogatory, or whatever, asked. It's possible they asked for employees over a certain time period or witnesses. I don't have that in front of me. I'm trying to pull it up. But it is not our duty to tell them -- you know, to direct them to the key witnesses. They have to do discovery and litigate the case.

MR. LIMANDRI: Not only that, it's improper to even ask who the trial witnesses are. We didn't know. And even if she wasn't listed as a witness, which she is on the witness list, after we narrowed it down -- we ever get started with the trial, we can probably finish it in two days. But we don't have that many witnesses, and she would be a counterpoint presumably to Mary Johnson, who I would think we can call on rebuttal, even if she wasn't on the witness list.

THE COURT: Based on what I've heard up to this point, I'm going to allow Missy Massey to testify. It seems to be covering a lot of the information, and

frankly, you know, as -- I understand that it is hard to know how to deal with 130 prospective witnesses, but everybody seems to be picking and choosing the ones they want to testify here. And the subject matter seems to be relevant because the Plaintiff wants it. So I'm going to let her testify.

With respect to Pastor Roger Spradlin, I need to hear some commentary on that.

What's the offer of proof there?

MR. JONNA: Pastor Spradlin will be very limited, Your Honor. This is why, also in light of the rulings today, it's essentially that he be allowed to testify. What they're saying is, we are not disputing her -- the sincerity of her religious beliefs, but we want to make her violate her religious beliefs anyway by this North Coast option where she gets to have an employee make the cake, basically without her involvement. They are saying -- I mean, it's kind of a double -- they can't have it both ways. They can't say we're not contesting the sincerity of her faith, but we are going to make her violate her faith.

So Roger Spradlin's is going to talk about when this issue came up, Cathy sought his advice. She attends his church. He will confirm the position of their faith tradition on this issue, in terms of -- you know, limited testimony about why it is that even allowing the employees to do it would be a violation of their faith tradition. And so it wouldn't be very

extensive testimony, but if they are going to -- if the Court were to grant that motion in limine not allowing them to argue that, I could see maybe his testimony being less relevant, but if they're going to say, no, the Court has to impose this North Coast option, where you make an employee do it, I mean, I think some limited testimony for the Court to understand why that would also be a problem from her faith perspective, I think that would be helpful for the Court. So that's the idea behind Pastor Spradlin, and it would be very limited testimony.

THE COURT: Ms. Mesinas.

MS. MESINAS: I --

THE COURT: The point is that the Plaintiff takes the position that under Unruh they have options, and apparently this witness is going to say that's not an option.

MS. TANACEA: Your Honor, first of all, we are not forcing anybody to do anything.

THE COURT: You're saying that she has options, and you are going to make that argument.

MS. TANACEA: But it's not just even North Coast. The other case, Smith -- in that one, Smith v. Fair Employment and Housing Commission, there was a landlord who owned a duplex, and she would not rent to unmarried couples based on her religious beliefs, and it was the same sort of intersection of Unruh versus religious beliefs. In that case, the

Court held, well, she could sell the duplex and reinvest it in another investment device. That's an option. We are not even suggesting that here, but what I'm saying here is, there is case law that says there are many things that can be done, so it is not just limited to that one.

Also, it would be prejudicial to have a pastor come up. The whole idea of this is to cut out that option under North Coast, that Cathy consulted with him, and he said she couldn't do the employee option. Well, if she doesn't want to do the employee option, she doesn't have to do the employee option until and when it's decided that there's an Unruh Act. So I don't even see the relevance to admit his testimony. And I don't think since her beliefs are not challenged -- and what we are deciding here -- what you're deciding, Your Honor, is what happens when you have sincerely held beliefs against an anti-discrimination law. Frankly, we don't need a pastor's testimony on what he thinks Cathy should or should not do.

THE COURT: Well, this Defendant was interrogated on, you know, apparently Old Testament scripture and all kinds of things, you know, that -- I don't know, maybe that's what we need here is somebody who actually knows what they're actually talking about. I don't know. You apparently thought -- your side apparently thought that it was

important enough to drill down on it in a deposition. And now what are you saying? It's not important anymore?

MR. MANN: Interrogated is very strong word, Your Honor. I wouldn't say that.

THE COURT: Okay. Deposed.

MR. MANN: Our first argument is that, unlike Massey, this pastor was never mentioned at all, not in discovery, not in polite conversation.

I thought about the deposing him for five seconds, and very quickly I said, you know what, if I subpoena him, the DFEH is biased against us. So I decided against it.

If they would have ever mentioned him, if they put him in a discovery response, we would have deposed him. But they didn't. They surprised us a couple of weeks before trial.

And the design standards are not based on Pastor Spradlin's religious beliefs. They are based on Mrs. Miller's. She can do just fine describing them. I tell you, Your Honor, she has a Bible. She had that thing tabbed and she was ready to tell me every single scripture that said homosexuality was wrong. She knows her stuff. Part of my natural curiosity, some of those questions were just -- I'm interested in that stuff, and I apologize.

THE COURT: Mr. Mann, I'm just imagining how any reasonable person might feel being hit with of some

those questions, and they do raise the eyebrows a little bit when I think about a government employee going there. But I also understand how, in the heat of a litigation moment, sometimes our curiosity takes us to places that -- as long as it is not a -- I suppose as long as it's a -- not a -- how do I phrase it? -- an obvious strategy to demean somebody, you know, that's -- then we get into a different analysis.

But right now, my inclination is to keep Pastor Spradlin off the stand. I will listen to how the evidence evolves and decide whether the defense can make their case why he would be an important witness. I'm doing that because of the discovery issue, and I'm doing it -- but the problem with the discovery issue is, depending on where the plaintiff goes with their case, it may open something up. You know, everybody is saying that, you know, they agree to this and they agree to that, but I can tell you, we start getting in the weeds on these things, I'm not seeing agreement on a lot of these points the way you are guys are talking about an agreement.

MR. JONNA: Your Honor, that's kind of what I want to say about this issue, why he wasn't disclosed. Their theory of the case evolved during the case. This whole idea of making an employee do the cakes without Cathy, that kind of became a bigger focus recently. That was not something that they were focusing on or emphasizing early in the case. There

was no need for us to call her pastor or identify him as a witness while they were saying they weren't contesting the sincerity of her religious beliefs. So that is sort of why that issue became more of an issue now.

THE COURT: There's two thoughts that come to mind. I don't like the idea of -- that somebody has solicited input from their pastor. I don't like the idea of putting him in a position where they have to call a pastor and disclose those confidential communications. Now that can be waived. And I recognize that the privilege would be with Mrs. Miller under the circumstances.

The other thing is that I have haven't heard what the Plaintiff means yet, by "we don't doubt the sincerity of her faith." I'm going to see that. It is going to unfold in front of me, and we will see exactly what that means. And then -- but for right now, I'm going to grant oral motion Number 10 as to Spradlin; deny it as to Massey.

Ms. Mesinas, any other motions?

MS. MESINAS: No, Your Honor.

MS. TANACEA: I know you want to hear from me again. This is just --

THE COURT: Ms. Tanacea, I owe you and Ms. Mesinas one because of my foolish, stupid way of articulating myself last week. So I'm going to give it to you.

MS. TANACEA: I just wanted to get back to the Court on the expert disclosure, that we did do an expert demand. I can give you the outlines, the dates. There was a stipulation filed with this court on 11/24/2021 that continued the original trial date to March 28, 2022. And that stipulation, which is on the court's record, says that all other discovery associated dates are also continued, et cetera, to -- you know, with respect to the -- you know, calculating it from the new trial date. So that's -- and then 70 days before that trial date fell on Martin Luther King Day, which was January 17th. And under CCP 2016.060, we get another day when we had served it on the 18th.

THE COURT: Response?

MR. LIMANDRI: We did a letter which we having saying we thought it was untimely and the reasons why. As I recall, subsequent discussions followed, is either side going to call experts, and we basically agreed no. And it never occurred to us they would consider this an expert issue. We had disclosed this information in discovery multiple times that there had been --

THE COURT: Are we going back to Mr. Miller right now?

MR. LIMANDRI: Right. And the amount of the percentage of the business we had disclosed all that. And then they took his deposition as a percipient

witness, who this was his job and this is what he did, and they asked all these questions, and we gave them the little chart he prepared to show how, in fact, it was 30 percent, which they had at his deposition. I never really saw that as expert testimony.

But to the extent it was, apparently there was a dispute. We got correspondence as to whether it was timely. It doesn't matter. They're not prejudiced. They asked the questions. There is no unfair surprise. And quite frankly, I don't think he's an expert, nor did they, because they knew from our discovery responses what our position was, and they deposed him on it, and they never said, oh, by the way, he is giving expert testimony. It's like Your Honor said, they experienced a loss over a certain period of time. It was not a great period of time because the incident happened in 2017. They deposed him in 2018, and then again in 2022. So you're basically talking about that period of five years. And we weren't projecting losses into the future, although he did say having been in this position of the chief financial officer, if you want to call it that, which I don't because it's a small business, but -- for five years, that they can't continue to operate without the wedding cake business because the wedding cakes are the biggest ticket item. The other stuff are relatively small items by comparison.

I don't see that as expert testimony. That's

his job as a percipient witness that he performs on a daily basis. And they apparently saw it that way, too, because they never raised this issue. And, quite frankly, it surprised me when I got their motion in limine last night. I mean, we had many discussions over the last month, and motions in limine we agreed we wanted to serve him to give you more time the week before last. They said they couldn't do it before Tuesday. Then we both agreed on Monday. I mean, there was a lot of discussion. We did coordinate. I mean, you could see these can be pretty, you know, collegial between this, and we all prefer it this way. And then we get hit with this motion in limine last night. Where is this coming from? There's no unfair surprise.

So on this one I really think that it's unreasonable for them to say -- the reason why it surprised me is because we are not making a claim for lost damages. We are not asking anybody to pay our clients for those lost damages. It is only to show the impact that it had on the business when you have to weigh the balance of harms. And if they are going to allow the real parties to get up and say they had some emotional distress in the face of their ambiguous, at best, discovery responses, I think it is only fair, Your Honor, on this one that we have some reciprocity on this limited testimony on this narrow issue.

THE COURT: Ms. Tanacea?

MS. TANACEA: With all due respect, this for

that is really not the analysis here. We have to decide each motion on a basis. When I heard the offer of proof from counsel, he went through all of Mr. Miller's -- and they are all true, all of his extensive qualifications.

THE COURT: But what difference does that make if he's not going to give an opinion? He just said it is not an opinion.

MS. TANACEA: Your Honor, isn't it an opinion if you look at data and you are going to then take that data and extrapolate what is going to happen in the future should a certain hypothetical event happen? That is not a percipient. That is expert testimony based on a hypothetical.

THE COURT: So maybe I misunderstood what you just said, Mr. LiMandri.

MR. LIMANDRI: No. Matter of fact, he can say this is what happened during the pandemic, all the weddings stopped, and this is what happened to our earnings. And if it wasn't for that PPP money, we couldn't have survived. We know what the wedding business does for our business. And if we stop making wedding cakes, if there is no PPP money coming in, we can't exist. I don't see that as an opinion other than expressing what has transpired in the recent past and this is my job and this is the data. I'm not giving an opinion so much. It's just reporting the historical information.

Again, if we were going to ask him to project what his future lost earning stream would be for the company, that would be different. Then I would have hired a forensic accountant and done a full expert exchange and the full nine yards.

THE COURT: Why is that an opinion, Ms. Tanacea? Why is somebody who understands a balance sheet or a profit and loss statement, income and expenses, why is that person who looks at that and says that's lost money. It's math. Why isn't it math?

MS. TANACEA: It's math to the extent of when it happened as a percipient witness, but it is not math when he extrapolates and says we are going to go bankrupt because this amount of sales is going to translate into this amount of loss in the future.

THE COURT: Okay. But he -- I thought Mr. LiMandri just said he is not going to project into the future.

MS. TANACEA: Is that true?

MR. LIMANDRI: No. It's just -- in fact --

THE COURT: That's a good question that Ms. Tanacea just asked you.

MR. LIMANDRI: That's true. We are not going to have him project into the future.

THE COURT: See, that's what I thought he just said.

MR. LIMANDRI: And Cathy Miller could say that, too. I'll have to close down. We can't afford

to operate. That's not an expert opinion. That's just her saying, as a business owner, you take away my biggest-selling items, I'll have to close down. You're going to say I had to designate her as an expert? Even though she's not a CPA, she can say that. She can say it as well as Mike Miller. He just happens to be a CPA.

MS. TANACEA: I actually don't think so. i think that's speculative.

MR. LIMANDRI: No, it's not.

MR. JONNA: Well, they don't want the exhibits that show why it's not speculative. On one the one hand, we're trying to provide the Court with more information to justify that.

THE COURT: That's '15, '16, and '17?

MR. JONNA: Yeah. And then say you don't have enough information. It's speculative. I mean, you can't have it both ways.

MS. TANACEA: It's not what we want or what we don't want. I try to go by the rules of evidence, Your Honor.

THE COURT: Thank you.

MS. TANACEA: The first thing is those statements that we talked about, they say wedding sales analysis. Okay. So they withdrew those. But if they're going to have him speak in the same manner as the documents laid out, the information, then he should have been disclosed as an expert.

THE COURT: Well, that's what I'm trying to wrap my mind around is whether this is even an opinion. If we are talking about historical information, it's a fact. It's math.

MS. TANACEA: But it is not a fact as to what is going to happen in the future.

THE COURT: I agree with that.

MS. TANACEA: That is 100 percent speculation.

THE COURT: Well, it's an opinion. Let's put it that way. It may be speculation, but it is an opinion. It depends on what it's based on. And what I'm hearing right now is -- is -- I didn't even think about how the pandemic would -- if you are shutting down all the weddings everywhere, you -- actually in the context of this case, get a good look at what not having wedding cakes looks like. So, I mean, if we are talking about what has happened, I think that's math. If you are talking about -- and if we look into the future on that, I think you may be right. Now we are getting into these projections, and that would be a different story.

MS. TANACEA: I agree with Your Honor's analysis. The only problem we have now with that was that we never got any backup documentation. We are just relying on --

MR. LIMANDRI: They didn't ask for it, Your Honor. We would have provide it. They got his

testimony as much as they wanted in two depositions. They got the chart. If they said they needed backup data, we would have given it to them at that point. I didn't think this was an issue because, again, we're not asking -- we're not making a damages claim. We're just saying what is the impact on the business historically over the last few years. We're not even going back a long period of time. We're not projecting into the future.

MR. MANN: Your Honor, the substantial burden analysis is that if Mrs. Miller chooses for Tastries to stop making wedding cakes, Tastries will go out of business. That is a future projection. I don't understand what Mr. LiMandri is saying.

THE COURT: Well, let's put it this way: If in the past two months I open up my Quicken account and I see that I'm spending way too much money and every month I'm in the red, I can pretty much tell you without forming much of an opinion that that can't keep happening because of what? I don't have the money. I can't pay the bills. I mean, how -- that's not a -- that's not a wild idea. It's that I can't continue to exist without that money.

MR. MANN: With all due respect, you're not a business. I mean, I agree with that, but Tastries is a business. And now they're talking about their PPE money, so we are going to have to get into how much money they're getting from the government to stay

afloat. I mean, we are talking about a lot more than an individual looking at their bank account and making an easy projection.

MR. LIMANDRI: All I'm saying is it was made very clear to them that they would have had to shut down, as many other businesses did during the pandemic when all the weddings stopped, because they didn't have the revenue to operate or pay their employees. And but for getting that money, which other businesses did, they would have gone out of business or at least have to lay off all their employees. That's not even something I intended to get into, but as they explained how they were able to come up with a decision, they couldn't operate without the wedding cake business, that's just a historical fact on which they have recent hard data.

THE COURT: Are you talking about '15, '16, and '17?

MR. LIMANDRI: '15, '16, and '17 they had an income stream, and then this incident happened and the wedding sales tanked, and then they started to come back and they were seeing what that would look like. And then the pandemic hit, and the wedding sales stopped again. And then at that point they realized we can't operate without wedding sales. They were barely coming back as it was when the pandemic hit from what happened in -- the incident in 2017. Because that viral storm on social media caused people to cancel a

bunch of orders and they stopped getting orders and they lost corporate clients. All that is historical fact. That's not opinion. And then they started to build up again, and then the pandemic hit. But they could track on what percentage, based upon, you know, the last five years, wedding sales -- wedding cake sales are and then whether or not they can exist without that. Any business owner can say that based upon recent historical data over a five-year period. That's not expert opinion. They can just say, look, if I don't have that 10 or 20 percent or 30 percent on income, whatever it is, I can't meet my overhead. I don't see where you need a forensic accountant to do that. He just happens to be an accountant. But anybody serving in a capacity, even a bookkeeper, could just look at the numbers and say it wouldn't work.

THE COURT: Was this discussed in his deposition?

MR. LIMANDRI: Yes, extensively. That's what's bothering us. I'm shocked because they asked all these questions. They are not unfairly surprised. It's one thing about Pastor Spradlin. I get that. Because we never knew we'd be calling him ourselves. But this issue has been in the case from the beginning. We just never saw him as an expert. But they deposed him.

MR. MANN: Your Honor, how about -- let me suggest a compromise. Mrs. Miller said from way back

in the beginning that wedding cake sales constituted, I think, 25 to 30 percent of Tastries' revenue. If she wants to say that as the owner, I have no problem with that. So a big part of our problem is who it's coming from, Mr. Miller. Like if Cathy Miller, she is the owner, she wants to make --

THE COURT: Well, if he is in charge of the finance, I mean, that's what I was told, he is actually the best person to say it. I mean, he is the one that really knows because he's dotting I's and crossing T's. If you want just one person to say it, why -- you know, what difference -- I mean, don't you want the person who is really dealing with it day to day?

MR. MANN: Well, I want that person if we knew he was going to testify extensively, like --

THE COURT: I am not going to let him go beyond the questions you asked in the deposition. I mean, I don't know what -- when I hear the word "extensively," I'm assuming all these questions were asked.

MR. JONNA: Oh, yes, including PPP and everything. I mean, pages and pages of questions on this.

THE COURT: So Mr. Mann, did you take this deposition?

MR. MANN: Yes.

THE COURT: So, you know, I'm not really seeing -- I will say that, you know, the whole thing

about expert witnesses, I'm sensitive to that because if there has been an expert witness demand and parties failed to comply -- did the Plaintiff comply with the demand?

MR. LIMANDRI: They have no experts.

MS. TANACEA: Never disclosed --

THE COURT: So did you say "I have no experts" --

MS. TANACEA: (Nods head.)

THE COURT: -- in response to your own mutual exchange? Because that's the way it works. If you send out that demand, you also have to respond to it, and you have to say within the right amount of time whether you are going to call experts.

Is that what happened?

MR. MANN: The parties agreed that neither side was going to call experts because --

THE COURT: And then at what point in time did you talk to Mr. Miller?

MR. LIMANDRI: After that --

MR. MANN: After that.

MR. LIMANDRI: -- which is a joke because they knew what his testimony was going to be from the interrogatory responses, then they deposed him ad nausea. They knew we didn't consider that expert testimony, and then they pulled this stuff with the motion in limine last night saying you got to exclude it all. It's expert testimony. It's ridiculous.

THE COURT: Well, ridiculous is not a legal objection. I'd like to stick with Ms. Tanacea's evidence code. I like that.

So I mean, my inclination is to let Mr. Miller testify about the historical picture. I don't want to hear about loss of future income. People are going to have to draw their conclusions -- I guess "people" would be me -- from whatever information you provide. And honestly, it seems like a tangential point to me.

MR. LIMANDRI: It is.

THE COURT: It's part of a much bigger picture. And it, frankly, doesn't surprise me that if you carve out 25 to 30 percent of somebody's business, most people would say that's a lie. You know, most people say that's a significant hit. I just don't know too many businesses that could naturally make it on that. I mean, I just don't know.

But I'm willing to listen to the facts and historical picture. And I would even say that we are going to -- because of the whole expert witness disclosure issue, I will hear objections, you know, on -- on testimony that looks like it's getting into that future revenue stream, that sort of thing. I'll hear those objections. But I don't know what was said in those depositions. And if you asked the questions, I don't -- the surprise thing doesn't ring with me.

So it sounds like people are actually ready

for this witness, you know, to the extent that we are going to limit it to the topics that were discussed in that deposition or that reasonably are covered by the topics discussed in that deposition. Stay away from loss of future income. Okay?

MR. LIMANDRI: Yes, Your Honor.

THE COURT: All right. Does that conclude our pretrial motions?

MR. LIMANDRI: Yes, Your Honor.

THE COURT: How about let's take a 15-minute recess.

Let me ask you this: We are going until 4:30 today. Mr. LiMandri -- excuse me -- Mr. Mann -- I'm sorry.

Who is giving the opening statement?

MR. MANN: I am, Your Honor.

THE COURT: Mr. Mann, how long is your opening statement? After all this pretrial activity --

MR. MANN: I can show you all the X'g out I'm trying to do. I tried a half hour, but it's -- I'm also trying to walk you through --

THE COURT: Yeah, I need that. I actually do need that.

MR. MANN: So my guess is going to be over a half hour, but I don't think it will be over 45 minutes.

THE COURT: I'm okay with that.

MR. MANN: And I'm going to --

THE COURT: Can we say that we give you guys equal time. And we are going to start at 3:15. You guys divide the time up equally. How about that? That gets you over that 30-minute mark, I think. And both of you can go over 30 minutes. And let's have a little professional courtesy and let's stick to our time estimates. Okay?

MR. LIMANDRI: Yes, Your Honor.

MR. MANN: Sounds good, Your Honor.

THE COURT: All right. And I'll let you guys work out the specific timing.

We are in recess about 10 minutes.

(Recess taken.)

THE COURT: Let's go back on the record.

Counsel are present. Appearances are as previously indicated.

We have concluded ruling on the pretrial motions before. This Court tried to give you sufficient guidance. There are still a couple of those that are under submission. We will still need to deal with those, but I think we are ready to hear opening statement. I don't believe that there is any of those motions currently under submission that are going to affect the opening statement.

So Mr. Mann, I'm going to invite you to the podium to deliver your opening statement on behalf of the Plaintiff.

MR. MANN: Thank you, Your Honor. I'm just

going to have one exhibit for you, Number 8, Page 2.

THE COURT: Are there exhibits?

MR. LIMANDRI: We stipulated, Your Honor.

THE COURT: I haven't seen exhibits.

THE CLERK: I didn't get any exhibits, Judge.

THE COURT: So I don't have exhibits if I'm supposed to be looking at them. But let's go ahead and we can --

MR. MANN: Your Honor, it's the design standards.

THE COURT: Okay. Very good.

Let's go ahead and proceed, then. Mr. Mann, your opening, please.

MR. MANN: Thank you, Your Honor.

The first sentence in the California Supreme Court opinion and the North Coast Women's Care Medical Center case is:

(Read as follows:)

"Do the rights of religious freedom and free speech, as guaranteed in both the federal and California Constitutions, exempt a medical clinic's physicians from complying with the California Unruh Civil Rights Act prohibition against discrimination based on a person's sexual orientation".

Our answer is no.

This is a simple case, Your Honor. The facts are simple. And despite Defendants' attempts to twist

and confuse it, the law is simple. The California Supreme Court has already answered the questions at issue here in the context of discrimination based on sexual orientation.

So at the end of this case, all you're going to need to do is look at North Coast, and that will have the answer for you.

The Unruh Act survives strict scrutiny because it is a neutral and equally applicable law that achieves California's compelling interest in ending discrimination based on sexual orientation.

Now, we're here because Tastries, a for-profit corporation, wants the benefits of operating a storefront bakery while ignoring its responsibility to comply with the Unruh Act, which prohibits all businesses of every kind whatsoever from discrimination based on sexual orientation.

And although this is a very important case considering the most fundamental of rights on both sides, the facts are very simple and they're not disputed.

And I will run through just the essential facts right now, Your Honor, and then I'm going to go through them in more detail after.

But in a nutshell, since it opened in 2013, Tastries has enforced the right of policy to where it is not going to make wedding cakes for same-sex couples.

All the wedding cakes at Tastries are preordered. "Preordered" means -- Tastries refers to preordered cakes as custom, but the only definition of custom here is preordered.

Now, after months of the usual wedding planning and shopping and striking out at a few other bakeries, Eileen stumbled upon Tastries when she was driving by, and she was very excited. She got Mireya. They immediately got in the car, and they went to Tastries. So it's August 16, 2017.

Now, they walked into Tastries and they dealt with Rosemary Perez who worked in the front and helped customers. And she went through the process with them of looking at cakes around Tastries and asking them what they wanted. And they worked with her. They really liked Rosemary. They hit it off, felt an immediate connection. And Rosemary gave them an order form that they filled out, put down all the details of the cake. And by the end of that time with Rosemary on August 16th, they were pretty much ready to go ahead and get a cake. But Rosemary said why don't you come back, taste them, taste the flavors and the fillings, and then finish your order.

Mireya ended up buying a tote bag that night. They were signed up for the tasting about a week and a half later.

Now, Rosemary wasn't 100 percent sure, but she was pretty sure that they were a lesbian couple.

And both their names were on the order form. And also Eileen and Mireya, they told her that they were there for a cake for her own wedding.

But Rosemary never showed them the design standards and policies that Tastries does not serve same-sex couples celebrating their weddings.

Tastries -- or the Rodriguez-Del Rios got their man of honor and his partner, and they were all prepared and excited to go back for their tasting on August 26th.

They get in there and they expect to have a good time with Rosemary. They figure all we need to do is taste and pick our fillings and flavors, and we would be all set to order our wedding cake.

When they get in, Rosemary says, I'm sorry, I'm not going to be dealing with you guys, so my boss is going to take over.

Now, Cathy Miller comes over and she greets the Rodriguez-Del Rios. She starts asking them questions about what they are looking for. And they're a little bit surprised because they already gave Rosemary all the information. But Cathy persisted and at one point, Cathy says, "Which one's the bride and which one's the groom?"

Well, we had two brides here. And once Cathy realized that they were a same-sex couple, she said I'm going to send your order over to Stephanie at Gimme Some Sugar. Eileen and Mireya were incredibly

surprised and asked, we're here to get a cake from you. Why are you going to send it to her?

Mrs. Miller said, I don't condone same-sex marriage so I'm sending your order over there.

Well, of course, Eileen and Mireya, if they're going to have their sent someplace else, they're not going to stay and taste cakes. So their party left. They didn't create a scene. Despite being stunned and shocked and not really knowing what to feel, they just left.

Now, over the next few weeks, Eileen and Mireya pulled themselves together and luckily, with the help of friends and family and support in the community, they continued their wedding planning and they got married, which had always been the plan, on October 7th, 2017, here in Bakersfield.

Those are the facts in a nutshell, Your Honor. And if we were focused on the real issues here, which is the Unruh violation and the first amendment defenses, that's all you would need to know. But since there are lots of arguments being made on the other side, let's go in more depth.

Cathy's Creations, Inc., doing business as Tastries, is a corporation founded in California in 2013, does business here in Bakersfield. There's no question that it is a business establishment under the Unruh Act. So lots of baked goods beyond cakes. But we get the message, Your Honor. We are going to focus

on cakes.

Tastries has about 18 employees, including Mrs. Miller and her husband. They were able to come on as employees just within the last couple of years. They weren't employees beforehand, but Tastries is apparently doing well enough to afford them now.

Cathy is the sole shareholder of Tastries. She is a devout Christian. She seeks to honor God in all her endeavors, and we do not question that, Your Honor. But the law does not allow her to impose her religious beliefs on her customers or her employees, for that matter.

DFEH did not bring this claim because of Mrs. Miller's faith. We brought it because of Tastries' conduct. Tastries refused to provide full and equal services to Eileen and Mireya because of their sexual orientation.

Now, Tastries sells a variety of cakes. They have items in the refrigerated cases up front, and those are available for anybody to come off the street and buy. And Tastries also sells what it calls "custom products," but again, "custom" just means anything that is ordered in advance. And all wedding cakes are considered custom because they're preordered at Tastries.

So the designs, the artistry, the simpleness or complexity, that doesn't matter. What matters is whether it's preordered or it's already existing in the

cake -- in the case. Excuse me.

Now, customers wishing to preorder a cake go through an order process with the front-end employees at Tastries or with Mrs. Miller. It's called the design consultation.

And during the consultation, the customer decides how many layers it's going to have, how many tiers, what the color is going to be, and what shape, et cetera. It's the customer that makes the decision because, as Mr. Miller testified, it's the customer's cake and the customer's event.

And it is not out of the ordinary that a Tastries' preordered wedding cake would be based on a picture that a customer brings in that they maybe got off the Internet, or they have a photo where they went to a friend's wedding and they want something similar, or even based on one of the other cakes at Tastries. They have about 75 cakes all throughout the store.

Now, the design standards. That's the key because any time somebody orders a cake in advance, it has to comply with the design standards.

Now, we looked at these a little bit before, Your Honor, but I -- it's important to look at them again.

Now those top ones are just kind of guidelines that they want to have a good cake. But if we go down to the bottom six, those are the ones we want to focus on.

Look at the top five bullet points of those six, you'll see, Your Honor, that it focuses on the design or the look of the cake, featuring alcohol products, presenting explicit sexual contact, portraying, depicting. So that's all about what the cake looks like. And those apply to everybody. If anybody comes in and wants a cake that doesn't comply with that, it gets denied. That is fine. That is full and equal services because everybody is being treated the same.

But when we look at the bottom bullet point, it's not about the design of the cake. It's about anything that violates fundamental Christian principles. And we have only one fundamental Christian principle that's provided as an example, which is, "Wedding cakes must not contradict God's sacrament of marriage between a man and a woman."

So it is very clear when you look at that, that the policy at issue here, the standard at issue here is not based on what is being featured, presented, portrayed, or depicted. It's about who the cake is for. It's about the use of the cake. And it only denies one class of people, gay couples that want to celebrate their wedding.

There is no dispute here that the Rodriguez-Del Rio's cake -- this is the cake that they had at their wedding. It was not made by Tastries, but Tastries makes a version of this that you will see at

trial. There is no dispute that if the Rodriguez-Del Rios were a straight couple, Tastries would have made this cake for them because it didn't violate any of those other design standards.

So when we want to know about intent, we look at "but for," and it is very simple here. But for the Rodriguez-Del Rio's sexual orientation, Tastries would have made them this cake.

Even though Tastries does have this policy to deny cakes for same-sex couples, Tastries has made it before on multiple occasions. I'm not going to go into detail because we know about this dead horse. There were employees that made cakes for same-sex couples. They didn't tell Mrs. Miller, but they did it. And it's an example of employees that wanted to comply with the Unruh Act because they understood that the Unruh Act requires full and equal services.

Now, I focus on the facts surrounding Tastries here at the beginning because it's Tastries and Mrs. Miller that are on trial here. They're the ones that violated the Unruh Act.

But let me tell you about Eileen and Mireya. They are both long-time Bakersfield residents. They met in the late '90s, felt a close friendship and were friends for many years before they finally fell in love. Eileen proposed on April 3rd, 2015.

Your Honor, while I'm talking about them, I would like to show them to you.

Eileen and Mireya, would you mind standing up?

This is the couple, still together today, Your Honor. Thank you.

And after Eileen proposed -- and Mireya will tell you about that -- they immediately started thinking about their wedding. That's what all couples do when they're going to get married. And they created their checklist, and they started on it. The first thing they did was to get the venue, and they got it over a year in advance.

They knew that they wanted to get married on October 7, 2017, but as things in America started to change in the fall of 2016, they got scared. They didn't know if their right to be married was going to stay so they decided to get married in December of 2016, before the laws changed.

But it was a really small ceremony, just their family and friends. And afterwards, they had a store-bought sheet cake just to celebrate, but they still planned to have their big reception with their extended family and friends on October 7, 2017.

So they continued with their checklist. They got shoes and bouquets and flowers and looked at getting everything. Patrick was Mireya's man of honor, and he was her right-hand man that helped her with a lot of this stuff. They wanted to pay for everything, even though Patrick offered to pay for the cake,

because they didn't want to be putting anything extra on him or any of their family members.

In search for a cake, they tried a couple of different spots, including Gimme Some Sugar, and they decided it was too sweet. They weren't going to go there. They also tried De Coeur Bakery. It's no longer, out of business. They were considering Sugar Twist Bakery. But one day when driving by, Eileen saw Tastries. They got excited. She picked up Mireya, and they went in.

I told you about their experience with Rosemary, who is now a manager at Tastries. Mireya had an idea for what she wanted and she saw a display cake that looked similar to the one they got. Round, three-tiered, wavy, or scaly, buttercream frosting. They worked with Rosemary to provide her with the details that she needed. They filled out the form. They put their names on the form so it was clear that it was them. They put in the venue, the time, the date, the time for delivery. And from their perspective, by the time they ended with Rosemary, all they needed to do was return to taste -- Rosemary invited them to come back to taste -- and they would be all set to pick their flavors and be ready to check off another thing from their checklist, the cake.

Now, Rosemary, as I said, knew about the design standards but didn't say anything to them. When they returned on the 26th, again, Rosemary told them

she was not going to work with them, but Mrs. Miller was. Mrs. Miller was actually preparing to teach a class at the time, so this kind of took her by surprise, but she was a champ, and she took over the order. She started asking them all the same questions again. Again, they had already filled out the form. In their mind, they are just ready to taste, and then they would be done. But Mrs. Miller had put them in a part of the store where there was nothing to taste around them, so they never got a chance to taste.

When she asked which one was the bride and which one was the groom, obviously that's when things fell apart. She found out they were a same-sex couple and told them that she was going to send them over to Gimme Some Sugar.

Well, afterwards the Rodriguez-Del Rios, Patrick and his partner and Eileen's mom, who was with them, they went outside, and they decided to meet up to try to gather themselves and deal with it.

Mireya had never faced anything like that before. She had never been discriminated against based on her sexual orientation, so she took it especially hard. And Eileen, she's just strong, and she really supports her wife, but it affected her, too.

So they were hurt. And when people are hurt, they reach out; they reach out to their communities, and these days people's communities are online. So Eileen very quickly posted online. Sam, who was with

them, Patrick's partner, he posted online. And they expressed what happened to them, and they expressed how they were hurt, and they wanted to let their community know that this is the type of business Tastries was. And people -- I will leave it there, Your Honor.

Eileen and Mireya then drove by Gimme Some Sugar, and that's when they realized they had already been there and decided against ordering from there. They met up with Patrick and Sam at Starbucks, and they talked a little bit more and just tried to figure out what was going on.

After that, Eileen and Mireya wanted to get some errands done. They went to Target, and they sat in the car for a half hour, and that's when it really hit them. Mireya started to get a nosebleed, which had not happened to her before, and she cried for a half hour, and they just tried to deal with what had happened to them.

Now earlier that day, Tastries had denied a gay couple, two men, their wedding cake. And you will see an admitted exhibit of their Facebook post, Your Honor. And in that Facebook post they talked about how Mrs. Miller called the denial a "transfer," quote, unquote. And they said, "I think she meant to say refuse service to us."

Now, neither Eileen or Mireya knew them, but the same thing happened to them that very same day. And the Facebook post from that couple was up before

Eileen posted. Mireya didn't post until later that night.

Now, some good came out of this, was that some former Tastries employees saw Eileen's post and reached out to them. They felt bad for them, and they wanted to support them, so their offered their services to make the cake. And Eileen and Mireya met with them, had a tasting, and they decided to go with them, and they are the ones that made that cake we looked at.

They also made a cake bar for the wedding, so that people could come and pick their own flavors of slices of cake.

Now, Eileen and Mireya, they knew what happened to them was wrong. They didn't quite know what to do. They are not activists themselves. They don't belong to any groups. But it's a small community here, so they reached out to some people for support and for some knowledge. We've heard Whitney Weddell's name thrown around. She is a local LGBTQ+ activists here, and she helped them learn about the DFEH. She said that's who you go to when something happens.

Now, they reached out to us. We took their claim, and we filed it on October 8th -- 18th, I'm sorry, after the Rodriguez-Del Rios were able to go and have a honeymoon.

Now the Rodriguez-Del Rios didn't have to come to the DFEH. There is no administration exhaustion for the Unruh Act. They could have went and

filed their own lawsuit, but they thought the better thing to do was to report it to the government, Civil Rights Division, which is us. And we began investigating the complaint.

Mrs. Miller was on TV, giving -- all over the media, giving interviews about what she had done and Tastries' policy. We served discovery. We granted an extension, and before they responded we came in for a TRO because we knew, based on what we had, that a violation of Unruh had occurred. And here we are four and a half years later, surviving summary judgment. Clearly we were right that something went on, and it was enough to make a violation under Unruh.

Now I want to walk you through -- we provided the CACI, the burden documents, Your Honor. Under Unruh there's two elements in this action.

One, that Catharine Miller and Cathy's Creations, Inc. made a distinction that denied full and equal services to Eileen and Mireya Rodriguez-Del Rio.

And Number 2, that a motivating reason for this distinction was their sexual orientation.

Now, looking at Number 1, the denial of full and equal services. Mrs. Miller believes that Tastries complied with the requirement to provide full and equal services by offering to send their order over to Gimme Some Sugar. But there's no case law that supports this. There is nobody on the street, if you asked that, would believe that. Gimme Some Sugar is a

different bakery. It's unaffiliated with Tastries. It had a different owner, different designers, different decorators, different bakeries, in a different facility.

MR. LIMANDRI: Your Honor, I have to object. This is pure argument at this point. It's not talking about what the evidence would show. This is closing argument material now. I've kind of kept silent on some of it, but I think now he is going to walk through that CACI form. That's appropriate for closing argument, not opening statement.

THE COURT: I'm going to overrule at this point. But the point is taken, Mr. Mann. Make sure you -- I don't need to hear the legal argument here, but I understand you are describing certain facts to me right now.

MR. MANN: Yeah. These are facts that it's unaffiliated. It is a different bakery.

So if it can't provide a Tastries product, it's not providing full and equal services. I'm just trying to give you the facts.

THE COURT: I understand. I've overruled the objection.

MR. MANN: Number 2, the motivating reason for the denial was sexual orientation.

Now, Mrs. Miller has sincere religious beliefs. And again, we are not going to challenge them. We're not going to try to argue that she is a

bigot or that she has hatred in her heart. What we are going to argue that the policy is discriminatory on its face.

As we walked through earlier, the design standards, we saw that bullet point Number 6 denies, not based on any design, but based on who the customer is, who is using it.

And the design and artistry doesn't matter because they will not provide any cake to a same-sex couple.

That shows intention, Your Honor, because the distinct -- it shows the intent to make a distinction based on sexual orientation. This policy, even according to Mrs. Miller, applies only to gays and lesbians, and that shows that she had the intent to make this distinction knowing that it would only affect this one class. So the facts support the Unruh violation.

So that's all the DFEH has to do to win. But Defendants have their defenses. So their first is free exercise. And we put in the elements that are required, and that becomes Defendants' burden to prove their defenses.

The first thing they need to do is show, does operating a commercial bakery, selling and baking cakes, even constitute a religious practice? And I think when you get to the legal part, you will see no Court has held that.

Number 2, does complying with the Unruh Act put -- I'm sorry. Does complying with the Unruh Act by baking and selling preordered baked goods for any events celebrating same-sex marriage substantially burden Mrs. Miller's religious practice?

Now, Mrs. Miller states that if forced to comply with the Unruh law, she is going to decide not to sell wedding cakes to anyone. And that's her choice. We are not seeking that. And it may be a hard choice, but businesses are forced to make hard choices every day. I'm sure there have been times when Mrs. Miller is working late and thinks to herself, I really don't want to clean that up, but she knows that would jeopardize the A health rating that she has, so she stays and she does what needs to be done. Businesses make hard choices all the time because that is what the law requires, and the Unruh Act is no different. That's not a substantial burden.

Number two -- and this is important because Defendants have ignored this the entire case -- what is the burden on the Rodriguez-Del Rios and other gay couples if Tastries is allowed to deny them products that they would serve to straight couples?

Obviously, we see here that it crushed the Rodriguez-Del Rios and affected them deeply, injuring their dignity. You cannot look at the harm to Tastries without looking at the harm to Rodriguez-Del Rios and other same-sex couples who will be denied if you

provide Tastries an exemption to the Unruh Act here.

Let's look at free speech. Now, the first part of free speech with Defendants' arguments is that cakes are pure speech. In the case of pure speech, you have strict scrutiny. No court has ever held that a cake is pure speech. When the Supreme Court had the chance to, in Masterpiece, only Justice Thomas signed onto that.

So the analysis here is really expressive conduct, which is when you have conduct, selling a cake, that has some expressive aspect to it. In that case, you have to have two elements that they need to meet.

Number one, that the baker intends to send a message with the product when they sell. And Mrs. Miller is going to testify that she does.

Number two, there must also be that there was a great likelihood that anyone viewing the Rodriguez-Del Rio's wedding cake would have understood it to express a message from Cathy and Cathy's Creations, Inc. endorsing same-sex marriage.

Is preparing and selling a cake inherently expressive? No, because the end viewers don't receive the specific message that Mrs. Miller intends to send. She may think that they do, but there is not going to be any evidence that they actually do.

Again, the Rodriguez-Del Rio's cake had no written message on it, no cake topper on it, and

witnesses will testify that it could have been purchased to celebrate any number of events.

And we all know that businesses have to comply with laws in that people in America don't associate products with the customers that use them. Businesses sell a product; customers take them and use them as they will.

Regarding the Defendants' other defenses, I'm not going to beat a dead horse on the lack of bias of the DFEH. This claim that the Rodriguez-Del Rios were somehow shopping for a lawsuit when they went to Tastries twice, got invited back, bought a tote bag, actually had their wedding, actually had a wedding cake that was similar, that's also a weak argument and should be dispensed with.

There's no defenses here, Your Honor. When it comes to the harm, the Unruh Act allows for actual damages, which includes emotional distress. It includes also statutory damages up to three times $4,000, and we are going to leave that to you.

For the injunctive relief, we are going to be seeking an order that Tastries comply with the Unruh Act. We suggest that North Coast provides options, but we are not going to demand that any of them be taken. And if Mrs. Miller decides that she wants to comply with the Unruh Act by not providing wedding cakes to anybody, well, then that's full and equal services, and that's her decision.

We are also going to be seeking anti-discrimination training and posters of anti-discrimination, as well.

Now, to end, Your Honor, I just want to say that the Unruh Act does not require Mrs. Miller or Tastries to provide every baked product under the sun. Mrs. Miller's religion can influence which products Tastries offers, but the First Amendment does not allow her to choose which customers Tastries serves. It does not allow her to impose her religious beliefs upon her customers or her employees.

The Unruh Act is very simple. It requires all businesses of every kind whatsoever to provide full and equal services, regardless of sexual orientation. And Tastries and Mrs. Miller violated it here, Your Honor, and there are no exemptions that are going to allow Defendants to escape liability. Thank you.

THE COURT: Thank you, Mr. Mann.

Mr. LiMandri.

MR. LIMANDRI: Thank you, Your Honor.

THE COURT: You can start when you are ready.

MR. LIMANDRI: Your Honor, the discrimination cases that you are going to be asked to look at, and I'll talk about in closing argument, are very fact specific. In these cases, the facts of the context matter and are determinative. The facts here really are not in dispute that the Real Parties in Interest sought to purchase the wedding cake for a same-sex

wedding. We're not talking about any other type of event or any other type of bakery product.

And although I'm not going to be discussing and citing cases in opening statement other than the one here because the Plaintiff began with a case quote, and I will take a case quote right from their papers, their motion in limine that they brought on this. But it's quoted on Page 25, the Defendants' trial brief. And it's from their -- actually the Plaintiff's opposition to the Defendants' motion in limine number 9. But the quote is from the United States Supreme Court defense case which, coincidentally, both sides cite on Page 25 of their trial briefs.

Here is the quote from the Plaintiff's papers: According to the DFEH, quote:

> "Conduct such as baking and selling baked goods may become sufficiently and viewed with elements of communication to receive free speech protections where an intent to convey a particularized message was present and in the surrounding circumstances the likelihood was great that the message would be understood by those who viewed it."

Well, I'll be showing a total of 10 exhibits in my opening statement, Your Honor, but the one you've already seen, which is the last one I intend to show, too, by the Plaintiff, it's clearly a wedding cake. And it was presented at a wedding ceremony for the Real

Parties. It was wheeled out to the center of the room, and everybody knew what it represented. And by the Plaintiff's own papers, it was sending a message obviously to celebrate a wedding. The cake serves no other purpose.

There was some unique things about that cake, though, that I think are very significant, and I will look forward to calling it to the Court's attention when I bring that exhibit back up. Before I do that, though, I wanted to kind of track through some of the facts. Some of this was covered by Mr. Mann.

But Cathy Miller did, indeed, open up Tastries in 2013 and is 100 percent owner. The Defendants' litigation they've been involved in largely consumed the practice for the last five years, which is half the lifetime of the bakery.

Cathy Miller basically operates all aspects of the business. She is very much a hands-on owner-operator to ensure quality control. Now I'm jumping ahead. I don't want to miss that point. Because if an employee, who obviously would be her agent -- it is a small shop -- is making a wedding cake and generally she supervises -- because at least three people are involved in these wedding cakes; they are major projects. She is not involved at all. There is no guarantee of the quality control and the branding that she wants to preserve for her good name in the community in basically providing this excellent type of

bakery service. So I'm not even sure this whole concept of full and equal service would work with the Plaintiff's proposed alternative of just have some other employee. Plus, you know, unfortunately, fortunately, whatever the case, there are no employees willing to do that now.

When this thing exploded in the news, the employees that were involved with the underground cake-making enterprise all quit. The jig was up. Cathy Miller found out about it, and she didn't fire them, but they quit, and that included two gay employees who had been involved in doing this, as well. She had no problem hiring gay employees, working with gay employees. One of them that was making his cakes unbeknownst to her had left to go to school and come two or three times. And she certainly has no problem serving gay customers, which, to this day, she has very loyal gay customers who have supported her throughout this long ordeal.

No one has ever accused Cathy Miller of being anti-gay or anti-anyone based upon any classification. This case, again, involves only weddings.

When the Real Parties came into the shop -- I'm going to go ahead and show Exhibit 1-001. It will give you a little bit of a sense of the layout, Your Honor. It is not just a bakery. It's a boutique. They sell a lot of goods. You will see in one of the next slides most of them have a Christian theme or

motif. It's known as a Christian boutique.

Let's go to the former slide that we just showed that we can't air because I wasn't finished. I wanted to point out that you can see the cold case there on the left, Your Honor. That's where they will sell the non-custom products, which they obviously have to rotate out on a daily basis. It's not even able to accommodate a two- or three-tier cake. Those are always custom products. So one would not, and never has anyone bought a wedding cake out of the case. But the case cakes are for anyone at any time. You can walk in and buy the product, obviously no questions asked. She will sell any case cake product to any person at any time for any purpose. And she will do the same with regard to all custom cakes, say the one example, because of her sincerely held religious beliefs concerning same-sex marriage.

Now, going to Exhibit 1-006, which we had up there a moment ago, this is the area of the shop, Your Honor, where the Real Parties or anyone else is interested in discussing a wedding cake would come. They call that the design center. Mr. Mann referred to it as the back of the shop, but the fact is, everybody, if they're going to order a wedding cake, they'll sit back there where the lady with the baseball cap is sitting, and they'll discuss all the various options. You can see in plain sight the wall to the immediate left all the various crosses and such, kind of

everything is for sale. But reflecting -- and a lot of the -- you will see the posters, whatever, are all Bible themes, scripture quotes and such, because that is, in fact, the message Cathy Miller is sending.

When she meets with people -- let's look at Exhibit 231-013, please. This is just her business card. Again, she's had this long before this accident and since. It has a scripture quote. This is her theme. She tries to keep it very positive.

"I know the plans that I have for you, says the Lord, to give you hope and a good future."

None of this is intended to be negative. She tries to live her faith in a way and share it with others in an uplifting and positive way.

I meant to mention with regard to these custom bakery cakes that involve weddings, usually multiple people do need to be involved in them, and they do need to be ordered in advance. And the design process -- and Mr. Mann alluded to it -- involves quite a few different steps.

Let's move on to a picture of a wedding cake. Let's go to 7B-003. And you can see how elaborate these cakes can be, Your Honor. They have to decide the size, the shape, obviously the number of tiers, the color of the frosting. You heard some testimony that they'll sometimes use, not always -- some cakes are made from scratch. Other times, they will use as a base a cake mix, never exclusively. And Cathy Miller

mixes a lot of different ingredients, and that's where you get into, I guess, the trade secret stuff. Every one of her recipes are different. They don't rely ever exclusively on cake mixes. All bakeries need to use them. And as far as the frostings, you get preservatives, so it doesn't melt, particularly in the heat. They'll sometimes use the commercial frostings, but only for people that are lactose intolerant. Otherwise, she makes all her own frostings. So these are blends. You will see when she talks about this. It is a very elaborate process as far as the recipes in the frostings and such where she has had to develop it over years, and oftentimes new recipes take a long time to be introduced for that reason.

There is also, in the mission statement, Exhibit 8004, if we could take a look at that. I think it's also an exhibit that Mr. Mann may have shown, but I want to focus on a couple of different aspects of 8004, and then we'll come back to the wedding cakes.

If you can just blow up the top part here under the design standards -- it is not showing up on the white screen -- but you can see, again, "The theme and mission and purpose is a lovely, praiseworthy, or good report. Tastries provides custom designs that are creative, uplifting, inspirational, and affirming, prepared especially for you as a centerpiece to your celebration."

Again, this is very important, Your Honor,

because it goes to one of the central themes of our case, which is that it is a message being sent, particularly with respect to a wedding cake in every single situation.

If we go to the bottom of that -- well, you can see there are multiple things that they will not make. It has to -- well, custom orders have to follow these standards. In the next paragraph bullet points, I think -- again, Mr. Mann pointed out -- multiple things they won't make. But even as to the Christian principles Mr. Mann wanted focus on, the God's sacrament of marriage between a man and a woman, going back, what, 3500 years when Genesis was supposedly written by, I guess, Abraham, or whatever, this is not a novel concept. Nobody should be offended by it. Hundreds of millions, probably billions, of people in the history of the world have thought of marriage that way until, maybe, what, the last seven years, which is less than a blink of an eye in recorded history.

But this is the heart of the message that's being sent with a wedding cake. So when you say what is portrayed here or, you know, some of this stuff she won't make is sexual content or things that are demonic, or whatever. But with wedding cakes, it is the cake itself that always sends a message to the people that are present. And, again, it's a very elaborate process.

And by the way, it's not just -- when she

says marriage between a man and a woman, is it meant to exclude LGBT people. I mean, theoretically, you know, you can have -- polyamorous relationships are now becoming more fashionable. Wait until those hit the courts. You know, polygamy. It will be back in fashion, no doubt. It already is in some places. Or you can have a heterosexual couple that wants to come in and buy a wedding cake for an LGBT event. And we've cited cases in our brief where the Court said, that's not sexual orientation discrimination. They won't sell it to anyone.

And so the wedding cake has to be between a man and a woman the way it is always meant and the way God intended. And you'll hear Cathy Miller say, you know, it's not just Genesis. It's the New Testament, Jesus saying, "I'm the bridegroom; you, the Church, are my bride." It is the heart of a Christian faith.

So when you start getting into what other principles you find are important, well, nothing really more important than that central concept.

But moving on. When Cathy Miller meets with the couple in that design center, she actually gives them a wedding packet, which the Court will see. I am not going to be able to put all these exhibits up and finish anywhere near in time. But the -- it includes many Bible quotes, and Cathy Miller expresses her understanding of marriage and shares it with couples and explains the importance. And people appreciate it.

Surprisingly, I guess you could say, no one's gotten up and walked out and been offended or anything like that.

What happened here, unfortunately, Your Honor, is because this Natalie, who was -- Boatright -- who was the manager wanted to basically betray Cathy Miller's trust and operate this underground type of wedding cake service for same-sex couples, which happened apparently two or three times, maybe four at most. We can't be sure, because Cathy Miller wasn't told, but no more than that. She told, who was the woman working under her, who I understand will be the first witness tomorrow, Rosemary Perez, don't tell Cathy Miller if that's a same-sex couple. And don't fill out the form showing that it's women. And it was for that reason, unfortunately, that the Real Parties basically were made to believe that Tastries would be in a position to make them that cake. That's unfortunate. That will never happen again because the policies now are being basically applied evenhandedly by the staff. You don't have people trying to undermine Cathy Miller and her intentions the way Ms. Boatright did.

And, again, Ms. Perez said she felt bad about that, and when the Real Parties showed up the second time, she went and did not follow the instructions of Natalie Boatright and went right to Cathy and said you better handle this, because she wasn't comfortable letting this go on.

But in the other cases where it happened, including the two men that were there earlier that day, which is a bizarre coincidence because same-sex couples have only come into Tastries for wedding cakes a handful of times, so three or four maybe, in 10 years. Two in one day is what led us to believe that this is too bizarre to be a coincidence.

Also, the Real parties did not want to taste the cakes. They said, no, we want you to make it, which no one has ever done before, again, in hundreds of weddings cakes, if not, thousands, that just make it. I don't need to taste it. That struck Cathy Miller somewhat bizarre before it even was disclosed that it was a same-sex couple.

And by the way, the way that came out was when Cathy Miller said I'm going to give you a referral to this woman from this other bakery, this other woman is an LGBT person herself who is married to another woman and is an excellent baker. Cathy even, you know, offered her a job at one time because she is an excellent baker. And every time she sent people to this place, Gimme Some Sugar, everybody reported being very happy with it. And this was costing Cathy Miller money. Wedding cakes, again, are her biggest ticket items. But, again, because of her conscience, she couldn't make them herself, so she would send people to Gimme Some Sugar, and the proprietor there was only too happy to get that business. And it's seemed to be a

system that worked just fine and probably would have worked fine here if Cathy hadn't been undermined by staff that were being deceptive.

In any event, this policy came about when same-sex marriage became legal because that is when it became an issue. And as I mentioned earlier today, they delivered a cake and it was a wedding for two men. And Mike Miller came back and explained to Cathy, and they didn't know what to do about it. And then another male couple came in shortly after who had been at that first wedding and liked the cake. And then Cathy realized, you know, we are going to have to do something, and that's when she contacted Gimme Me Some Sugar and set up this accommodation, and it's worked fine. She actually sent over the money that was paid to her by this couple, these two men, and they made the cake -- Gimme Me Some Sugar made the cake for them, and they were very pleased with it. And that would have worked fine probably in this case as well.

Now, the Real Parties say the Gimme Me Some Sugar cake they tasted, didn't like it. Who's to say they would have liked Tastries'. Her recipes are not all that greatly different, apparently. But nonetheless, something else that is interesting -- and I'm jumping ahead because I'm running out of time -- but the lady who made the cake, eventually, for the same-sex couple was a former employee of Cathy Miller. And this person, Jessica Criollo, was asked by the

same-sex couple I'd like you to come to the wedding and cut and serve the cake, or at least serve it. That's a service Cathy Miller also offers.

So I'm sure the DFEH would tell you that Cathy Miller would have to not only make the cake for a same-sex couple, but offer this service to have someone go there and serve it at the wedding. I'm sure they would tell you that if someone wants writing on the cake -- and this was a question asked by Justice Ginsburg, actually. I indicated I was present at oral arguments in the Supreme Court when Masterpiece was argued. And when Justice Ginsburg asked this, you could have heard a pin drop. She asked the ACLU lawyer, "What if the gay couple wants a Christian baker to write on a cake, God bless this marriage?" And the ACLU lawyer said, yeah, they have to write that.

So what kind of order would this Court have to issue -- she would have to write those kinds of messages, otherwise, she -- what? -- she just can't make cakes at all, or can't put any messages on cakes? That's not going to work because people do want messages. Is she forced to put the topper of the two women and two men on the top of the cake?

The Real Parties did order a topper with two women. They ended up not using it. But, again, that, also, would be an issue.

I want to show you two other wedding cake pictures real quick. 7B-025. So you will see a few

more of these, not a lot. But look at the -- how elaborate it is.

Now, everyone will tell you, with the exception, I think, of one the Real Parties is that making wedding cakes is, in fact, an art. I think Mireya Del Rio will say it's an art, and I think one of their male witnesses, who were there, Patrick Grijalva will say it's an art. And certainly, Jessica Criollo, who made the cake picture you saw at the end, will say what she made was an art. But Eileen Rodriguez says, no, it's not a art. The Court will have to decide that. But you can see the level of intricacy.

Now, not everybody wants that level of intricacy, but what are we going to have, multi-standards that some wedding cakes are art, others are not art.

What is protected in the speech, Your Honor, is the message. And as you know, not all speech is as articulate or eloquent as others, but it's all equally protected. What the wedding cake says is we are celebrating a wedding.

That's why Justice Thomas says if someone walked by the room and they see that wedding cake there, they say, oh, look, it's a wedding. And that's the message that they are asking Cathy Miller to send with her artwork and her creative skill -- which you will hear she has been doing all her life since she was 12 years old, baking -- and that, the State cannot do.

That is hostility to religion, and to anyone. They can't force that person to speak.

And, again, it is not just a wedding message. It's other messages they will not send, either; sexual content, violence, or satanic images.

One last cake, 059 -- 7B-059. This one is really interesting. I wish I had time to show you all sides of it. Half of it was for the bride and half of it was for the groom, who was in the military, and it's got a military uniform. I mean, from both sides, they're beautiful. But just showing the one picture here you can see the level of intricacy and the artwork that would go into this.

This is clearly art. And I defy anyone to stand up and tell the Court that it's not. And if it's art, it's creative and is protected because it's expressive speech.

And one other photo is the dessert table. It's 7B-011. Her testimony is she won't serve cookies or cupcakes or brownies. Those are only ordered for dessert tables in the context of a cake. Here, the cake is in the background there, but -- or depending it will be the centerpiece at one point, but usually it's on the same table. But nobody has ever come in and ordered for a wedding just the dessert table. It's always with the cake. So questions come up like that. You will hear me objecting to hypotheticals that bear no relation to reality.

You'll hear the testimony about the percentage of income. I won't get into that anymore.

In terms of the claim of discrimination, I told you how the situation came about. I'm not going to repeat all of the circumstances. But you will hear testimony that when the Real Parties were there and Cathy Miller found out it was a same-sex couple, she tried to be as compassion and caring as she could, and she -- the Real Parties insisted she say why she wouldn't make the cake. And she did explain and her own words were, "I can't offend my Lord. I'm sorry. But I know someone else who will make you a beautiful cake."

They got upset. One of the men standing behind her shoved her, not hard, gently -- she had to step forward -- and grabbed the clipboard out of her hand. She said she was very scared for her own safety at that point. And then they left.

And within hours, the Internet blew up, and their phones were besieged. Media were in the parking lot and trying to get in. They had to lock the doors. The computers were jammed with the most vulgar and vile pornography, mostly of a homosexual nature. And the threats and vitriol started coming in unrelenting. Young women there were crying -- that worked there -- in their twenties are seeing this stuff. Because people would call and say I want to send you a picture of a cake, and they open it up and, boom, gay

pornography with a computer virus, and they can't -- they have to go unplug the computer to get it off the screen. This was going on.

Now, I realize the Real Parties didn't wish all of that. I can't believe they wished all of that on my clients. I'd like to give them the benefit of the doubt. However, they did leave and right away call this Whitney Weddell, who is known, apparently, in the community to be -- not just a gay activist but somewhat militant. She had the social media connections. This does not just happen.

The two gay men that were there, they posted a relatively, what I understand, accurate, somewhat polite statement of what happened and said we don't wish anybody any harm. Obviously, they weren't happy. I understand that. But they were not being in any way malicious. They weren't trying to hurt anybody.

But the attacks on Cathy Miller were not unforeseen entirely, because even one of the men who actually called Whitney Weddell, that was present at the scene, who had known her, and then Eileen Rodriguez-Del Rio who had known her for 20 years, one of the men said, yeah, I know what happens when someone says there's been discrimination against the LGBT community. I've seen the comments. So, you know, he wasn't surprised, nor would they be. That is a strategy of bullying and intimidation and harassment that has been used against Christians, which is why

most of them will just buckle under.

And even Rosemary Perez will say I go to the same church. I feel the same way Cathy does, but I was afraid, and I went along and I was uncomfortable. And most people will. Most people will just go along.

But for the point of view of the services being available, apparently there is no other baker in town who will not serve same-sex couples as far as with wedding cakes. And there are multiple, not just Gimme Some Sugar, but Cathy Miller has called around, and there's numerous ones she can refer them to.

So them being without a wedding cake was never an issue. And, in fact, they got the wedding cake they did get for free. Other people offered free services that they took advantage of for hairstyling and for makeup and I think photography. They actually -- in terms of economic damages, they're not only are none, they actually -- this was -- I don't know. I don't want to be insensitive, but they did very well in terms of the actual free services they were able to obtain.

I want to talk about the accommodations under the Unruh Act. All that is required is a full and equal services, which they did get because they got their cake.

But more important than that, Your Honor, you need intentional discrimination which means it has to be arbitrary or invidious. Okay. If it's based upon a

constitutional right or a public policy, then it can't be arbitrary or invidious.

The United States Supreme Court, in both the Obergefell decision and the Masterpiece decision, stated that these religious beliefs people have are time-honored and longstanding have to be respected, and they are protected.

So to have that belief and to act on it -- now, let's be clear, the First Amendment of the United States Constitution guarantees not freedom of belief. It guarantees free exercise of religion.

And in the most recent case in the United States Supreme Court just last month, the Kennedy case, the Court said that free speech and free exercise go together because the founders are very concerned about religious prosecution. That's why the pilgrims came to this country to get away from, not prosecution but persecution. Actually persecution leads to prosecution in this case. But they came here for freedom of religion, both in speech and in practice. And in the Kennedy case they said they go together and, indeed, they should in this case.

But our client provided an accommodation and the Real Parties did receive full and equal service and they were not harmed. Whereas our client was harmed with a steep decline in sales and the loss of corporate clients and the harassment that led to six employees quitting in three weeks because of the threats and

because of the hostility that was rained down upon them in an unimaginable way with these messages coming in fast and furious by the thousands. And their five-star rating has been a one star ever since. They can't get it back.

And although I'm not computer savvy, apparently a lot of people shop looking at ratings, things like Yelp or whatever, and our client's business has been hurt greatly because they can't get their ratings up. In fact, their Facebook page was so jammed that it was taken down by the website provider.

So when you look at the balance of interest and the harm to the parties, the Real Parties wanted, Your Honor, a traditional wedding. They got a traditional wedding. For example, they -- in the pictures, Exhibit 627A-001, you can see a kind of portrayal of the bride and groom. They wanted that traditional look, and they wanted a traditional cake.

Exhibit 631 again. Now, they had had their actual wedding eight months previously. They wanted a ceremony. What proves our point, only the top tier of that three-tier cake is a cake. The other two tiers are Styrofoam covered with icing. They serve no purpose but to send a message of a traditional wedding cake. That cake was not for dessert.

Jessica Criollo discussed with the real parties what they wanted, and they got these dessert loaves covered with icing that was dessert at the

wedding, not that cake. But that cake was wheeled out to the center of the room, and they did the cake-cutting because they want a traditional wedding.

Cathy Miller tells couples when she meets with them, the cutting is your first act together. Feeding each other is providing for each other. Everything at these traditional weddings has traditional age-old messaging.

But in this particular case, that cake that was made for them that they would have wanted Tastries to make was, in fact, only there to send a message, not to provide the dessert for the people. And the people that were there undeniably, irrefutably understood the purpose of the cake, which, again, served no other purpose but to celebrate a wedding.

What they wanted Cathy Miller to do is to violate her conscience by making a cake that was celebrating a union other than what God had designed. Again, the first book of Genesis, in the very beginning and talked about multiple books in both Testaments of the Bible, multiple times, including by our Lord and Savior Himself when he walked this Earth and said, have you not heard God said a man leaves his father and mother and cleaves to his wife, and the two become one flesh. Jesus Christ himself said those words when asked about divorce.

And, indeed, by the way, it is not just gay couples who don't get a cake regarding marriage. A man

once came in and wanted to have a divorce cake to kind of make a statement to his wife that he didn't want her anymore. She wouldn't make that cake, either. Anything that denigrates anyone, particularly in the context of marriage, she will not allow.

But she can only honor God through her creative talents and abilities in making a wedding cake that is consistent with the clear dictates of scripture if you believe it's the revealed Word of God, as she does.

In terms of, again, being cake art, I already told you multiple witnesses, including the Plaintiff's witnesses will say that cake was art.

And in terms of the other issues in the case relating to the application of the Unruh Act, not only is there a legitimate purpose in terms of following the constitution and pursuing her rights --

And by the way, you will hear from Michael Miller, Your Honor, that he not only did the financial advisory work for Tastries, but prior to working for Tastries for over, I think, it is 12 -- closer to 20 years, he worked for major companies that also did regulatory assessments. So he was well-versed in looking at statutes and regulations. And he said when the Obergefell case came down, he sat down with Cathy and they looked at the Unruh Act together and said we need to find a way to make sure we are in compliance because the Unruh Act does say that it doesn't negate

any other laws.

Well, of course, the state and federal constitutions are higher laws than the Unruh Act. And the Unruh Act itself protects religion as does Article I, Section IV of the California Constitution and, of course, the First Amendment to the U.S. Constitution.

But we should try to provide an accomodation for full and equal service. And that's where they came up with the Gimme Some Sugar alternative, which they had in place before the Real Parties came in.

And under the North Coast case that the Plaintiff likes to cite, if there is an accommodation and that should be sufficient. And also under Minton, which was, again, another medical service.

Keep in mind, these cases, North Coast and Minton, is essential services dealing with sensitive reproductive care issues. But in Minton, they said if they had set up an accommodation in advance, that would have been sufficient. Catharine Miller did that.

And in Fulton, a more recent U.S. Supreme Court case that dealt with accommodation and sexual orientation, the Court just said, hey, Catholic Charities isn't the only adoption agency around. There's plenty of adoption agencies for gay couples, and taking Catholic Charities out of the marketplace doesn't help placing babies.

Taking Cathy Miller out of the marketplace --

which whether they will admit it or not, is what the DFEH is seeking to have accomplished here, because she can't violate her conscience what she believes, unlike most people, but like some of us, it has eternal consequences. If you defy God, it has eternal consequences.

So taking her out of the marketplace does not serve the community by having more -- not just a free expression of ideas, but also more services made available.

As to BAJI and CACI, we provided our own burden of proof statements, as the Court requested, so I'm not going to go through that now. And our trial brief does state the law. There is about a dozen key cases. I'll look forward to hopefully sharing with Your Honor a little bit in closing argument as to how we believe the law applies.

I love citing the South Bay case because my firm took that to the United States Supreme Court last year and opened up all the churches in California with 40 million people. And the Chief Justice Roberts said the State of California did not appreciate the magnitude of the constitutional interest involved, and they still don't.

The State of California does not appreciate the magnitude of the constitutional interest. They wanted to bar the doors of the churches, and now they want to force Christians to violate their consciences,

and it's absolutely not necessary.

Cathy Miller had a workable system that can still work if any gay couple ever chooses to come to get a real cake from her again. But given what's happened in this case, I doubt if that's something she will have to deal with in the future.

Bottom line is making a wedding cake, Your Honor, is about the message and not the person. It has never been about depriving people's sexual orientation.

The Court indicated they want to know what the DFEH's real argument is.

About at 4:30 this morning when I woke up, which I often do during trial and can't get back to sleep, I think I figured out the message from the DFEH is that Cathy Miller only wants to make a wedding cake for a man and a woman; therefore, since she is not making it for two people of the same sex, it's sexual orientation discrimination pure and simple, and it doesn't matter what her religious beliefs are.

But she is not having this policy so as to discriminate against anyone, only to follow her religious conscience that marriage is between a man and a woman. And that's the message.

And the fact that she is doing that, the highest court in the land has said more than once, you can't call us all bigots. And whether they want to use the word or not, by saying -- well, the Real Parties do use the word in depositions. But whether the DFEH, who

represents them, wants to use the word, that's basically what they're saying, that all of us who share that belief are bigots.

Now, we were promised when the Supreme Court passed Obergefell that they would not do that. We were warned it would happen, and it is happening, but the Supreme Court said they weren't going to allow it. But it starts here with you, Your Honor. And if it has to go up, so be it. But you have the chance to have the first, I like to think, the last word on it, but at this point, the most important one. And I look forward to coming back.

And I actually have five more minutes, so let me look at my notes real quick. But I look forward to coming back in closing argument and telling you what the law actually says.

Am I out of time?

My timekeeper says I'm out of time.

So with that, Your Honor, I'll thank you very much for the opportunity of giving this opening statement. I look forward to speaking to you directly in closing argument.

THE COURT: Okay. Mr. LiMandri, Mr. Mann, thank you for your comments. I think that gets us off to a good start.

So we're going to adjourn for the day, and we'll come back tomorrow at 9:30. Let's try 9:30. I'll see if I can get that knocked out.

We are in recess. Have a nice evening.

MR. LIMANDRI: Thank you, Your Honor.

MR. MANN: Thank you, Your Honor.

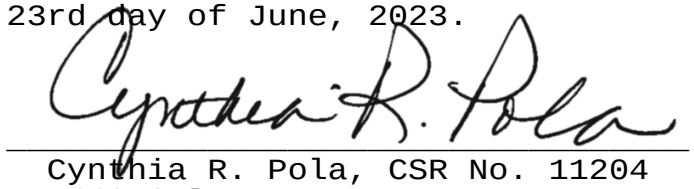
(Whereupon, proceedings adjourned.)

(Volume 4 consists of pages 601 through page 783. There are no pages 784 through page 900. Volume 5 will start on page 901.)

STATE OF CALIFORNIA)
) ss.
COUNTY OF KERN)

I, Cynthia R. Pola, hereby certify that I, as Official Reporter Pro Tempore of the Superior Court, County of Kern, do hereby certify that the foregoing transcript in the matter of DFEH vs. CATHY'S CREATIONS, LLC, ET AL.; Case No. BCV-18-102633, July 25, 2022, consisting of pages numbered 601 through 783, inclusive, is a complete, true, and correct transcription of the stenographic notes as taken by me in the above-entitled matter.

Dated this 23rd day of June, 2023.



Cynthia R. Pola, CSR No. 11204
Official Reporter Pro Tempore

IN THE COURT OF APPEAL IN THE STATE OF CALIFORNIA

IN AND FOR THE FIFTH APPELLATE DISTRICT

--o0o--

DEPARTMENT OF FAIR EMPLOYMENT, AND HOUSING, AN AGENCY OF THE STATE OF CALIFORNIA, PLAINTIFF/APPELLANT, vs. CATHY'S CREATIONS, INC. D/B/A/ TASTRIES, A CALIFORNIA CORPORATION; AND CATHARINE MILLER, AN INDIVIDUAL, DEFENDANTS/RESPONDENTS.	Volume 5 of 8 Page 901 - 1080 Case No. BCV-18-102633 Court of Appeal No. F085800 Bakersfield, California July 26, 2022
EILEEN RODRIGUEZ-DEL RIO AND MIREYA RODRIGUEZ-DEL RIO, REAL PARTIES IN INTEREST	

APPEAL TO THE COURT OF APPEAL

FROM THE SUPERIOR COURT OF KERN COUNTY

HONORABLE J. ERIC BRADSHAW, JUDGE; DIVISION J

APPEARANCES:

For the Plaintiff/ Appellant:	Department of Fair Employment And Housing By: GREGORY J. MANN, ESQ. By: KENDRA TANACEA, ESQ. By: SOYEON C. MESINAS, ESQ. 320 West 4th Street, Suite 1000 Los Angeles, California 90013
For the Defendants/ Respondents:	LIMANDRI & JONNA LLP By: CHARLES LIMANDRI, ESQ. By: PAUL M. JONNA, ESQ. By: JEFFREY M. TRISSELL, ESQ. P.O. Box 9120 Rancho Santa Fe, California 92067
Reported By:	Cynthia R. Pola, CSR No. 11204 Official Reporter Pro Tempore

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF KERN

HON. J. ERIC BRADSHAW, JUDGE, DIVISION J

--o0o--

DEPARTMENT OF FAIR EMPLOYMENT, AND HOUSING, AN AGENCY OF THE STATE OF CALIFORNIA, PLAINTIFF, vs. CATHY'S CREATIONS, INC. D/B/A/ TASTRIES, A CALIFORNIA CORPORATION; AND CATHARINE MILLER, AN INDIVIDUAL, DEFENDANTS.	Case No. BCV-18-102633
	Bakersfield, California
	July 26, 2022
EILEEN RODRIGUEZ-DEL RIO AND MIREYA RODRIGUEZ-DEL RIO, REAL PARTIES IN INTEREST	

REPORTER'S TRANSCRIPT OF PROCEEDINGS

APPEARANCES:

For the Plaintiff: Department of Fair Employment and Housing
By: GREGORY J. MANN, ESQ.
By: KENDRA TANACEA, ESQ.
By: SOYEON C. MESINAS, ESQ.
320 West 4th Street, Suite 1000
Los Angeles, California 90013

For the Defendants: LIMANDRI & JONNA LLP
By: CHARLES LIMANDRI, ESQ.
By: PAUL M. JONNA, ESQ.
By: JEFFREY M. TRISSELL, ESQ.
P.O. Box 9120
Rancho Santa Fe, California 92067

Reported By: Cynthia R. Pola, CSR No. 11204
Official Reporter Pro Tempore

MASTER INDEX - VOLUME 5 - (Pages 901 - 1080)

SESSIONS

	PAGE
TUESDAY, JULY 26, 2022	
MORNING SESSION	906
AFTERNOON SESSION	985

MASTER INDEX - VOLUME 5 - (Pages 901 - 1080)

CHRONOLOGICAL INDEX OF WITNESSES

PLAINTIFF'S WITNESSES: PAGE

ROSEMARY PEREZ (Pursuant to Evid. Code 776)

DIRECT EXAMINATION BY MR. MANN 917
CROSS-EXAMINATION BY MR. LIMANDRI 957
REDIRECT EXAMINATION BY MR. MANN 971

MARY JOHNSON

DIRECT EXAMINATION BY MS. MESINAS 1009
CROSS-EXAMINATION BY MR. JONNA 1031
REDIRECT EXAMINATION BY MS. MESINAS 1048

MIREYA RODRIGUEZ-DEL RIO

DIRECT EXAMINATION BY MR. MANN 1050

DEFENDANTS' WITNESSES:

MELISSA MASSEY

DIRECT EXAMINATION BY MR. JONNA 974
CROSS-EXAMINATION BY MS. TANACEA 992
REDIRECT EXAMINATION BY MR. JONNA 1006

MASTER INDEX - VOLUME 5 - (Pages 901 - 1080)

EXHIBITS

JOINT EXHIBITS

EXHIBIT NO.	DESCRIPTION	PAGE
104-001	Received - Document	930

BAKERSFIELD, CALIFORNIA; TUESDAY, JULY 26, 2022

MORNING SESSION

HON. J. ERIC BRADSHAW, JUDGE; DIVISION J

--oOo--

(Whereupon, the following takes place in open court:)

THE COURT: Let's go on the record in the matter of DFEH versus Cathy's Creations.

Counsel, Ms. Mesinas, Ms. Tanacea, Mr. Mann, Mr. Trissell, Mr. Jonna, and Mr. LiMandri, all present. Appearances as previously indicated.

Counsel, we have just one item to take up before we begin the evidence -- before we begin the testimony, I should say. We have -- the Court has taken another look at the request for judicial notice. I know that, based on the comments and the opposition, et cetera, I figured I would give you folks one last shot at talking about this.

My tentative ruling is to grant the request for judicial notice as follows:

The Court is not being asked to accept the truth of these records. The Court is being asked to -- for purposes of the Masterpiece defense -- is being asked to take judicial notice that these things happened. That's kind of a strange way of putting some of it. But the Court would grant the requests, except

as to Exhibit 24A, the declaration of Benitez. Exhibit 24A, I'm denying that single request.

With respect to 22E, 22F, 24B, 25A, 25B, I believe those are the ones that have the highlighted portions, I'm only being asked to take judicial notice of those highlighted portions, and so I'm limiting my judicial notice to those highlighted portions.

Most of these -- a lot of these records are records of a state agency in furtherance of an enforcement action. They are official records. So my intention is to -- for the reasons stated in the request -- take judicial notice of these items with the exception of the one exhibit that I've identified -- the declaration I identified, Exhibit 24A, and to sort out what it all means later.

So Ms. Tanacea, I think you are the one that is responsible for this part of it.

Do you wish to comment?

MS. TANACEA: I don't really have much more to add than in my written brief, but I just want to make sure I understand.

So the Court is taking judicial notice of the fact of the document and also the contents as evidence?

THE COURT: Well, the fact -- for example, let's go to depositions because that was the one that I thought about in terms of can I take judicial notice of a deposition. I am certainly not taking judicial notice of the truth of anything stated in that -- in

those deposition transcripts for purposes of this. It seems that the argument that's being made is that certain questions were asked as part of a bigger Masterpiece picture, so to speak. So it's -- it can't be reasonably disputed, in my view, that those questions were, in fact, asked, and so I'll take judicial notice of that fact. And it was part of an enforcement action. So I'm not -- certainly not taking judicial notice of the truth of testimony or anything like that, just that these events did occur.

So with the -- that's what I'm saying with respect to the deposition, it's very limited in scope.

Did you have another question?

MS. TANACEA: Yes. So with respect to pleadings, are you taking judicial notice?

THE COURT: The pleadings were filed; arguments were made. I think I've already kind of shared with you some of my preliminary thoughts on some of this, but I'm not going to -- it's a properly, judicially noticed document. It's a court record. It's in the court file. And so whether it means anything, I'm going to determine later.

MS. TANACEA: And the same with respect to the civil case cover sheets?

THE COURT: Correct.

MS. TANACEA: Okay.

THE COURT: Yes.

MS. TANACEA: All right. I understand.

THE COURT: Mr. Jonna, do you wish to comment?

MR. JONNA: No, Your Honor. Thank you.

THE COURT: I can't remember which one of you folks were --

MR. JONNA: The Court's ruling is acceptable. Thank you.

THE COURT: All right. So -- I can't remember if we have much else under submission that we need to resolve. I know some witnesses were taken off the table, so to speak. I think one or two of those rulings might have had at least marginally related to one of those witnesses that was removed, so I haven't gone back to look at my notes on that.

Are there any rulings that we feel we need to -- anything under submission that we need to take up before we get started in the way of evidence?

MR. LIMANDRI: Thank you, Your Honor. Just one item. I believe the Court already covered it, so we are not necessarily looking for any new or different rulings, but we did want to clarify the record, having gone back through the file with regard to the issue concerning the so-called expert testimony of Michael Miller. And what we put before the Court this morning are documents that we pulled from the file showing that this particular issue was first raised in December 2017 in a declaration -- or actually in interrogatory responses. Cathy Miller filed -- where she said it was

25 to 30 percent revenue stream from the wedding cakes, and that if they could not sell wedding cakes that they'd go insolvent. That was, of course, before the pandemic, but she's since filed subsequent declarations in support of the motion for summary judgment adjudication which this Court heard where she said it was basically the same thing.

She was deposed twice with a couple of years intervening, as was Michael Miller. And Mr. Miller, in his first deposition, as the person who handled the finances, said that that was accurate, but at that time he didn't have data to support it. He subsequently supplied that data in the form of the exhibits, which we agreed to withdraw to obviate the need to spend this time on the matter.

When he was subsequently deposed earlier this year -- we submitted those depositions pages -- the Plaintiffs went in some length questioning him about the basis for the 25 to 30 percent. So clearly, there's no unfair surprise.

We also cited in the short points and authorities we filed, the law, as I understood it, and in fact does exist, is that someone can testify as to their lost earnings without being an expert. It does not require expert testimony as to what impact an event had on them as the business owner.

So when I -- first of all, there was a demand by the Plaintiffs. We did a letter, the Court saying

it is untimely, is technical because they have to do it 70 days before the trial date, and they -- they ended it on a holiday so they gave themselves an extra day. But the rule is, as we understand it -- we cited the authority from the Code of Civil Procedure -- when you are counting back from a court hearing date, you don't get the benefit of the extra day for the holiday. The Court gets the benefit, so you actually get one less day.

Now, if it's between the parties and you are serving discovery and your deadline falls on a holiday, you can go to the next day because you are counting forward, but when you're counting back, you can't. So we raised that as a technical objection, that it was untimely, but we, you know, didn't want to have a court hearing on the matter, so we just agreed, look, we don't see either side bringing expert testimony.

When we said that, they had already known about this issue and about Cathy Miller and Mike Miller's testimony. We thought they were fine with there not being expert testimony. And again, they subsequently examined Mr. Miller at length.

The only reason why I'm going through this is to give the Court the background, I'm assuming that attorneys who filed that motion Sunday night weren't necessarily aware of the full background or they wouldn't have filed it, because under the circumstances, if they were aware of the background

filed it, sorry, that would be bad faith from my point of view, given how this particular issue has transpired, in particularly since we are not even making a lost earnings claim. We are just showing for purposes of balance of harm what the impact would have been.

But anyhow, we provided that documentation to the Court. It is irrefutable as to what answers were given and when they were given and how this issue developed. I think the only dispute is whether their demand was timely. I see that as a nonissue, given the fact that there is absolutely no prejudice.

Thank you for the opportunity to explain that, Your Honor. You already ruled on it, but if the issue does arise during trial, I thought it might be helpful for the Court to have further context so we don't need to go into it at that time.

THE COURT: Mr. Mann, do you wish to comment any further on that issue? I mean at this point, I'm not changing anything that I said from yesterday. I think Mr. LiMandri wished to make a record so that as we -- or inform this Court.

Did you mean to say that you filed something this morning because I haven't seen it?

MR. LIMANDRI: We did, Your Honor.

THE COURT: I didn't see it.

MR. LIMANDRI: I'm sorry. I've got a copy of the points and authorities, but all the attachments to

the declaration I do not have, but they should be in the court file. Quite frankly, I don't think you need to spend the time to review those. And everything that we stated in the papers, I've just argued. The only thing that might be helpful to the Court, if you -- it is only a four-page points and authorities, is that that legal authority, it is not expert testimony to say what your lost earnings are.

THE COURT: Yes, Ms. Tanacea?

MS. TANACEA: Your Honor, if I remember your ruling correctly, you were going to allow the questions that were asked of Mike Miller in deposition.

THE COURT: Yes.

MS. TANACEA: And so we don't dispute that. Okay.

And then as far as Cathy Miller, as a business owner, testifying to her, you know, best estimate as to her loss, yes.

The only thing we want to exclude were hypotheticals, expert witness projections into the future. And then if we get into the expert witnesses demand, we believe it was timely. Even if Mr. LiMandri is right, he will readily agree that we have all agreed all through discovery and this pretrial process, that nobody would call experts.

THE COURT: I think that's what he just said.

MS. TANACEA: Right.

THE COURT: You know, not trying to throw

gasoline on a fire here, I'm simply going to say that Mr. LiMandri's understanding of how that deadline works, though, is consistent with my understanding. If I have to go back and look at that issue, I will, but I'm not planning on doing it right now.

For your benefit, Ms. Tanacea, I'm simply telling you that what he just said is, in fact, my understanding of how that works. But that, I have to admit, is from a hazy day in the past where I actually had to look at it. I'm not making any different rulings. Everything is the same. We had a full discussion of this. I think we are ready to go, and I'm not -- I understand, I think, the people's positions here, and so we are going to move forward.

Is there anything that the defense needs -- not the defense -- that the Plaintiff needs to bring up before we call our first witness?

MR. MANN: Just like the record to reflect that we didn't file any documents last night, Your Honor.

THE COURT: I'm taking judicial notice of that fact, too.

All right. Then let's go ahead and get started.

Mr. Mann, call your first witness, please.

MR. MANN: Yes, Your Honor, pursuant to Evidence Code 776, DFEH calls Rosemary Perez.

THE COURT: Counsel, for the -- it hasn't

been discussed, but I do need to ask, because sometimes it's an oversight, and I don't want to run into a problem later on, but there has been no motion to exclude witnesses from this courtroom. We've had a pretty complete discussion without the benefit of such an order up to this point, so I'm assuming parties have made a conscious decision on what's happening here, and I won't say anything else about it.

Ma'am, can you stand and raise your right hand and face my courtroom assistant, please.

THE CLERK: Do you solemnly state that the evidence you shall give in this matter shall be the truth, the whole truth, and nothing but the truth, so help you God?

THE WITNESS: Yes.

THE COURT: You can have a seat. There should be -- there is not a microphone.

I'm not sure what they did with that. You know what, we are going to need to take a short break because I need to take care of that.

Let's take a short recess. That's a technical glitch on our part.

(Brief recess.)

THE COURT: Let's go back on the record. Counsel are present. Appearances as previously indicated.

We have had a discussion off the record concerning a court order removing witnesses from the

courtroom. And my order is that all witnesses are excluded from the courtroom, are ordered not to converse with one another concerning the matters discussed in the courtroom.

Because we have media coverage, I'm ordering that no third-party witness watch media coverage, and if they are exposed to it, to immediately remove themselves from hearing or watching it until this trial is over.

The parties -- I should say counsel are ordered to instruct witnesses as to this Court's order, not only -- not to come into the courtroom until they're called as a witness, but also instructing them on what I've just said about watching or hearing -- reading, watching, or listening to media coverage, and to avoid such coverage concerning -- and then, of course, witnesses are not to converse with one another concerning questions asked or answers given in this courtroom.

This order does not apply to the Real Parties in Interest. This order does not apply to the representatives of the Defendant, that would specifically be Cathy Miller and her husband, but beyond that, it applies to all witnesses.

Is that what we are saying here, Counsel?

MS. TANACEA: Yes, Your Honor.

MR. LIMANDRI: Yes, Your Honor.

THE COURT: Okay. That is the Court's order.

All right. Mr. Mann, your witness has been sworn. She has her microphone.

Would you state and spell your first and last name for the record, please.

THE WITNESS: Rosemary Perez, R-o-s-e-m-a-r-y P-e-r-e-z.

THE COURT: I'm going to ask you to pull that microphone a little closer. I need you to speak clearly into the microphone when you testify.

Mr. Mann, your witness.

DIRECT EXAMINATION

BY MR. MANN:

Q. Good morning, Ms. Perez. Good to see you again.

A. Good morning.

Q. Do you mind if I call you Rosemary, or should I stick with Ms. Perez?

A. Either is fine.

Q. All right. You're a Bakersfield resident?

A. Yes, I am.

Q. And you graduated from Delano High School in 1989?

A. Yes.

Q. I might have mispronounced that, so I'm sorry.

Prior to joining Tastries, you worked at Rosie's Cakes here in Bakersfield from about to 2004 to

2016?

A. Yes.

Q. You were a manager at Rosie's and ran the Bakersfield location?

A. Yes.

Q. Among your duties, a primary duty was that you took cake orders?

A. Yes.

Q. You also did a little bit of cake design?

A. Very little.

Q. And prior to Rosie's, you had some experience at San Francisco Cookie Company and Cinnamon & Spice, as well?

A. Yes.

Q. It is safe to say that you have over 15 years of experience interacting with and taking customer orders in bakeries?

A. Yes.

Q. In those years you gained an understanding that under California law businesses are supposed to serve customers regardless of their sexual orientation, correct?

A. Yes.

Q. You've been trained while at Tastries that under California law that businesses are required to provide full and equal services regardless of a customer's sexual orientation, right?

A. Yes.

Q. Now, you started working at Tastries on November 1st, 2016?

A. Yes.

Q. And you started in front of the store doing customer service, taking orders over the phones, cleaning, getting products out of the cases?

A. Yes.

Q. You're still at Tastries?

A. Yes.

Q. And you have been employed by Tastries, not Cathy Miller as an individual, right?

A. Yes.

Q. And you were promoted at Tastries to morning manager, 2018 maybe?

A. Yes.

Q. During your shift you managed the entire store, even though you mostly work in the front?

A. Yes.

Q. And your hours are 6:30 to 2:00?

A. Yes.

Q. And there is an afternoon manager, as well?

A. Yes.

Q. And that's Bailey?

A. Bailey is no longer with us.

Q. Okay. Prior to whoever is there now, it was Bailey?

A. Yes.

Q. What is Bailey's last name?

A. Johnston.

Q. And as part of your duties you make sure that baked goods get into cases and bakers and decorators are doing what they are supposed to be doing in the back?

A. Yes.

Q. You get the shop ready for opening?

A. Yes.

Q. Now, there are some team leaders in -- that work in the back in the kitchen; is that correct?

A. Yes.

Q. And they focus on the baking and decorating of baked goods?

A. Yes.

Q. And during your shift, the employees report to you?

A. Yes.

Q. And you report to Cathy?

A. Yes.

Q. It sounds like Cathy does a bit of everything around the shop, depending on what needs to be done at any time?

A. Yes.

Q. And nowadays she is the one that approves the advance cake orders, especially wedding cakes?

A. Yes.

Q. She does many of the design consultations for the preordered cakes where she meets with customers,

gathers their information, works with them on their design?

A. Yes.

Q. When Bailey was with Tastries, you and she and the afternoon manager would do design consultations on advance cake orders, as well, right?

A. Yes.

Q. And you would handle advance orders for birthday cakes, anniversary cakes, and other cakes?

A. Yes.

Q. And for other preordered products besides cakes, as well, right?

A. Yes.

Q. We'll come back to the design consultations, but let's talk a little bit about the front-end, provide a little context for Judge Bradshaw.

Tastries has around five front-end employees that interact with the customers, answering questions, showing them the different baked goods?

A. Yes.

Q. And the front-end associates help the customers get items out from the refrigerated cases, handle sales, run the cash register, answer phones, keep everything stocked and cleaned?

A. Yes.

Q. And the front-end employees show the customers different baked goods?

A. Yes.

Q. You, as a front-end employee, help customers when they want to order in advance -- order baked good in advance?

A. Yes.

Q. Now, in the front-end, there is a couple of refrigerated cases where the products are kept?

A. Yes.

Q. And those baked goods are available as long as they are in the case, first-come, first-served?

A. Yes.

Q. So those baked goods are not ordered in advance?

A. No.

Q. Correct?

A. Yes.

Q. And Tastries calls those case items?

A. Yes.

Q. And in there, there is muffins, one-tiered cakes, cookies, cupcakes, eclairs, cheesecakes, the whole gamut of baked goods?

A. Yes.

Q. When we are talking about the cakes that are in the case, those are typically one-tier, round, smaller cases, right?

A. Yes.

Q. And those are often bought for birthdays?

A. Yes.

Q. And on the walls, behind the counter, and

pretty much all over the shop, there are fake cakes, but they're decorated with real frosting and are good examples of the type of cakes Tastries can make?

A. Yes.

Q. Those kind of cakes would be preordered or, as Tastries calls them, custom cakes, right?

A. Yes.

Q. Let's talk more about the custom orders.

Any cake ordered in advance at Tastries is referred to as a custom cake, right?

A. Yes.

Q. It doesn't matter what the design is, simple or complex, if it is ordered in advance, it is custom?

A. Yes.

Q. And that's because it's what the customer is choosing, what the customer wants, correct?

A. Yes.

Q. And if someone came in and wanted an exact copy of one of those case cakes, but they want it a week from now, that would become a custom order, as well, right?

A. Yes.

Q. Let's talk more about the process of ordering custom cakes.

You or Bailey or the new -- you or Bailey, when she was there, or Cathy, would be working with customers on advanced cake orders, correct?

A. Yes.

Q. There is an order form with lots of different options, depending on what is being ordered?

A. Yes.

Q. And if -- talking about cakes, it would talk about how many tiers, what flavor, what filling, what kind of frosting, all the different choices that a cake can be made of, right?

A. Yes.

Q. And when one of you is working with the customer on your advanced order, Tastries calls that a design consultation?

A. Yes.

Q. And for wedding cakes nowadays, you often start gathering information from the customer to get the order form started?

A. Yes.

Q. And you'll schedule a time for the customer to go meet with Cathy?

A. Yes.

Q. And you can do the entire design consultation for birthday cakes, anniversary cakes, and other cakes, right?

A. Yes.

Q. Now, in the past, up through the time period we are concerned about here, through August 2017, the previous managers, Natalie and Nicole, did design consultations for preordered cakes, right?

A. Yes.

Q. And like you, those managers did the entire consultation for some preordered cakes?

A. Yes.

Q. And Natalie and Nicole, when they were managers, they did the entire design consultation for some wedding cakes, as well?

A. Yes.

Q. And we know that -- or they did the design consultation for at least two wedding cake orders from gay couples, correct?

A. Yes.

Q. Those two orders were approved and Tastries fulfilled the wedding cake orders for those two same-sex couples, correct?

A. They were not approved by Cathy, but Natalie and Nicole, yes.

Q. And Tastries ended up providing those cakes for the same-sex couples at their wedding receptions?

A. Yes.

Q. You worked on the order form for one of those instances, correct?

A. Yes.

Q. You see we got two big binders there in front of you. We are the State so we don't have a fancy projector so we have to use the notebooks.

If you look at 104, it would be in notebook Number 1.

MR. LIMANDRI: If it's going to expedite

things, I'm going to go ahead and make an executive decision to instruct our audiovisual technician to display these exhibits. Realizing the State hasn't been able to provide that service, I think it would make sense to provide it for everyone.

THE COURT: So Exhibit 1, you want to flash it up here?

MR. MANN: Chuck's offering, if it's going to help the Court.

THE COURT: Yeah, I mean, if you want to do it, then, I think for the benefit of --

MR. MANN: Yeah, I'm happy to do it. I just feel bad because we can't chip in to do it.

MR. LIMANDRI: We want to move the trial along. It's to everyone's benefit. And Mr. -- the videographer is here. So it might be --

THE COURT: So let me just ask counsel, with respect to these exhibits, before they get projected, normally the rule is unless it's been received in evidence, it does not get published.

MR. LIMANDRI: Right. We had an objection to this one. It is not part of --

THE COURT: This is a bench trial, and so I have to look at it in order to understand what the objections are sometimes.

So what are we doing with Exhibit 1?

MR. MANN: This is the only one I'm using that is not already stipulated into evidence.

THE COURT: All right. So the -- this is Plaintiff's Exhibit 1 marked for identification; is that correct?

MR. MANN: Yes -- I'm sorry, Exhibit 104?

THE COURT: I'm sorry. I was -- 104. Exhibit -- this is Plaintiff's Exhibit 1-0041. Okay.

Counsel, all of these exhibits that we're talking about have been premarked in some form.

Is that how you folks want them marked for purposes of this trial?

MR. LIMANDRI: Yes, Your Honor.

THE COURT: Okay. So then when we go to an exhibit, Counsel, let's be real clear about what we are talking about. Because I note that it's -- for example, it's 001-004 on this particular exhibit. So let's identify it specifically like that so that we can line up what the record is saying with what's actually in the binder.

MR. LIMANDRI: Your Honor, I believe what counsel has identified and premarked for identification is Exhibit 104-001. He's represented that's the only one that we have an objection to that he intends to use today, and our objection to 104-00- --

THE COURT: I don't know what we are looking at.

MR. LIMANDRI: Okay. 104-001.

MR. MANN: It's in notebook 2.

THE COURT: Notebook 2. That's why I don't

know.

MR. MANN: I messed up.

Rosemary, it's in notebook 2. Sorry.

We got some weird numbers, Your Honor.

THE COURT: 104- --

MR. LIMANDRI: First page.

THE COURT: -001?

MR. LIMANDRI: Yes, Your Honor.

THE COURT: Okay. Does the witness have the exhibit?

THE WITNESS: Yes.

THE COURT: Mr. Mann, do you wish to ask some questions?

MR. MANN: Yes.

MR. LIMANDRI: And we had an objection. Your Honor, it lacks foundation. It's on the --

THE COURT: Well, I think we should let Mr. Mann ask his questions. He hasn't offered it into evidence yet. So it's a little premature to make an objection.

So I'm going to say overruled at this point.

Go ahead, Mr. Mann.

BY MR. MANN:

Q. All right. Rosemary, we just asked you about two instances that you know of where Tastries provided wedding cakes for same-sex couples.

You remember that?

A. Yes.

Q. And were you involved in taking the order in one of those instances?

A. I found out after, yes.

Q. Taking a look at 104, do you recognize that document?

A. Yes. I recognize my writing.

Q. And can you tell us what it is?

A. I believe it is a four-tier cake because it is over $500.

Q. More about just what the form is?

A. It's the same. The form that we used here was the same for everything, birthdays, weddings, quinceañeras, baptisms.

Q. Are those your initials on the bottom right on the first page?

A. Yes.

Q. And do you believe that you filled out this form?

A. Yes.

MR. MANN: Your Honor, I would like to move this into evidence. I move to move it into evidence.

MR. LIMANDRI: Our objection, Your Honor, is it's irrelevant. It's not part of the issue in this case regarding the subject cake that was ordered for the Real Parties.

THE COURT: Relevance, Mr. Mann?

MR. MANN: Shows that Tastries has provided cakes for same-sex weddings before, and it's

background. I want Your Honor to be able to see an order form, how it's filled out, and what's included in it.

THE COURT: And the specific objection is what?

MR. LIMANDRI: Relevance. We will be using the actual form that was used in this case, and this was for another customer, for another purpose. And our client was unaware that that purpose was for a wedding.

THE COURT: I'm going to overrule the relevance objection at this point, take it subject to a motion to strike. I will hear argument about the relevance of this later, subject to a motion to strike if the defense wishes to make it. I'm going to receive it with those thoughts in mind.

Exhibit 104-001 is received.

(Whereupon, Exhibit 104-001 was admitted into evidence.)

BY MR. MANN:

Q. So when you were filling out this order with the customer, you didn't realize it was going to be used for a same-sex wedding, correct?

A. Correct. I did not.

Q. And you filled in the information for the flavors, the size, the shape, type of frosting there on the third page, -003?

A. Yes.

Q. And you were talking about how this is

representative of an order form that Tastries would use for all its advanced ordered baked goods, correct?

A. Yes.

Q. And if we look at the last page, -004, that would be an example of how the person working with the customers would provide a visual image so that the designer or the decorators would know what kind of cake to make and how to decorate it, correct?

A. Yes. We still have our template.

Q. And sometimes there's a drawing like this; sometimes there could be a photo attached, right?

A. Yes.

Q. And then once you were finished filling it out, you would pass it on to your manager Natalie; is that correct?

A. Yes.

Q. And looking at that last page again, can you tell if you were the one that drew that picture with the design?

A. Yes.

Q. And then back to Page 1. Sorry. Can you tell us -- this was June 22nd, 2017 that this would have been done?

A. Yes. I don't have the year on it, but 6/22.

Q. Looking at the second page, the receipt?

A. Yes.

Q. So that helps you remember it was June 22nd, 2017, when this order took place?

A. Yes.

Q. And then Tastries prepared and delivered the cake to the wedding, correct?

A. Yes.

Q. And it was after the delivery that you learned it was for the wedding reception of a lesbian couple, correct?

A. Yes.

Q. And that is when you learned that Natalie and a few other employees occasionally made wedding cakes for a wedding reception with same-sex couples; is that correct?

A. Yes.

Q. And on those occasions when they did, Cathy didn't know about it, right?

A. She did not.

Q. We are done with that for now. Thank you.

So for the design consultations, the customers tell you about the kind of baked goods that they want?

A. Yes.

Q. And they will tell you about the design of the baked goods that they want?

A. Yes.

Q. If it is a cake, they will decide how many tiers, what type of frosting, what flavors, what the decoration is, correct?

A. Yes.

Q. And if they have a photo of a cake for inspiration, they could provide that to you?

A. Yes.

Q. And it is common for photos -- oh, I'm sorry. It's common for customers to bring a photo of a cake that they find off perhaps Pinterest or Google and provide that to you?

A. Yes. But we do let them know that --

Q. Thank you.

And those photos are often of cakes made by different bakers, correct?

A. Yes.

Q. If customers see a display cake at Tastries, they can point to it and use that for inspiration as well?

A. Yes.

Q. And customers are ordering these preordered cakes for their event, correct?

A. Yes.

Q. Aside from wedding cakes, most customers come in and pick up their preordered cakes?

A. Yes.

Q. Tastries does a lot of deliveries of wedding cakes?

A. Birthdays also, quinceañeras, anniversaries.

Q. And you've delivered a few wedding cakes?

A. Yes.

Q. And at your depo you described your

deliveries as you got the order form, went over it, got the product, drove it over, put it in the venue and left, right?

A. Yes.

Q. And you finished the deliveries before the event started?

A. Yes.

Q. So we've talked about the order process. I'd like to talk with you about the design standards now.

So for preordered cakes, Tastries will not just do any design that a customer asks for, right?

A. Right.

Q. Tastries has design standards that apply and that you follow when you're taking an order?

A. Yes.

Q. Take a look at Exhibit 8, Page 2.

MR. MANN: And this has already been -- from here on out, Your Honor, all these have been stipulated to admissibility as well.

THE COURT: Exhibit 8?

MR. MANN: Yes. You should know this one by heart by now.

THE COURT: Go ahead.

BY MR. MANN:

Q. Tastries will not make a preordered cake if it doesn't align with these design standards, correct?

A. Right.

Q. And they changed a little bit over time, but

in looking at it, is this a good representation of what they've been while you've been at Tastries?

A. Yes.

Q. The new standards that have been done much more recently, would you describe they are a little bit more clear than these standards?

A. Yes.

Q. And this standard or something very similar like it was in effect in August of 2017, correct?

A. Yes.

THE COURT: You're looking at Page -002?

MR. MANN: Yes.

THE COURT: Okay. Thank you.

BY MR. MANN:

Q. And these standards apply to all of your baked goods, not just cakes, correct?

A. Yes.

Q. And Tastries sells a lot of preordered goods beyond cakes, correct?

A. Yes.

Q. These design standards do not apply to the items in the cases, though, correct?

A. No, but they're not -- the things that we put in the cases are going to apply to our standards.

Q. So as somebody that works with the customer, you apply these standards, correct?

A. Yes. They know about them.

Q. And you understand them?

A. Yes.

Q. And Cathy created these design standards?

A. Yes.

Q. And is it your understanding that the design standards are based on her view of what fundamental Christian principles are?

A. Yes.

Q. Now, if we look at the top set of bullet points, is it fair to say that those are more general, that the themes Tastries wants to do are positive and beautiful and balanced, right?

A. Yes.

Q. We want to focus on the bottom set of bullet points. And those are more specific to the actual designs that Tastries will not make, correct?

A. Yes.

Q. So they won't be -- Tastries will not make designs that feature alcohol products, for example?

A. Right.

Q. And then if we look at the last bullet point there -- or before I go there -- so those top five, those -- I'm sorry. You already said -- those are all about the design and what the cake is going to look like, right?

A. Yes.

Q. And in that sixth bullet point, it talks about Tastries not making a design that violates fundamental Christian principles?

A. Yes.

Q. And that applies to any situation or event that a customer would get a preordered cake for?

A. Yes.

Q. And we see that there's one specific example of a fundamental Christian principle, and that's that wedding cakes must not contradict God's sacrament of marriage between a man and a woman, correct?

A. Yes.

Q. And that standard does not focus on what the design or the decoration of a cake is, right?

MR. LIMANDRI: I'm going to object, Your Honor. It -- the document speaks for itself, and it's calling for an expert opinion from this witness.

THE COURT: Sustained.

BY MR. MANN:

Q. I asked you, you understand these design standards, and you apply them, right?

A. Yes.

Q. And you're the manager of the whole store during the time that you're in it?

A. Yes.

Q. And people, if they had questions about these design standards, other Tastries employees, they would come and ask you?

A. Yes.

MR. MANN: Can I ask it again, Your Honor? Have I laid enough foundation?

THE COURT: No.

BY MR. MANN:

Q. Have you ever had occasion to apply that bullet point Number 6 about fundamental Christian principles to any cakes that came to Tastries?

A. Do you mean explain it to the customer?

Q. Either explain it to the customer or have to make a decision whether to accept an order from a customer.

A. Well, right from the beginning we ask for a bride's name and groom's name. And then if it is contrary to that, it is handled through Cathy.

Q. So my question again is: Have you ever had occasion where you applied that sixth bullet point to a customer's order at Tastries?

A. Yes, and I handed it to Cathy.

Q. And what is your understanding of what fundamental Christian principles are in that design standard, sixth bullet point?

A. That marriage is a very, very important, honorable celebration, and it's very sacred. So we don't take it lightly, and we wouldn't want God to frown upon us on being a part of it.

Q. So you just testified that that design standard is about marriage, correct?

A. Yes. The cake is about marriage.

Q. So it's not about what the cake looks like or the design or decoration of the cake, correct?

A. Well, it will be at a celebration of a marriage, so whatever the design is, it displays marriage.

Q. That's not my question.

MR. MANN: Move to strike.

THE COURT: What's your objection?

MR. MANN: Didn't answer my question.

THE COURT: Okay. You are saying it's nonresponsive?

MR. MANN: Yes.

THE COURT: Overruled. Deny motion.

BY MR. MANN:

Q. Let me try it again, Rosemary.

So you just told me that that standard is about marriage. And I'm asking if it is about marriage, the design of the cake doesn't matter. It's going to be denied if it is for a same-sex wedding, correct?

A. No. It does matter because it will be placed in the celebration of the marriage. It ain't going to be placed at a party or a birthday party. Wherever it goes, the design is going to define what the cake represents.

Q. So regardless of the design, Tastries will not make a wedding cake to celebrate a same-sex wedding, correct?

A. Correct.

Q. And not all employees at Tastries agreed with

that sixth bullet point about declining orders for wedding cakes for gay couples, right?

MR. LIMANDRI: Objection. Vague and ambiguous as to time, Your Honor.

THE COURT: Sustained.

Hone it down, Mr. Mann.

BY MR. MANN:

Q. In the operative time period, in that summer of 2017, not all employees at Tastries agreed with Tastries declining orders for wedding cakes for gay couples, correct?

A. Correct.

Q. And when we look at that sixth bullet point, aside from wedding cakes must not contradict God's sacrament of marriage between a man and a woman, there are no other fundamental Christian principles listed there, correct?

A. Correct.

MR. LIMANDRI: Objection, Your Honor. Document speaks for itself. Best evidence rule.

THE COURT: Sustained.

Well, I mean, I -- it's overruled on best evidence rule, but the document speaks for itself.

Sustained.

BY MR. MANN:

Q. Are you aware that there are more fundamental Christian principles other than God's sacrament of marriage between a man and a woman?

A. Yes.

Q. And you're aware that that last standard about fundamental Christian principles has been applied to refuse advanced orders for wedding cakes for gay couples?

A. Yes.

Q. And you're aware that Tastries once refused to take a cake order for a wedding -- supposed wedding cake that was going to be used as a divorce cake. You told me about that. Remember?

A. Yes.

Q. But you're not aware of the fundamental Christian principle standard being applied to refuse an advance order for any other situation, right?

A. Yes.

Q. All right. Let's talk about the Rodriguez-Del Rios' first visit with you.

Now, you were working with them when they came into Tastries on August 17, 2017, right?

A. Yes.

Q. Cathy was not there?

A. No.

Q. And you worked with them for 15 or 20 minutes on their cake order?

A. Yes.

Q. You gathered information from them about the cake they wanted?

A. Yes.

Q. And they wanted a simple cake?
A. A wedding cake.
Q. They wanted a simple cake, correct?
A. Yes.
Q. And it was a three-tier with buttercream frosting?
A. Yes.
Q. If we can take a look at Exhibit 125, please.
THE COURT: I'm sorry. What exhibit?
MR. MANN: 125. They have been gracious enough to put it up on the screen, Your Honor.
THE COURT: Go ahead, Mr. Mann.
BY MR. MANN:
Q. You recognize this cake?
A. Yes.
Q. And this is a three-tiered lateral cake that has been on display at Tastries in the past?
A. It's a wispy cake, yes.
THE COURT: Mr. Mann, so I just want to make sure I understand. With the exception of the one exhibit we talked about at the outset, every single exhibit that Mr. Mann is referring to now has been received in evidence; is that correct?
MR. LIMANDRI: It was my understanding there's -- from his representation, he's not going to show any that we've objected to, right? I'm accepting his representation on that. We have not formally admitted them into evidence, but inasmuch as there's no

objection, if the Court wants to consider them admitted at the time he uses them, that's fine. Otherwise, we will read all of the admitted exhibits into evidence later or however the Court prefers.

THE COURT: I'm okay with that. That's expeditious. We can just go through a list at some point in time. But unless there is a specific comment from the defense, I'm going to assume that you got an agreement to publish this exhibit.

MR. LIMANDRI: Correct, Your Honor.

THE COURT: Okay.

MR. LIMANDRI: Thank you.

THE COURT: Go ahead, Mr. Mann. Sorry.

MR. MANN: No problem. We are trying to streamline this.

THE COURT: I appreciate that.

BY MR. MANN:

Q. And this is a very popular Tastries' design, correct?

A. Yes.

Q. Tastries makes cakes like this often?

A. Yes.

Q. Can customers order a cake like this for anniversaries, birthdays, and weddings?

A. Yes.

Q. They also order a cake like this sometimes for bridal showers, baby showers, and quinceañeras?

A. Yes.

Q. Let's take a look at Exhibit 11.

Now, when you were working with Eileen and Mireya on August 17th, you collected the information for their order?

A. Yes.

Q. So if we look at the top right, the date of the event, the day of the week, that's your handwriting?

A. Yes. No, I don't think so.

Q. So looking at the name of them in that area, that's definitely not your writing, correct?

A. No. I think they filled out that part themselves.

Q. Okay. Do you recognize whose handwriting that is in the top right with the event date?

A. I don't.

Q. Would that be something that somebody at Tastries filled out?

A. Yes.

Q. And the circled "DEL", does that stand for delivery?

A. Yes.

Q. And the delivery time was between 2:00 and 3:00?

A. Yes.

Q. And if we look at the event time just under that, that's a 4?

A. Yes.

Q. So the plan was that it would be delivered at least an hour before the event started, correct?

A. Yes.

Q. And that's a standard thing that Tastries' customers want their product delivered before the event starts?

A. Yes.

Q. Looking back at the information that -- safe to say that Eileen or Mireya filled out the name and that information?

A. Yes.

Q. And right there in the middle, event it says "wedding"?

A. Yes.

Q. So you knew they were looking for a wedding cake, correct?

A. Yes.

Q. And it was both of their names on the form, right?

A. Yes.

Q. And you worked with them to collect the details about the design for the cake they ordered, right?

A. Yes.

Q. And you remember it was really something -- I'm sorry. You remember that what they wanted was really simple, nothing major?

A. Yes.

Q. And usually there would be, as we saw with our first exhibit, more pages that listed the details of the cake, correct?

A. Yes.

Q. And that after you filled out this form, it would go into the pending folder at Tastries?

A. Yes.

Q. During the time that you were with Eileen and Mireya, you joked with them about crashing their wedding, right?

A. I did.

Q. And you thought they were friendly, they were very nice people?

A. Yes, they were.

Q. Do you recall that they bought a tote bag that evening -- or that day that they were with you?

A. I don't remember that. No.

Q. Can we take a look at Exhibit 108.

Looking at this, it's -- we can see your name there kind of about two-thirds of the way down?

A. Yes. Yeah, I'm not saying that they didn't. I'm just saying I don't remember. I don't --

Q. No. I'm just trying to see if this helps you to remember or not.

A. Yeah. Uh-huh.

Q. Does this help you remember that they bought a tote bag or something?

A. No.

Q. Okay. So, no.

We try to refresh, but it doesn't always work.

A. Right.

Q. So we saw that they had signed it. It was for their wedding, and it had both of their names.

So when you were working with them, you didn't know for sure, but you had a pretty good inkling that they were a couple, right?

A. Yes.

Q. And about halfway through your time with them, you went and talked to your manager Natalie, and told her that you thought they might be seeking a cake for a same-sex marriage, right?

A. Yes.

Q. You invited them back for a tasting, and signed them up for a tasting on August 26th, 2017, right?

A. Yes. Natalie told me to treat it as if they're regular customers, to not give it to Cathy, to hand it to her when I was done.

Q. And when they left, you had a feeling that they were a couple?

A. Yes.

Q. And you understood that Cathy would not accept an order for their wedding cake, right?

A. Yes.

Q. During that visit, you did not question their

sincerity in wanting a wedding cake, right?

A. No.

Q. We need, for the record, to be clear. I'm sorry. "You did not question. No." That is clear.

MR. LIMANDRI: I'm going to object to your question.

THE COURT: Yes, we can muddy the waters, if you want to, Mr. Mann.

BY MR. MANN:

Q. And during that first visit with them, you didn't mention the design standard to them, that Tastries would not take their order because it was going to be for their wedding, correct?

A. I did not.

Q. And then you later found out that they were already married when they came in looking for a wedding cake?

A. Later, yes.

Q. And that's common these days that couples get married and then have the reception well after the wedding?

A. Yes.

Q. After they left on August 17th, you thought about it for the whole week because you knew about Tastries' policies to not take orders of wedding cakes for lesbian couples, right?

A. Yes.

Q. And back then, you called customers with

tasting appointments to remind them about the appointment?

A. Yes.

Q. So you think you likely called to remind them?

A. Yes.

Q. But neither on that call or at any time that week before they came in on August 26th, did you tell them about Tastries' design standards regarding same-sex weddings, correct?

A. I did not.

Q. And in that interim period, you did not tell Cathy that you signed up a gay couple for a cake tasting?

A. I did not.

Q. So on August 26th, when they come in for the cake tasting, you greeted them?

A. Yes.

Q. And there was an older woman with them? You later find out it was Eileen's mom?

A. Yes.

Q. And there were two men with them -- or two men that were there that joined them?

A. I -- yeah. I don't know if they all came together, but yeah. Yes.

Q. And on that occasion when you noticed the way they were with each other, that's when you knew for sure that they were a couple?

A. Yes.

Q. So you went to Natalie, and Natalie told you to do the tasting, not let Cathy do it?

A. Yes.

Q. But you were uncomfortable with that, so you went and talked to Cathy?

A. Yes.

Q. And Cathy was getting ready to teach a class at the time?

A. Yes, she was.

Q. But Cathy went ahead and took the order form and went up to Eileen and Mireya and their party?

A. Yes.

Q. And you still hadn't told them about the design standard regarding same-sex marriage cakes?

A. I did not.

Q. Now, from your vantage point, you saw the interaction, but you couldn't hear much of the conversation, a word here or there?

A. Correct.

Q. And at some point, you could tell that Cathy let them know she was not going to take their order?

A. Yes.

Q. And you could tell by the facial expressions that Eileen and Mireya were not happy?

A. Yes.

Q. And someone that was with them took the order form from Cathy?

A. Yes.
Q. And then they left?
A. Yes.
Q. There was no yelling or screaming?
A. Not that I recall, no.
Q. No profanity?
A. No.
Q. And as they walked out after being denied the cake that they wanted, either Eileen or Mireya slid you an invitation to their wedding since you had joked with them earlier about crashing their wedding, correct?
A. Yes.
Q. Now, after they left, Mireya texted you and asked you to call her, right?
A. Yes.
Q. And you called her and apologized?
A. I did.
Q. And during the call, you offered to help them get a wedding cake but not from Tastries?
A. I did.
Q. And you were going to ask your best friend to do a wedding cake for them, if they wanted?
A. Yes.
Q. Then you exchanged text messages with Mireya?
A. Yes.
Q. Can we take a look at Exhibit 114, please.
If we look at that second -- no, I'm sorry -- the third -- there are three messages right in the

middle. And that was a text from Mireya saying that this was all to our surprise.

Do you see that?

A. I do.

Q. Now, during your call with Mireya, she expressed how she and Eileen were surprised that Cathy declined to take their wedding cake order?

A. Yes.

Q. And then Mireya texted you that they didn't need you to take -- or they didn't need to have your help to get a wedding cake, right?

A. Correct.

Q. And you texted, "No worries. I can still do cake. It was bound to happen"?

A. Yes.

Q. So you were still willing to help them get a wedding cake after your call with them and after they let you know they didn't even need it, right?

A. I felt at fault for not saying anything. I felt bad.

Q. And you were still willing to help them get a cake if they wanted?

A. Yes.

Q. And during the call and in that text, Mireya let you know that they plan to do something about Tastries not taking their order?

A. Yes.

Q. And based on Tastries not taking their order,

you thought that they would be upset?

A. Yes.

Q. You thought that was reasonable?

A. Yes.

Q. And you texted, "It was bound to happen." And you meant that it was bound to happen, a gay couple like them would do something about being denied at Tastries, correct?

A. I felt that what Natalie and Nicole were doing was bound to get caught, and it was going to blow up. Because when Cathy handled the situations, it was never ugly and there was never animosity.

But this couple was led to believe they were going to get a cake by me. And yeah, of course, it was going to turn ugly, and that is what I was sad about.

Q. And just a few minutes ago you answered that these -- that they were nice and very friendly, right?

A. I did.

Q. But since they decided to pursue their rights and file a claim with DFEH, you no longer believed that, correct?

A. Correct.

Q. You think that by getting the DFEH involved, they did something bad, right?

A. Well, no. It's not respecting her beliefs, our beliefs, our Christian values. I mean, we respect them. I have family members who are same-sex marriage, and they know I don't agree, but we respect each other.

They don't fault my religion or my faith, and I don't say ugly, mean things to them. And we have that understanding. It's respect. And everything that happened to the bakery and to Cathy I felt was disrespectful.

MR. MANN: I'm going to move to strike as nonresponsive and a narrative, Your Honor.

THE COURT: Overruled. Denied.

BY MR. MANN:

Q. Do you remember at your deposition when I asked you, you said that you think by getting DFEH involved, they did something -- you used the word -- "bad"?

A. Well, it caused division.

Q. I just need a "yes" or "no."

A. Yes, sir.

Q. But you have never been denied a service or a product by a business that was open to the public, correct?

MR. LIMANDRI: Objection. Relevance, Your Honor.

THE COURT: Sustained.

BY MR. MANN:

Q. Now, after Tastries denied Eileen and Mireya their cake order, you saw just one Facebook post from Eileen and Mireya about Tastries refusing to take their order, correct?

A. Yes.

Q. You saw other social media posts from other people, but no other posts from Eileen and Mireya, just the one?

A. Yes.

Q. And you didn't see any quotes or statements from Eileen or Mireya in those social media posts by others, right?

A. Right.

Q. And aside from that one Facebook post, you do not attribute directly to Eileen or Mireya any other social media posts or comments or calls that came into Tastries about Tastries declining their wedding cake order, correct?

A. Correct.

Q. And you don't have any knowledge that Eileen or Mireya were telling people to post negative social media comments about Tastries or Mrs. Miller?

A. I do not.

Q. You don't have any evidence about that, either?

A. I do not.

Q. And you don't have any personal knowledge that Eileen or Mireya ever told anyone to call up Tastries or send harassing e-mails to Tastries?

A. I do not.

Q. And to your knowledge, none of the phone calls or e-mails that were harassing came from Eileen or Mireya, right?

A. Right.

Q. After Tastries declined the Rodriguez-Del Rios' order, Tastries received calls of support from the community, correct?

A. Yes.

Q. And people came in to express their support for Tastries after Tastries denied the order of Eileen and Mireya?

A. Yes.

Q. And you had personal conversations on the phone and in person with people supporting Tastries after the denial?

A. Yes.

Q. And you saw social media posts of support for Tastries after the denial of the Rodriguez-Del Rios' order?

A. Yes.

Q. And after this period, Cathy made social media appearances to discuss Tastries' policy and denial of the Rodriguez-Del order -- the Rodriguez-Del Rios' order, correct?

A. I'm not sure.

Q. You're not sure that Cathy gave interviews on TV?

A. She did speak a couple of times with the media.

Q. Are you aware that Cathy spoke with the media after the denial?

A. Yes.

Q. And you're aware that when she would do that, supporters would visit Tastries to encourage her?

A. Yes.

Q. And after Cathy's media appearances, you noticed a boost in Tastries' cake orders?

A. Yes.

MR. MANN: Thank you, Your Honor. No further questions.

THE COURT: Let's take a 10-minute recess. We are in recess.

(Recess taken.)

THE COURT: Let's go back on the record.

Appearances as previously indicated. The witness is on the stand.

Mr. LiMandri, your witness.

MR. LIMANDRI: Thank you, Your Honor.

THE COURT: You may cross-examine.

MR. LIMANDRI: Appreciate it.

CROSS-EXAMINATION

BY MR. LIMANDRI:

Q. Good morning, Rosemary.

MR. LIMANDRI: I'm going to ask a couple of background questions to start, Your Honor. If I may briefly exceed the scope of direct exam for this purpose so I don't need to recall the witness.

THE COURT: All right.

BY MR. LIMANDRI:

Q. Can you tell us, are you married?

A. Yes, I am.

Q. And do you have children?

A. Three.

Q. Any grandchildren?

A. Four.

Q. Okay. You mentioned you had worked at Rosie's before Tastries.

How would you say Rosie's differs from Tastries, if at all?

A. It is not as custom. It is more of a Save Mart/Vons, kind of do the same pattern and just a certain flavor. So no fondant work, nothing like that.

Q. Okay. You had talked about the Tastries' design standards.

Is this something you were made aware of when you came to work for Tastries?

A. Yes. It was in our handbook.

Q. And how do you feel about the design standards? Are you comfortable with them, including the item that Mr. Mann asked you about, about not going against fundamental Christian principles?

A. Yes, I am.

Q. Now, as far as you know, are all of the Tastries employees at this time comfortable with the design standards from your interaction with them?

A. Yes, they are now. Everybody that has been

hired, Tastries pretty well know -- when they come in to apply for a job, they know the situation and most that come on are comfortable with it. Yes.

Q. How do you think it would work if Tastries tried to hire an employee now that would not follow those design standards, and would be making a wedding cake for same-sex couples? What impact do you think that would have on the situation there at the store?

MR. MANN: Objection. Speculation.

THE COURT: Sustained.

BY MR. LIMANDRI:

Q. Okay. Do you think it is a harmonious environment there now at Tastries?

A. Yes.

Q. Did you believe that would be -- well, let me ask you this: How many people are usually involved making wedding cakes?

A. Sometimes three to six, just depending how big the cake is.

Q. Okay. And Mr. Mann's questioning brought out the fact that Cathy's involved in pretty much all aspects of the operation?

A. Yes, she is.

Q. Okay. Would it be unusual, then, for a wedding cake to be made and Cathy not being involved in some aspect of the operation?

A. Yes, that would be unusual.

Q. Okay. Now, in this time frame of August 2017

when the Real Parties came in, was Cathy there the first time they came in?

A. No.

Q. Was she working there at that location of Tastries less than during that time frame?

A. Yes. She was looking into another location, so she was gone a little bit.

Q. Okay. So who were you answering to at that time, if Cathy wasn't there?

A. Natalie and Nicole.

Q. Nicole. Okay.

But you were shown the custom cake order form of -- I believe it was Elena Davis.

How did that situation come about that Cathy was not made aware that there was being a wedding cake ordered for a same-sex couple at that time?

A. Well, after I did order them, I was given them -- they were given to Natalie or Nicole. So if they didn't want Cathy to go over the order, they just -- they kept it. They didn't show her. So she didn't actually know that it had happened.

Q. And that's what happened at that time?

A. Correct.

Q. What's being done differently now, so that we don't have a situation whereby a same-sex couple had the experience that the Real Parties did where they were not informed from the outset as to the design standards?

A. Well, we've implemented honesty back in, and then the orders, after they were taken, they're taken straight to Cathy.

Q. Has there been, to your knowledge, any problems with the implementation of the design standards whenever Cathy has been involved with a same-sex couple wanting to order a wedding cake?

A. No. They've always ended very peaceful, beautifully, understanding, not a problem.

Q. Are you aware that in those cases where same-sex couples did want to order a wedding cake, whether they were given a referral to another bakery?

A. Yes. She would refer them out to Gimme Some Sugar.

Q. And have you ever heard anything negative from any same-sex couple referred to Gimme Some Sugar about the quality of the service or the cake they received?

A. No. In fact, we had a couple that came back and said they were very happy and that it tastes really well. But they still came back and did birthday cakes, cupcakes, house parties, and things like that with us.

Q. Okay. So have you ever seen Cathy treat any same-sex couple differently from anyone else who wanted to buy any type of baked goods or order custom products other than a wedding cake?

MR. MANN: Objection. Lacks foundation.

THE COURT: Foundation sustained.

BY MR. LIMANDRI:

Q. Have you --

THE COURT: Or limit the question. I mean, maybe -- foundation sustained on that question.

MR. LIMANDRI: Okay.

BY MR. LIMANDRI:

Q. You've worked at Tastries now for how long?

A. Five-and-a-half years.

Q. Have you seen Cathy Miller interact with all of a variety of customers regardless of age, or ethnicity, or sexual orientation?

A. No. The same with everybody.

Q. Okay. But my first was question was --

A. Oh.

Q. -- have you seen her interact with all different people?

A. Yes, I have.

Q. Okay. Have you ever seen her treat any customers any different, one from the other, regardless of age or ethnicity, national origin, sexual orientation?

A. No.

MR. MANN: Objection. Lacks foundation regarding sexual orientation.

THE COURT: Well --

MR. LIMANDRI: Other than with --

THE COURT: -- it's a little -- yeah, let's -- I'm going to sustain. I think have to

sustain.

MR. LIMANDRI: That's fine.

BY MR. LIMANDRI:

Q. Okay. Setting aside the wedding cake issue from -- --

THE COURT REPORTER: Can you please slow down for me. Thank you.

BY MR. LIMANDRI:

Q. Have you ever seen Cathy Miller treat any person differently based on their sexual orientation --

MR. MANN: Objection.

BY MR. LIMANDRI:

Q. -- as a customer?

MR. MANN: Lack of foundation.

THE COURT: Lacks foundation. Sustained.

BY MR. LIMANDRI:

Q. Okay. Have you seen Cathy Miller interact with customers who are homosexual?

A. Yes.

Q. Did she treat them any differently from customers that were heterosexual?

A. No.

Q. Have you seen Cathy Miller interact with employees that were homosexual?

A. Yes.

Q. Has she ever treated them any differently from customers that were heterosexual?

A. No.

Q. Prior to this case, have you ever heard anybody accuse Cathy Miller of any form of discrimination based upon sexual orientation?

A. No.

Q. As part of your work, I believe Mr. Mann brought out that you would sometimes deliver wedding cakes to the location where the wedding reception would take place?

A. Yes.

Q. And were you wearing any type of clothing that identified you as being with Tastries?

A. Yes. We wear the uniform and we drive the vehicle.

Q. The vehicle has the logo of Tastries on the door?

A. Yes, it does.

Q. Okay. And the uniform has the name of Tastries on the shirts?

A. Yes, it does.

Q. Okay. Would you oftentimes interact with people that are present arriving for the reception?

A. Yes. The people that are setting up or holding down the fort until everybody gets there. Yes.

Q. Okay. Does Tastries offer the service to customers, if they want it, who order a wedding cake that they would not only deliver it, but they would have someone stay and help cut and serve the cake?

A. Yes.

Q. And have you ever done that?

A. Yes, I have.

Q. I assume sometimes people want writing on wedding cakes?

A. Yes.

Q. And sometimes they would like a topper on a cake like a -- either a groom and a bride, or we saw, I think, on one of the cakes it said "Mr. and Mrs." Does that happen sometimes?

A. Often, yes.

Q. Are you aware with the policy with regard to whether or not Tastries ever uses some type of a standard cake mix, Pillsbury, Betty Crocker, or something like that?

A. Yes.

Q. And what is that policy?

A. There is a full recipe that goes along with it. And I actually got reprimanded. I thought I was going to help and I did a box cake, and it was not supposed to be just the box cake. So we had to call in a baker to come in and do it correctly with several other ingredients that I didn't know. So I no longer bake.

Q. Okay. So you are not part of the baking part of the bakery; is that correct?

A. Correct.

Q. Do you consider that making the cakes, including wedding cakes, is a form of art?

A. Yes, it is.

Q. Why do you say that?

A. It takes a lot of talent. It takes know-how. It takes expertise. A lot of people think that you can just go in the kitchen and bake a cake. And it is totally different than that. You have to be an artist.

You will see a lot of things on Pinterest. People try and you see the fails. That's why.

Q. Are you aware that Cathy Miller and Tastries have a reputation in the community of being a Christian bakery?

A. Yes.

Q. How do they get most of their customers, do you know?

A. Mostly through referrals, the radio. We have a lot of advertising on the Christian radio 88.3. We get a lot of customers from there. And just word of mouth.

Q. At the time of the incident in question August 2017, had you been working full time before then or had you just been part time?

A. It was only part time.

Q. Were you still becoming familiar with the policies and procedures of Tastries at that time?

A. Yes. It takes about a good year to know what you are doing on doing an order.

Q. You hadn't been there nearly that long?

A. No.

Q. You were asked about whether Tastries -- well, before I get to that, the incident in question you said you couldn't really hear what was going on between Cathy and the same-sex couple, but did you see anyone grab anything from Cathy?

A. Yes. I saw a gentleman grab a paper from Cathy's hand.

Q. Okay. And when they left, did they look upset?

A. Yes.

Q. And then did -- what was happening within 30 minutes or an hour of their leaving?

MR. MANN: Objection. Vague.

THE COURT: Overruled.

MR. MANN: Irrelevant.

THE COURT: Overruled.

THE WITNESS: We starting getting some really, really ugly phone calls. I had to take over the e-mails because we were getting pornographic pictures, and there was an employee about my age, but it -- she could not handle that. We usually have young girls in the front helping, and they were shaken up by the calls. And so Cathy had to lock the doors, calm everybody down. It was a mess.

BY MR. MANN:

Q. Okay. Did hate mail start coming in?

A. Yes.

Q. A little or a lot?

A. A lot.

Q. Did Tastries lose any employees after this incident occurred?

A. Yes. We lost six.

Q. Why did they leave, do you know?

A. I feel because some of them knew that they were doing wrong, and they didn't want to face the consequences of what they had done so they came in and quit. Some were upset.

Q. Some were upset and some realized that they couldn't keep doing what they had been doing with regard to the underground cakes?

A. Yes.

MR. MANN: Objection. Lack of personal knowledge.

THE COURT: Sustained.

BY MR. MANN:

Q. Did Nicole leave after this accident occurred?

A. Yes, she did.

Q. Did any of the employees express to you whether they felt in any way unsafe or threatened by what was happening?

A. Yes.

MR. MANN: Objection. Hearsay.

MR. LIMANDRI: Mental state, present tense, experience.

I think they opened the door with their

questions about how everything was so nice.

THE COURT: Hearsay. Objection. I'm just going to check myself here.

MR. LIMANDRI: Also excited utterance.

THE COURT: Lack of foundation on excited utterance. I wouldn't say it was sustained, if that's the response, but I want to look at one other thing you mentioned.

I'm going to sustain the hearsay objection at this point. Still need a little more foundation.

Sustained.

BY MR. LIMANDRI:

Q. Did you talk to any of the employees about what they were experiencing in the two or three weeks after this incident occurred?

A. Yes.

Q. Did you also witness it?

A. Yes.

Q. What did you witness?

A. Some were scared to come to work, anxiety, fearful that they would be pinpointed out, wanted to be escorted to their cars when they left.

Q. Okay. What was Cathy Miller's reaction -- well, did you see her reaction when she found out that cakes were being made without her knowledge or consent?

A. I think it broke her heart because she gave a lot of responsibility to Natalie. She trusted her with her business, and I think she felt betrayed and hurt.

Q. Did you see her emotional reaction?

A. Yes. She cried.

Q. You mentioned there was one other cake that -- wedding cake not made, a divorce cake.

Was there another unusual experience where someone came in and wanted a cake?

A. Yes. I had a gentleman come in, and he wanted a wedding cake made for him and his parents.

Q. Okay. Were you willing to make that?

A. No.

Q. Did you have any interaction at all with the Real Parties after that day of the incident where they came into Tastries? Did you see them again after that?

A. I did not.

Q. Did you see them outside the courthouse at one point?

A. I did. At a prayer vigil we had, or a rally.

Q. And what happened at that time?

A. I went to offer them cookies, and they were not happy.

Q. Were they pleasant?

A. No.

Q. How were they?

A. Angry.

Q. Were they rude to you?

A. Well, just not friendly.

Q. Let me take a look at my notes.

That's all the questions I have at this time.

Thank you very much.

THE COURT: Redirect.

REDIRECT EXAMINATION

BY MR. MANN:

Q. Mr. LiMandri asked you if Tastries would stay to cut and serve a wedding cake at weddings.

Do you remember that?

A. Yes.

Q. Tastries only does that if a customer asks for that service, correct?

A. Correct.

Q. He also asked you if Tastries is willing to write messages on cakes.

Do you remember that?

A. Yes.

Q. Eileen and Mireya did not request any writing on their wedding cake, right?

A. Right.

Q. He asked you about the divorce cake that was denied?

A. Yes.

Q. Did you witness Ms. Miller in that interaction?

A. Yes.

Q. And then he asked you if you had ever seen Mrs. Miller treat same-sex customers any different than straight customers.

You remember that?

A. Yes.

Q. Other than the divorce cake, you never saw Mrs. Miller deny a wedding cake to a straight couple, correct?

A. Correct.

MR. MANN: No further questions.

THE COURT: Recross.

MR. LIMANDRI: No, Your Honor. Thank you.

THE COURT: May this witness be excused?

And Counsel, when I ask you that question, I'm asking a specific question with legal consequences, since we've excluded witnesses. If I excuse her, she may sit in the courtroom. So if you plan on calling somebody in rebuttal, you need to say "subject to recall," in which you meant I will ask her to leave the courtroom. That's what I mean by, "Do you wish to excuse this witness?"

MR. MANN: Okay. Yeah, I would like her not to be in here just in case, Your Honor.

THE COURT: Subject to recall?

MR. MANN: Yes.

THE COURT: You can step down.

Your next witness, Mr. Mann.

MR. MANN: We have a witness that has scheduling problems, so we are going to allow Defendants to bring a witness in.

THE COURT: Mr. Jonna.

MR. JONNA: Ms. Melinda Missy Massey, Your Honor.

THE COURT: All right. So this is just taking a witness out of order, so we can keep things rolling.

MR. LIMANDRI: Yes, Your Honor.

MR. MANN: I'm sorry, Your Honor?

THE COURT: We're just trying to keep things rolling here and this is taking a witness out of order.

MR. MANN: Yeah, we had a few witnesses with scheduling --

THE COURT: I appreciate you working together on that. Thank you.

So Mr. Jonna, this witness is being called in the defense case in chief, correct?

MR. JONNA: That's correct, Your Honor.

THE COURT: Could you stand and raise your right hand and face my courtroom assistant, please.

THE CLERK: Do you solemnly state that the testimony you shall give in this cause will be the truth, the whole truth, and nothing but the truth, so help you God?

THE WITNESS: Yes, I do.

THE COURT: Have a seat right here.

You need some water?

THE WITNESS: No. I have a thing.

THE COURT: Okay. Well, I'm going to have to ask you to remove that mask for me while you are

testifying. You can put it back on when you step down.

THE WITNESS: That's fine.

THE COURT: I would like you to speak clearly into the microphone.

Could you please state and spell your first and last name for the record.

THE WITNESS: Yes. It's Melinda Massey M-e-l-i-n-d-a M-a-s-s-e-y.

THE COURT: All right. You are sure you wouldn't like some water?

THE WITNESS: No. I have a blood disease and it's attacking my throat.

THE COURT: Okay.

THE WITNESS: I have a thing.

THE COURT: Okay.

DIRECT EXAMINATION

BY MR. JONNA:

Q. Good morning, Ms. Massey.

THE COURT: She meant it.

THE WITNESS: I do mean it.

Good morning.

BY MR. JONNA:

Q. Could you please tell us where you're from, ma'am?

A. Bakersfield.

Q. And born and raised in Bakersfield?

A. Uh-huh.

THE COURT: Is that "yes"?

THE WITNESS: Yes.

BY MR. JONNA:

Q. Can you briefly describe your work background.

A. I took my first cake decorating class in early '90s as a young mom. I worked for Foster's Donuts, baking. I then home schooled off and on, and then worked for Lucky's and Albertsons baking and decorating cakes, and then I got hired by Tastries.

Q. What year did you get hired at Tastries?

A. I got hired by Tastries at the end of 2015, I believe.

Q. And how long did you work at Tastries?

A. Until just before Thanksgiving of 2017.

Q. Did you work there again after that?

A. I did. I tried again to go to work. It was my health that pulled me off of work. And I tried again, 2019, because that's when I started treatment. It was September of 2019, but I didn't last very long.

Q. What was your role at Tastries while you were working there?

A. The first time I was hired, I was hired to bake and to create recipes, recipe design, and I did some orders, too, for customers. I didn't take orders, but I did fill orders for unique bakery items, pastries and cinnamon rolls and stuff. Weird stuff.

Q. When you were working at bakeries before, you

were more on a decorating side?

A. I did both.

Q. Decorating and baking?

A. Yes.

Q. And Tastries you were primarily baking?

A. Yes.

Q. And while you worked at Tastries, did you ever come to learn about their design standards?

A. Yes. Actually, when we are hired, we -- you know, we have to read and sign the employee handbook which states the things that our bakery didn't do and the things that we did do. And yeah, so no gory -- we didn't do gory things -- gory, demonic, you know, scary. Other than that, Cathy was, you know -- I don't think we did any sexual stuff either.

Q. Were the design standards clear to you?

A. Yes. Yes, they were.

Q. Did you have a conversation with Cathy about them, or how did you learn about them?

A. It was in the handbook, and I'm sure we talked about it when I was hired. I wasn't decorating, so it wasn't something that immediately pertained to me.

Q. You also understood that there was design standards concerning cakes that would be used for same-sex weddings?

A. Yes.

Q. What was your understanding of that policy?

A. It was in the handbook. I don't even know if we spent a lot of time talking about it. Again, I was not taking orders up front, and I wasn't decorating cakes. I did some case stuff, German chocolates. That's a whole different, you know, field. So it wasn't until I walked out of the back one time into where there was a cake tasting going on, and I caught the tail end of a conversation between Cathy and a couple of women. It was friendly. It was -- they were all smiling and talking, and she was referring them to Sugar Twist, and that's when I actually really said, oh yeah, we don't do those cakes. It was a good conversation. It went well. There were -- I want to say Cathy is a hugger, so there were probably some hugs that went on after. They left happy. And that was probably some time in 2016.

Q. Okay. Can you tell us briefly about the work environment at Tastries. What was it like there?

MS. TANACEA: Objection. Too general.

THE COURT: Overruled.

THE WITNESS: It was a good work environment. Everybody got along pretty well, and Cathy was an attentive boss in the fact that she -- you could always go to her and it was well known in the bakery in the front or back, that if you had anything going on in your family life or personal life, you could go talk with her. She would be flexible with your schedule.

MS. TANACEA: Objection. It calls for

speculation as to other people, not to her experiences.

THE COURT: Well, I'm going to sustain. Ask another question.

BY MR. JONNA:

Q. Okay. Did you guys ever pray together?

A. We did before meetings.

Q. What was -- did -- is Cathy's faith pretty important to her?

A. Yes.

Q. How so?

A. It's her life. She loves Jesus. It is part of her.

Q. How did she treat the employees at Tastries?

A. Respectfully and kindly.

Q. And did you guys have gay employees while you were there?

A. Yes.

Q. And did she treat them the same?

A. Yes.

Q. How about customers, how did she treat customers?

A. The same.

MS. TANACEA: Objection. Overbroad.

THE COURT: I'll sustain that. Let's refine that a bit.

BY MR. JONNA:

Q. Do you feel that Cathy and Mike Miller were fair to the employees while you were working there?

MS. TANACEA: Objection. Calls for speculation.
BY MR. JONNA:
Q. Based on your experience working there?
THE COURT: Let's -- I'm going to sustain the objection. We need a complete question.
BY MR. JONNA:
Q. Sure.
Based on your time working at Tastries, did you feel that Mike Miller and Cathy Miller were fair to you and other employees at Tastries?
MS. TANACEA: Objection. Calls for speculation as framed "did you feel"?
THE COURT: As to what?
MS. TANACEA: "Did you feel they were fair?" That's speculation.
THE COURT: Did she feel -- it's not speculation.
Overruled.
MS. TANACEA: That they were fair.
THE COURT: Did she feel they were fair. This is specifically to her.
Overruled.
Go ahead.
THE WITNESS: Can I say something?
THE COURT: No. You have to answer the question.
THE WITNESS: It's in regards to that

question.

THE COURT: If you can't answer the question, well -- you can't ask questions, so if you need a another question, if you need to understand the question, if you want to rephrase, you can ask him to do that.

THE WITNESS: Okay. I was -- I was a supervisor in the back, a team leader. So I had -- half the bakery team was under me and half was under a fellow coworker. So when it came to fairness and how other employees felt, I actually took many complaints, and I was involved in meetings regarding other employees. I observed a lot as my role called for it. And there were times -- it's been a long time -- but there were times when I would help make decisions and work with Cathy on those decisions along with my fellow team leader, Nikki.

So I would say it's based more on observations and being involved than feelings. It was part of my job. And yes, there was fairness always, all the way around.

BY MR. JONNA:

Q. Thank you.

While you were working at Tastries, do you remember if you guys made cakes for people from the LGBT community, generally, birthday cakes, graduation cakes, things like that?

A. Yes, from all communities. We had specific

ones for the Indian community that were their special recipes that we followed. Cathy took into consideration all her customers and their needs.

Q. Right. So there were -- specifically those focusing on LGBT folks --

A. Yes.

Q. -- they came in regularly and ordered cakes?

A. Yes. Yes. Birthday cakes, graduation cakes, parties, like regular parties.

Q. You mentioned that you were also hired for recipe development.

A. Yes.

Q. Tell us about that. What does that mean?

A. Stress. It was -- that was a big job that was typically Cathy and Nikki and I. As with any -- in the food industry, when you are serving customers food, whether it's baked goods or you're catering or a restaurant, you have to have uniformity and consistency. So we were constantly striving to get away from premixes or recipes that involved mixes because, obviously, those are so consistent, that Cathy had to strive for homemade and clean. So that was very important to her. We are constantly working on those things.

Q. Did Cathy pay for you to attend the International Baking Industry --

A. Yes.

Q. What's that?

A. You go through training. She pays for courses. It's three days, 14-hour days, I believe, of all different kinds of classes where you can get certifications or just training, for decorators and bakers, candy makers, chocolateers. I did a lot of the baking courses. I also did some design. I did some science classes, the science of bread making.

Q. So based on your experience working at other bakeries and then working at Tastries, how would you compare Cathy's recipes versus those other bakeries, just generally?

MS. TANACEA: Objection. Relevance.

THE COURT: Overruled.

BY MR. JONNA:

Q. Go ahead.

A. It's the only place that I ever baked from scratch. Foster's were mixes. Albertsons and Lucky's grocery stores, in general, mixes and frozen products.

Q. Based on your experience baking, would you say baking, not decorating, baking is also an art?

A. Yes.

Q. Why is that?

A. Because you are being creative. I did cinnamon roll cakes for a wedding -- it was the groom's cake -- and I made these little cinnamon roll hearts. I mean, you still are being creative. You're creating by design.

Q. How about decorating, based on your

experience --

A. That is very much an art. I decorated for years, and I decorated for Lucky's and Albertsons. So when Cathy hired me, because it's such a high-pressure job, I didn't want to even get into that at Tastries too much.

Q. While you worked at Tastries, did you know someone named Mary Johnson?

A. I did.

Q. Who is she?

A. She was a young decorator.

Q. Did she like Cathy?

MS. TANACEA: Objection. Calls for speculation.

THE COURT: Speculation sustained.

BY MR. JONNA:

Q. Okay. You worked -- while you were working at Tastries, Mary Johnson was working there, too?

A. Yes.

Q. Did you notice -- having worked there with her, you have firsthand knowledge about their relationship?

A. I do.

Q. Tell us about that.

A. So I was approached by Mary on several occasions. When I first started working there, Cathy and Mike were just ending a program called Flex Time.

Q. Well, I don't want to get into that. But

I want to know -- if you want to briefly describe that, that's fine.

A. Okay. But that was what I was approached about in the beginning, but there just were several other times over the course while I worked there where I was approached by Mary about paychecks, labor board.

MS. TANACEA: Objection, Your Honor. A motion in limine.

THE COURT: Stop, Counsel. We are going to go ahead, and we're going to take our afternoon recess at this time. We will be reporting back at 1:30. So report back at 1:30.

THE WITNESS: Okay.

THE COURT: And we'll see everybody back here at 1:30. We are in recess.

THE COURT: Counsel, off the record.

(Recess taken.)

//

//

BAKERSFIELD, CALIFORNIA; TUESDAY, JULY 26, 2022

AFTERNOON SESSION

HON. J. ERIC BRADSHAW, JUDGE; DIVISION J

--oOo--

(Whereupon, the following takes place in open court:)

THE COURT: Good afternoon. We return to the matter of DFEH versus Cathy's Creations.

Counsel are present. Appearances as previously indicated.

Let's see. Where is our witness?

MR. JONNA: She's outside, Your Honor.

THE COURT: Let's bring her in and resume the examination.

MR. JONNA: Before we bring her in, I want to let the Court know I did mention to her that the issue we discussed before lunch and she reminded me that I actually warned her about that but she forgot. I want the Court to know.

THE COURT: Okay. So what Mr. Jonna is talking about is off the record we had a discussion. The witness had started to mention something or mentioned something in response to a question that did not call for the information, and I reminded Counsel that he needed to instruct his witnesses in accordance with the pretrial rulings.

I will say that I don't have a lot of heartburn about that particular incident in this trial because I don't have a jury sitting here, and I don't have to unring bells. It is very easy for me to forget things, but it is a matter of form. We ruled on motions, and we need to go there.

So, anyway, anything else we need to say about that?

MR. JONNA: No, Your Honor.

THE COURT: Very good. Let's recall our witness. Okay.

(Witness seated.)

THE COURT: Ms. Massey is back on the stand and appears to be ready to go. Mr. Jonna stands at the ready.

You may resume your direct examination.

MR. JONNA: Thank you, Your Honor.

BY MR. JONNA:

Q. Good afternoon, Ms. Massey.

A. Hello.

Q. Are you aware, while you were working at Tastries, that there was an effort on the part of some of the employees to make wedding cakes for same-sex couples behind Cathy Miller's back?

A. Yes.

Q. Tell us what you know about that.

A. I found out about it one afternoon because I was working late. It would typically take place in

the afternoons after the bakery had cleared out of nothing but the few afternoon cake decorators. I happened to be working late that day, and -- am I not allowed to say names?

Q. Yes, you are.

A. I can say names?

Q. Yes.

A. A young cake decorator named Justin came in, and he was laughing and talking with Natalie, a girl from the front, and they saw me. I could tell they were shocked, and he started laughing and talking about how he was -- Natalie was taking orders in the front for same- --

MS. TANACEA: Objection. Hearsay.

THE WITNESS: Well, he told me.

THE COURT: Hold on.

Mr. Jonna?

MR. JONNA: Let me rephrase the question. Is that okay?

THE COURT: Okay. Sustained.

BY MR. JONNA:

Q. So the answer is that you are aware there was some employees involved in making cakes for same-sex couples behind Cathy's back -- wedding cakes?

A. Yes.

Q. Who were those employees?

A. Natalie, Justin are the only two -- and Mary are the only ones I can be sure of.

Q. Mary Johnson?

A. Uh-huh.

THE COURT: Is that "yes"?

THE WITNESS: Yes. Sorry.

BY MR. JONNA:

Q. You became aware of that because you actually witnessed them?

A. I witnessed it, and I was told.

MS. TANACEA: Objection to "told" part.

THE COURT: Sustained on "I was told. Witnessed it, overruled.

THE WITNESS: I witnessed it.

BY MR. JONNA:

Q. What did you witness?

A. I witnessed him making a cake, and he was on the clock. He -- I don't know if I'm supposed to say that or not. He told me he was on the clock, and he was making his cakes with Cathy's equipment, getting paid, and all of her product.

Q. And what did you know about Mary Johnson's involvement in that? We'll call it the underground operation. What do you know about Mary Johnson's involvement?

A. She was helping to hide them. They would hide them. That's how they would label them on the sheets.

Q. When you say "hide them," you mean the cakes or the --

A. Hide the cakes and the orders.

Q. Okay. And around what time period was this, approximately?

A. I'm going to say the end of 2016. It was quite a ways before the actual incident.

Q. Did you ever witness them using Cathy's materials for cakes that were not being actually purchased at Tastries?

A. Yes.

Q. And who? I mean --

A. Justin.

Q. Justin?

A. Uh-huh. Yes.

Q. Were you at Tastries Bakery in August of 2017 when the Rodriguez-Del Rios came in?

A. Yes.

Q. Where were you?

A. I was in the back.

Q. What do you remember about that day?

A. I was just baking. I wasn't involved in the front. It was a cake tasting, and I wasn't doing those at that time. And we were rotating -- the bakers, we would rotate Saturdays. And I happened to be working. And I just remember that there was an uproar, and Cathy was upset because she had said that things got out of hand, and a couple had left upset. And that's all I really remember. It's kind of vague because at the time I didn't think it was any big deal. We have --

you know, we have customers -- anytime you are serving customers, you have customers that get upset about things. It happens. I had them get upset at me. So I didn't pay close attention to what actually happened.

Q. Did you actually hear anything that the Rodriguez-Del Rios said or --

A. No. What I heard was talk in the back amongst employees about --

MS. TANACEA: Objection. Hearsay.

THE WITNESS: -- what happened.

THE COURT: I'm going to overrule it because of the testimony, but we'll see if it goes any farther.

THE WITNESS: Can I finish what I was going to actually say?

THE COURT: Let's wait for a question.

BY MR. JONNA:

Q. What do you remember -- let me ask you this: Do you remember it being loud in the bakery when the Rodriguez-Del Rios were there?

A. Yes.

Q. How so?

A. There were -- there was -- there was yelling up front. There was anger in the back.

Q. Who was yelling? Was it Cathy yelling?

A. I don't know. No, no. Cathy didn't yell. I'm going to be honest with you. Cathy did not yell at customers. That was not her style. So, no. It was -- somebody was upset in the front, and then there was

commotion in the back about -- like, anger and just --

Q. Okay. And you stayed employed at Tastries until November of that same year, correct?

A. No. Yes, yes, November 17th.

Q. So tell us a little bit about what you remember happening between August and November in terms of how things changed at the bakery after this incident?

A. It became a very scary place to be. There were threats coming in. I fielded those threats. I took phone calls. I received threats personally.

Q. What kind of threats?

A. Violent threats, acts of violence and retaliation. I sifted through e-mails after e-mail. We all had to pitch in because the front and Cathy were caving from -- it was a lot. So all of us took on this responsibility, and it had everybody in tears at one point in time or another. We had police that would come because we had customers that would come in and make a scene. I would not witness it start to happen, but I would always see the fallout. The police would come, and we'd all get told the police were coming. There were a couple of times that they escorted people out. It was not a fun place to be.

Q. Okay. That's all the questions I have for you. Thank you.

THE COURT: Cross.

//

CROSS-EXAMINATION

BY MS. TANACEA:

Q. Good afternoon, Ms. Massey. My name is Kendra Tanacea and I'm with the DFEH, and I just want to ask you a few questions.

A. Okay.

Q. You were hired as a baker for Tastries, right?

A. Yes.

Q. Okay. And would you say you were an experienced baker at the time?

A. Yes.

Q. And if you can generally, during your day, what were your responsibilities?

A. Baking cinnamon rolls, scones, pies, cheesecakes, brownies, cakes, orders -- special bakery orders, cobblers, cookies. Not cookies so much but every now and then. Basically case items and orders.

Q. And so primarily you were in the back of the shop?

A. I also ran the deli. I would make salads and keep the salad -- the salad containers full, and the salads are right in the area -- when you walk out the double doors, there's coffee, there's salads, and then there is where the cake tastings are, and then there's the front of the restaurant, the bakery.

Q. So you would go back and forth from the back when you were baking to the front --

A. To put things in the case, yes, and to keep the salads and sandwiches really stocked.

Q. Okay. So if you had to sort of rough percentage how much time you were in the back versus the front, could you do that?

A. It was probably a 75/25, back 75 percent, yes. But I worked right next to the doors that led into the back part of the front part of the bakery, if that makes sense.

Q. So you had just discussed a lot of items that you might bake in a given day.

How would you go about it on -- when you receive the orders from the front?

A. So when we came in, the bakers started in the a.m., early a.m., we would bake all the case products first unless there was an order. We'd always go through our orders first, and then unless there was something that was pertinent that needed to be picked up right at opening hours, then we would bake and get all the cases and get them full. There were times where we would pay attention to early a.m. hour -- orders if it was necessary. And if we had an order, we were typically responsible for packaging it -- making it, packaging it, and getting it to the customer.

Q. And that would be you as the baker and the baking staff?

A. Yes.

Q. And who, during your times of employment in

2015 to 2017, was the baking staff?

A. So Nikki and I were the team leaders, supervisors. I wasn't hired as a supervisor. I became one within a matter of months. She had one of her supervisors, Amy, leave. There were -- there was Lizette who worked underneath. There was Myra. We had some other girls come and go like Holly. There was typically -- we had Kristin. We typically had about five of us back there, with two of us being the team leaders. Sometimes six.

As we got into 2017, Cathy actually had a young man come back there and just make cakes to try to take some pressure off just because we -- you know, we had a lot to put out.

Q. What was his name?

A. I think his name was Mike.

Q. And so of these five or six bakers that you just enumerated during the time that you worked there, they were responsible for baking case cakes and preorders, right?

A. No. No. Really the orders that came -- that were given to the bakery side that we're not decorating, were typically filled by Nikki and I. The others were support team to do the things that we taught them to do to take over filling the cases or to help produce cakes. Because we didn't just have cake orders; we had case cakes as well.

Q. Okay. So am I understanding that mainly you

and Nikki were the actual bakers of the products during that time frame?

A. We were the team leads on bakery, but everybody baked. It was just a division of jobs.

Q. Okay. So let me ask you this, then: Let's say a cake was being baked and it had multiple tiers, does one person -- did one baker do that, or was it handed around?

A. It was typically divided by flavors. Because if you had a three-tiered cake, you were probably going to have at least two flavors. And we would bake hundreds of layers. So we would have 50 strawberry layers and -- I mean, there were countless flavors. So our ovens were just full all the time rotating cakes. And I would give Lizette the red velvet and the chocolate to do, and I would give Kristin the -- the whites and some of the more extravagant flavors because she was more experienced.

So when I say that it was divided up amongst all of us, it was divided up according to skill and how much training they had in our products.

Q. Okay. But this include the five to six employees?

A. Yes, on the bakery side, yes.

Q. And how many commercial ovens did you have to work with?

A. We had two double-sided top and bottoms. It held a lot of cakes. And actually we had another one

that was strictly cookies. So sometimes we would have to use that one for cakes, but that was what we had. It was top and bottom double-sided, four layers each oven.

Q. And so you would, for efficiency sake, try to bake as many of the layers at the same time as possible?

A. Yeah, we would try to do flavors. Obviously we got orders that came in later in the week, so we would have to, you know, redo. So, you know, make more.

Q. Okay. And did you ever have the experience where you or somebody that you were supervising was making a special order cake or a wedding cake, for example, and then use the extra batter to make case cakes?

A. Yeah, I'm sure we did. We would take extra batter, and we would make case cakes with them. Sometimes the case cakes would go quickly. So what we would have allotted for case cakes for that week we would have to replenish. So we would just make extra cakes out of the batter.

Q. That was --

A. For case cakes, yes.

Q. That was left over from another --

A. Yes.

Q. And then I think you said when you were promoted to team leader or supervisor -- do you want to

call it team -- is it team lead?

A. Team lead was what it was called.

Q. Okay. You said half the team was bakers, and half the team were decorators; is that right?

A. Nikki and I were the bakery team leads. There were separate decorator team leads.

Q. And who were they?

A. I believe -- I believe it was Mary and Erin for a time. But, again, those roles would shift just depending upon what somebody had -- I think at one point in time I was taken off of team lead because my husband had a kidney thing. So I was in and out trying to work just whatever I could, and Cathy was just really flexible with it. So somebody else stepped into my shoes, and I want to say it was Kristin. So it is hard to really, like, say exactly who the -- all the leads were at any given time.

Q. Right. But can you tell me, regardless of whether they were a lead or not, who were the decorators between 2015 and 2017?

A. We had Darlene. Lizette was also a decorator and a baker. We had Myra, who started out in baking but went to decorating. We had Taylor and Erin and Mary as decorating. Cathy herself would hop in and decorate. She was considered a decorator. We had Jason come in, a young man who started out in baking and moved into decorating. We had Carolina who came in and was a decorator. Such an artist, that girl, oh, my

goodness. I might not have everybody, but that's who I remember.

Q. Okay. And all of the people that you told me were employees of Tastries, right?

A. Yes.

Q. And when you said Cathy would sometimes hop in, did she primarily do the decorating for cakes that were leaving Tastries on a regular basis?

A. Only when we got really backed up. And, also -- there was also Justin who was a decorator. I'm sorry. She decorated cookies constantly. Cathy had cookies in her hand decorating. So when we'd get swamped, she would fill in and do some case cakes, or sometimes she'd even hop over and help bake.

Q. But other than those times you've mentioned, for the most part, it was the bakers and the decorators that were producing the cakes?

A. Yes.

Q. I think you testified that -- wait just one moment. Strike that.

You testified that Tastries was, quote, "striving to get away from premixes."

Do you remember that when you started?

A. Yeah. We had some basics that we would use for some of the recipes.

Q. What do you mean by that?

A. Some of the most popular ones that would become really large wedding cakes we would use a mix

base. It was not ever just a box cake mix. It was a mix that we would mix in all kinds of stuff. I don't know if I'm allowed to say that, but all kinds of things to make the cake with. But the mix base would allow solidity to be, you know, tiered so that our base cake wouldn't crumble.

Q. From the time you worked there, did you or your team ever make any cake completely out of mix?

A. No. No.

Q. And when you say "we add things," are you talking about eggs and oil?

A. No.

Q. Okay. You're talking about other ingredients?

A. Yes.

Q. So when you said you're striving to get away from premixes, you just meant --

A. The mix base.

Q. Total?

A. Yeah.

Q. Okay.

A. It just seems like every time we went into completely from scratch, we would have crumble, and at that point we would have to -- and it wouldn't even go out because you don't want a wedding cake to go out that's going to collapse. So then we would have to start over again.

Q. Okay. And were you aware of supplies that

were given to you for baking, and were you aware of the --

A. I helped order.

Q. You helped order?

A. Uh-huh.

Q. So are you aware that Betty Crocker cake mix was ordered for use at Tastries?

A. We had a mix.

Q. You didn't know what kind, but there was a mix?

A. Yeah, it was a mix. It was from -- we had Sysco. We had multiple different companies that we ordered from. We ordered gourmet from some, you know, bougie companies that were smaller, and then we ordered the standard bulks from places like Sysco.

Q. What does that mean, standard bulks? Of mix?

A. Butters and, you know, big bags of things, and powders and flours and sugars and all those things. So we would store all those in bins, in big bins underneath our work spaces.

Q. Did you ever see a Sam's Club white buttercream ordered in Tastries?

A. No.

Q. Any premade frosting ever?

A. No. We made frostings. We made regular buttercreams. We had a house buttercream. So we made, like, just a standard buttercream. We made Cathy's house buttercream, which is a special recipe. And then

we made -- it's been a minute since I've done all this -- like an Italian frosting. It was a meringue-type butter frosting.

Q. So like you testified with the mix, you never used a premade frosting as like a base and added to it?

A. There were times when we would and our customers knew -- and it was special needs, like our sugar-frees, we would use those. And the customer knew. Like when we -- I even think I took an order one time, and I explained to them we're just going to use a purchased sugar-free frosting. Those are things where you are dealing with somebody with a health issue or a religious belief, and so Cathy was just always really careful to not do something that would harm somebody.

And I will say that there were times when we would run out --

THE COURT: Let's wait for a question.

THE WITNESS: Oh, it was in response to her question.

THE COURT: Okay. Let's wait for another question.

THE WITNESS: Okay. Sorry.

BY MS. TANACEA:

Q. You had testified just prior to this about people coming in and the mail you received, et cetera.

Did you also see or have customers come in and offer you messages of support for what happened?

A. Yes, we did.

Q. And did you ever get any phone calls of support for Cathy's position?

A. I don't know if I took any personally, but I know that they existed.

Q. And did you ever get any e-mails, or did you ever see any electronic support for Tastries over this incident?

A. I don't remember. The violent ones kind of stick in your mind.

Q. Do you remember any employees during your employment from the end of 2015 to November 2017 expressing their disagreement with the same-sex wedding cake policy of Tastries?

A. Employees?

Q. Yes.

A. Yes, I did.

Q. What are their names?

A. There were two Justins, Mary, Natalie. And can I take a minute to just say something on this regard?

THE COURT: No. Let's stick to her question, please. There will be an opportunity for Mr. Jonna to ask you more questions.

THE WITNESS: Okay. All right. That's all that I can actually say with names.

BY MS. TANACEA:

Q. Now, you also testified that there were prayer meetings at Tastries?

A. I testified that we would pray before -- we had staff meetings and monthly meetings.

Q. Oh, so there are different things, or is it a staff meeting opened with a prayer?

A. Staff meeting opened with a prayer.

Q. Okay. And so was it mandatory?

A. No. If you didn't want to pray, you didn't bow your head, and Cathy always made that clear.

Q. Was the meeting mandatory?

A. The meetings were mandatory, yes, because those were for the business itself.

Q. Right. But it opened with a prayer?

A. Yes.

Q. If you can, can you generally describe the meeting, the prayer part of the meeting?

A. She would ask for guidance in running a bakery and blessings on our work and that we all communicate and we're -- it was just a standard quick thing. It wasn't very lengthy.

Q. But it was something Cathy created herself. It was not like a recitation of a prayer?

A. No, it was not a recitation.

Q. And how were people arranged when this happened, if can you remember?

A. Just in groups. She would just hold it in the back of the bakery or the front of the bakery. So it would either be we'd all pull up stools and sit around or go up front and sit at tables.

Q. Were you ever in a circle holding hands when the prayer part occurred?

A. No, not that I can remember.

Q. How often were the staff meetings that were opened with a prayer held at Tastries?

A. We had -- sometimes we just had quick meetings going over the week, but, I mean, I honestly -- we had regular staff meetings for different things.

Q. Does that mean about twice a month or once a week? I'm just trying to get an idea.

A. Couple times a month, maybe once a month. I guess it was probably a monthly staff meeting.

Q. And do you remember any employees who objected to the prayer portion of that staff meeting?

A. No.

Q. And around the time of the 2016 election, did anyone pray about who should win the presidential election?

A. No.

MR. JONNA: Objection to relevance.

THE COURT: Sustained.

BY MS. TANACEA:

Q. How many employees were in attendance in the staff meeting?

A. I don't know. I never counted. 5, 10, 15, depending on who was there that day. Sometimes people would call in so they could not be there. So the

numbers changed constantly.

Q. Did Cathy ever say anything to you about the Rodriguez-Del Rio couple?

A. What do you mean about them?

Q. About this incident.

A. Yes, she did.

Q. And what did she say?

A. She was upset because this was not the first time that she had talked to a same-sex couple, and she had never had any problems before. She felt like -- she was just upset. It got out of hand and --

Q. What did -- I'm just asking you specifically what she said to you.

A. That she was kind and nice, and they were upset anyways and she had tried to smooth things over. She had tried to keep it quiet. Cake tastings were a very personal, private thing.

Q. Please, we are just talking about what she --

A. This is -- these are the things she said.

Q. Okay.

A. And she likes to keep them personal and private so that couples can feel free to speak privately. And she couldn't keep this one private. That upset her.

Q. And when the incident involving the Rodriguez-Del Rios occurred, they were in the front with Cathy, right?

A. Yes.

Q. And you were in the back of the store?

A. They were right outside the two doors where I work. Remember the cake tastings are right up against where us bakers worked and the doors we would come in and out of.

Q. Right. But you were behind the doors in the back?

A. Yes. Typically one of those doors was open so we would get air flow. So we would prop one open, not all the way, but so that we could get some air flow, especially in August.

Q. You were not in the front?

A. No. I was not in the front.

MS. TANACEA: That's all I have.

THE COURT: Redirect.

REDIRECT EXAMINATION

BY MR. JONNA:

Q. You wanted to provide some additional context for the underground operation?

A. Yes.

Q. Go ahead.

A. Cathy and I --

MS. TANACEA: That's not a question.

THE COURT: Sustained.

BY MR. JONNA:

Q. Is there anything else that you want to add to what you previously testified about with respect to

the underground operation?

A. Oh, I thought this was in regards to employees disagreeing with Cathy on her beliefs with the same gender cakes.

Q. Okay.

A. I was one of those employees. I was one of them. Cathy and I had talked. She knew how I felt. This isn't what I'm supposed to be talking about?

Q. No, that's fine. Honestly I don't have any further questions for you. So I think -- I wanted to make sure you had a chance to provide whatever additional context you wanted. But that's -- I think we're done. Thank you.

THE COURT: Recross?

MS. TANACEA: No, Your Honor.

THE COURT: May this witness be excused?

MR. JONNA: Yes, Your Honor.

THE COURT: Excused, Mr. Mann?

MR. MANN: Subject to recall, Your Honor.

THE COURT: All right. Subject to recall. Mr. Mann, your next witness.

MR. MANN: It will be --

THE COURT: Ms. Mesinas, your next witness. Who you are you calling?

MS. MESINAS: Mary Johnson.

THE COURT: Okay.

MS. MESINAS: Before I get started, Your Honor, I would like to let you know I will be using two

exhibits that have been jointly stipulated as to authentication and admissibility.

THE COURT: Did you want to identify the exhibit?

MS. MESINAS: Yes, Your Honor. They are Exhibit 631 and 123.

THE COURT: Let's take a short recess, about five minutes. Five-minute recess.

(Recess taken.)

THE COURT: Let's go back on the record. Appearances by counsel as previously indicated.

Ms. Mesinas, you're calling your next witness. This is who?

MS. MESINAS: Ms. Mary Johnson.

THE COURT: Raise your right hand and face my courtroom assistant.

THE CLERK: Do you solemnly state that the testimony you shall give in this matter shall be the truth, the whole truth, and nothing but the truth, so help you God?

THE WITNESS: Yes, I do.

THE COURT: You can have a seat. Pull that microphone speak clearly into the microphone.

Would you state and spell your first and last name for the record, please.

THE WITNESS: Mary Johnson, M-a-r-y J-o-h-n-s-o-n.

THE COURT: Ms. Mesinas.

DIRECT EXAMINATION

BY MS. MESINAS:

Q. Good afternoon, Ms. Johnson.

Do you mind if I call you Mary?

A. Yes, that's fine.

Q. Where did you grow up?

A. I lived almost all my whole life -- I moved here when I was about one year, so I've lived in Bakersfield almost my whole life.

Q. Bakersfield native.

Are you still living in Bakersfield?

A. Yes, I do.

Q. Let's talk about your employment history.

Did you have any previous positions before working for Tastries?

A. Yes. I worked at Starbucks for maybe two or three years.

Q. And then did you get hired at Tastries?

A. Correct.

Q. And how did you get employed at Tastries?

A. A friend of my husband, who is also a mutual friend of mine, had gotten a job recently at Tastries and knew that I liked decorating cakes, so she let me know they were hiring.

Q. And why did you want to work at Tastries?

A. I just love decorating cakes, and it was wonderful to get paid to do that -- to do something I love.

Q. And what dates were you employed at Tastries?

A. I believe it was May 2013 to May 2017.

Q. And what was your position at Tastries?

A. When I first got hired on, I believe it was cake decorator. And by the time I left, I was one of the lead cake decorators.

Q. And so was that a promotion to lead decorator?

A. Yes.

Q. Describe the job duties as for a position as a decorator?

A. I would crumb coat cakes, decorate cakes. When I first got hired on, I would also work the front a bit. Answer the phone calls.

Q. And what about your job duties as the lead cake decorator?

A. Similar to that I still decorated cakes. I also helped put things in the front case. I helped oversee some of the other decorators, if they had questions. I would help them in any way that I could.

Q. And in your positions as cake decorator and lead cake decorator, were you in a position to interact with Mrs. Miller and see her while she worked?

A. Yes, on occasion.

Q. And how often would -- how often were you at Tastries when Mrs. Miller was also there?

A. When I first started, a lot of time. She was there a lot of the time. By the end, maybe 70 percent

of the time, maybe 65 percent of the time she would be there when I was there, as well.

Q. Would you say that is for your whole shift in a day, in the beginning?

A. Yes. I'm trying to think. I would usually work pretty early in the morning, and she would usually come in around -- I would usually start around 5:00 a.m., and she would come in, maybe around -- depending on the day, sometimes 9:00, sometimes 11:00; sometimes not at all. She would come in later, after I already left.

Q. And what about towards the end of your employment?

A. Yes, that was towards the end.

Q. Got it. Thank you.

And what duties did you see her perform while she was working?

A. She would talk to everyone -- all of the employees. She would spend more time in the front, checking the case, checking how the lobby looked. She would talk to us in the back. She would go get groceries. She would go to different shops to get other things that we needed.

Q. And did you see her being involved in preorder cakes?

A. Yes, on occasion. More so at the beginning when I worked there. By the time -- toward the end, I would say not as much. That was more -- the girls

were working in the front.

Q. And what was her involvement in preordered cakes?

A. If it was -- do you mind specifying a little with that?

Q. Sure. Let's talk with respect to preorder wedding cakes?

A. If she was at a tasting, she would help set up a little bit and then go and talk to couples who were there. Again, that was if she was at the tasting.

Q. And who did you see making -- such as baking or decorating preordered cakes for weddings?

A. Baking and decorating?

Q. Yes.

A. Baking would be the baker and decorating would be the other decorators.

Q. Could you provide the names of all the bakers and decorators you are aware of during your employment, please?

A. Nikki was a head baker for a while. Nikki Salas, Missy Massey. Kristin Stuart. We had a few of other people who did not stay as long so I don't remember some of their names. And then decorators were me, Erin Ferguson, Darlene, Taylor, Justin Salinas. That's all I can remember at the moment.

Q. No problem. And so when you have a preordered wedding cake, would several people be working on one, or would it just be one baker and one

decorator?

A. Usually that's how it would go unless someone needed some help with maybe matching a color, but then it would just be minor asking, "Does this color match?" "This color?" So as far as decorating and placing the cake, it would usually be one decorator.

Q. How often would you see Cathy involved in the baking or decorating of the preordered wedding cakes?

A. Not often.

Q. And how would you -- strike that.

But you said she would be -- would she be involved in the baking or decorating processing at all for preordered wedding cakes?

MR. JONNA: Objection as to time.

BY MS. MESINAS:

Q. During your employment.

THE COURT: Sustained.

Reask the question, please, a complete question.

BY MS. MESINAS:

Q. How would you describe Cathy's involvement in the baking and decorating during the last part of your employment?

MR. JONNA: Objection. Vague as to time.

THE COURT: A little vague.

Sustained.

BY MS. MESINAS:

Q. In 2017?

A. I would say not very much. The only times she would really bake would be if we were very, very busy. Maybe during around Christmastime. And then decorating that would be even less common. If it was maybe -- as far as wedding cakes, I don't know that I ever saw her decorate a wedding cake.

Q. Thank you.

I want to talk about meetings at Tastries.

Were there any employee meetings with Cathy during your employment?

A. Yes, there were.

Q. Which employees were involved in those meeting?

MR. JONNA: Objection. Overbroad.

THE COURT: Overruled.

THE WITNESS: Do I answer? Okay. Sorry. You said which employees were involved in the meeting?

BY MS. MESINAS:

Q. Yes, with Cathy.

A. We would have team leader meeting that would have the team leaders, myself, Nikki, Missy, and Erin. And then we would also have full staff meetings as far as everyone who is working at that moment.

Q. Were those meetings mandatory for all employees to attend?

A. Yes. Yes. I would say yes, because if you were on maybe a ten-minute break, you would be still called forward to the meeting.

Q. And do you recall anything about the those meetings with Cathy during your employment at Tastries that stood out to you?

MR. JONNA: Objection. Overbroad.

THE COURT: Vague.

Sustained.

BY MS. MESINAS:

Q. Were Tastries guidelines ever discussed -- ever mentioned -- strike that.

During those meetings with Cathy, were you ever informed about Tastries' guidelines?

A. Yes. In a team leader meeting, we were told that she would no longer be -- that we, as a bakery, would no longer be accepting any LGBTQ wedding cakes.

Q. Are you aware of any specific instances that led that guideline to come into place?

A. I believe that there was a cake. I believe I decorated the cake. And it was made, delivered. I believe Mike delivered it. And there may have been a topper that had two males on it, two male figurines. There was something that made him aware that it was for an LGBTQ wedding. And I believe that that brought about the policy.

I also remember another -- there was -- that brought about policy. I had wedding order in my file that I had seen. I had taken a day off, come back, and my order was gone. And then I believe that is the day we were called in and told that that any LGBTQ

community wedding cakes we had were being sent over to another bakery.

Q. What was your understanding for the basis of that policy?

A. The basis?

MR. JONNA: Objection. Lacks foundation and calls for speculation.

THE COURT: Overruled. Her understanding.

THE WITNESS: She told us that it was against the Bible, her beliefs.

BY MS. MESINAS:

Q. Was that policy based on the design of the cake, to your understanding?

A. Was it based on the design of the cake? No, not that I was aware.

Q. Do you know any other -- do you know any other cakes that were provided that violated that policy?

MR. JONNA: Objection. Vague. Overbroad.

THE COURT: Overruled.

THE WITNESS: Not that specific policy, but maybe other parts of her policy. She mentioned that I believe her policies were following biblical practices in the cakes -- the wedding cakes that we made. And growing up myself in a Christian household and learning about the Bible, we were told -- well, again, that -- according to the Bible, it's not permitted to live with someone before you are married

to them. And I knew of an employee who worked there who was living with her boyfriend at the time. Cathy was aware of it because she had mentioned moving with her boyfriend to another place and needing time off. And there was a cake that was gifted from Tastries to that particular employee, her wedding cake was gifted.

BY MS. MESINAS:

Q. And going back to that meeting where Cathy informed you about the policy, do you remember anyone asking questions in that meeting about the policy, to have a better understanding of that policy?

A. Yes. There was one coworker Nikki Salas, once Cathy sat us down at a meeting.

MR. JONNA: Objection. Hearsay.

THE COURT: Sustained.

THE WITNESS: Do I continue to answer? I'm sorry.

BY MS. MESSINAS:

Q. No.

A. Sorry.

Q. Let's go back to Tastries' cakes.

So you mentioned that part of your duties included baking.

Did you ever bake cakes?

A. When I first started, yes. I helped bake a lot of the cakes.

Q. Can you describe the baking process at Tastries?

A. Yes. We would get box mixes and add whatever the box recipe said, so eggs, oil, water, mix them, pour them in a pan that had been sprayed with oil, put them in the oven, test them, take them out when they were ready.

Q. Did that baking process ever change over time?

A. They were a few cakes that were readymade. So those were cakes that were just small, sitting in the case. Someone would walk in and say "I want that cake." Some of those at some point were made from scratch, so not a box mix. But all of the wedding cakes and custom cakes that we made, besides a very small percentage of vegan and gluten-free, were made from box mixes.

Q. To the best of your knowledge, was it Mrs. Miller that came up with the recipes from those cakes made from scratch?

A. Some of them she -- it's hard to remember what exactly was hers because she would bring some recipes, but also lot of the bakers, or even she would open up to anyone if you have a recipe that you enjoyed, bring it in, we will test it. So I would say the majority of the recipes that we actually used were not recipes that she had brought in.

Q. Let's turn to decorating.

Did you ever decorate cakes?

A. Yes, many cakes.

Q. Would you describe the process of decorating cakes?

A. I would have a cake that was baked. I would level it. Crumb coat it. So fill it, crumb coat it, cover it with Saran wrap, pop it in the freezer for maybe 20 minutes so it would hardened up a bit, put the final coat of either buttercream or fondant on it. If it was stacked cake, I would stack it up and add any details that the order form said.

Q. So when you are using the crumb coating or putting frosting on it, what sort of frosting was used?

A. It was store bought.

Q. Are you aware if there was any homemade or made from scratch frosting that you guys used?

A. At some point -- I'm trying to think of what year it was. We had some bakers come -- some bakers, but also decorators, and they brought some, from scratch, buttercream recipes, and we tested them out. We did some of the readymade cakes, so the case cakes, with that frosting, but not many, if any, of the wedding cakes or custom cakes did we use the from-scratch frosting, buttercream.

Q. Just to clarify, those recipes for those frostings, were not made by Mrs. Miller but brought in by other employees?

A. Correct.

Q. And did you ever decorate display cakes?

A. I did, yes.

Q. What was your process in coming up with the designs for the display cakes?

A. When I first started working there, it was -- she left -- Cathy left a lot of it up to us. She would say, bring designs in, show me designs that you like. We would make those designs. And as the years went on, by the time I was leaving, it was pretty precise. She would print out pictures of exact cakes that she wanted and say, maybe pick this, or assign this decorator to do these display cakes.

Q. When you say she printed these picture, what were those pictures?

A. They were pictures from Pinterest.

Q. You said -- you mentioned you also worked in the front. Did you ever take cake orders?

A. I did, yes.

Q. Could you please describe that process for the Court?

A. It could be a quick order, as far as someone just called and wants something simple and knows exactly what design they want, maybe five, ten minutes, to a longer process for maybe a custom cake. They would come in -- again, if they knew what they wanted, they would show us a picture; if not, we would get our binder out and let them pick from that. I would ask for a phone number, the date of their event, the serving number, if they had a theme, particular colors in mind.

Q. Thank you.

And so you mentioned that some customers would bring in pictures. If a customer ever wanted a cake that looked just like the picture or a display cake at Tastries, would there be any other design choices for the decorator to make?

A. Usually not. We would -- if they wanted it like the picture, we would get it as close as we possibly could to the picture.

Q. So let's turn to deliveries of Tastries' cakes. I know you did mention that, but did you ever deliver cakes for Tastries?

A. I did. Not towards the end of my employment, but yes, I did quite a few at the beginning and middle.

Q. And did you ever deliver Tastries' wedding cakes to customers' wedding celebrations?

A. Yes, I did.

Q. Could you give us an idea of when you would be completing those deliveries?

A. As far as what time of day?

Q. In terms of -- in reference to the event?

A. Usually they would be quite a bit before. In the summertime you have to be careful because if it's outside, or even the Bakersfield heat would affect it indoors, and the buttercream -- you don't want a melting cake. We would try to get it as close to before anyone was attending the event as possible.

Q. Did you ever interact with attendees during

the delivery?

A. Not often. There may have been a bridesmaid or two, but usually, as I said, there was someone at the venue that was worked the venue setting up.

Q. I would like to show you Exhibit 631. It will come up on the monitor.

Please take a look at trial Exhibit 631. It is a picture of a three-tiered white cake with flowers.

Does this cake picture in Exhibit 631 look like of any of the display cakes at Tastries.

A. Yes. I would say it does.

Q. Can you tell us what kind of events this design could be used for?

A. This could be used for a wedding, anniversary, a baby shower. I guess a pretty fancy party, a quinceañeras.

Q. Do you know if Tastries ever sold this type of design for any of those events?

A. Yes.

Q. Okay. Thank you.

I'm done with the exhibit. Thank you.

Just going back to Tastries' policies.

So there was that one policy about not providing same-sex couples wedding cakes.

Are you aware of any other policies that dictated what sort of design of cakes you guys would not provide?

A. Yes. I believe it said on one of the polices

alcohol or liquor, to which we did. I remember making -- not me personally but seeing Jack Daniel's bottle, Patron bottle. I believe that was it.

Q. Okay. Can you take a look at Exhibit 123. This a picture of a Jack Daniel's cake.

Is this a sort of cake that would violate Tastries' policy but that was made and sold to a customer?

A. Yes, yes. The policy is not serving alcohol or making cakes that replicate alcohol.

Q. But this is the cake that you said you saw being sold and provided to a customer?

A. Correct.

Q. Thank you.

And going back to the other policy regarding providing same-sex couples wedding cakes, what did you think about the policy of sending same-sex couple to another decorator that was part of the LGBTQ community?

A. I was very upset. I don't think -- I don't think it's kind to discriminate against others based on their sexual orientation. With that particular order, I know that it was less than a week from their wedding, and that's a really stressful time with any kind of change that happens, but knowing it's going to another bakery that they had never -- as far as
I know, they had never tasted any of their cakes. They didn't know what their work looked like. It was not their first choice.

Q. And are you aware of any of the other Tastries employees who felt the same way as you about this policy?

A. Yes. There were quite a few who personally voiced to me that they were not pleased with the policy.

MR. JONNA: Objection, Your Honor. Hearsay. Move to strike the answer. It was a "yes" or "no" question.

THE COURT: Sustained. Stricken. The response is stricken.

BY MS. MESINAS:

Q. So you said you are aware of other Tastries employees who felt the same way about the policy as you. Please provide the names of those employees?

A. Nikki Salas, in the meeting, when we were first told about the policy -- I don't believe she voiced her objection and she did ask Cathy what would you do if someone is upset about this, as far as a customer who comes to you, and she --

MR. JONNA: Objection. Hearsay.

THE COURT: Sustained.

BY MS. MESINAS:

Q. We can continue down the list of names.

Who else are you aware of in the Tastries employees that felt they the same way about the policy as you?

A. Taylor, Erin, Justin Salinas. I don't

remember if he was working at the time. Nicole. Those would be the ones I would be confident in.

Q. I remember you said that you made at least one same-sex couple's wedding cake, and you didn't find out until after it was delivered by Mike.

Were there any other times that you decorated or made a cake for a same-sex couple?

A. I would say yes. Probably more so than I'm even aware of, because there is no marker on there that says it's a same-sex couple. It's just a wedding cake.

Q. And so how many times did you -- are you aware of that you did provide a -- decorate and make a cake for a same-sex couple?

A. Maybe two to three times.

Q. And was this before or after the policy was mentioned to you?

A. Before the policy.

Q. Could you please tell me about the two to three times, if you remember?

A. There was just nothing really -- I don't remember exactly what the design looked like. There was one that I remember. It had shamrocks, I believe, going up. I don't know if it was around St. Patrick's Day or not. They were ombre green shamrocks. As far as the others, I wouldn't be able to tell -- remember exactly what the designs looked like.

Q. So let's go to the shamrock green that you just described.

How did you come to find out it was for a same-sex couple?

A. That was the one that I believe Mike delivered it and it was right before the policy was enacted or placed.

Q. And so regarding that policy of not providing wedding cakes for same-sex couples, does the design that the same-sex couple wanted for their cake matter for that policy to apply?

A. No.

Q. And are there any specific details that make a cake a wedding cake?

MR. JONNA: Objection. Vague and overbroad.

THE COURT: Sustained.

BY MS. MESINAS:

Q. During your employment at Tastries when you were making cakes, could you tell if a cake was going to be used for a wedding versus any other event?

A. Usually not, the way wedding cakes are now. Traditionally they were pretty obvious, but now with the modern age, they can be any kind. They can be colorful, different shapes. Yeah, I would say no, you can't tell.

Q. And so did you ever attend any events with Cathy outside the work?

A. There was a symphony. I believe it was Bakersfield Symphony. I was still technically working for that. I can't recall of any off the top of my

head.

Q. What about work-related trips?

A. Yes, yes, yes. We -- she paid for us all to go to Vegas to do a -- a conference called IBIE. Then there was also -- she paid for everyone to go to Disneyland, to which I did not attend.

Q. And why did you not attend that Disneyland trip? That was very generous of Cathy.

A. It was very generous of her. Disneyland is not cheap and it's a wonderful magical place. I was eight -- seven months pregnant at the time and did not -- I was not going to be able to go on any rides. Not the ideal situation for a very pregnant person.

Q. I agree. And what about the Vegas trip, how was the Vegas trip, the conference for the IBIE?

A. Yes. That was -- so she paid for me and Justin Salinas, Taylor, and Erin to go to this conference. It was very generous of her. She paid for the hotel. She paid for the classes. There was just a little bit of -- at some point I believe she took it as miscommunication, as far as how long all of us wanted to stay. We had made it pretty clear to her -- we were told originally it was, I believe, Friday night to Sunday night. And when we got to the conference, we saw our lineup of classes and saw that we had some Monday morning classes. We called her all on speaker from the hotel and just said, you know, we didn't plan for this. We planned for just these days. And it

made -- she was not happy with that.

Q. And was there any other reason that you wanted to go home earlier?

MR. JONNA: Objection. Relevance, Your Honor.

THE COURT: Sustained.

BY MS. MESINAS:

Q. Let's go to policy for one quick second.

Did Cathy ever say anything to an employee who objected to the policy regarding same-sex wedding cake?

A. Yes. So in the team leader meeting, Nikki Salas said --

MR. JONNA: Objection. Hearsay.

THE COURT: Sustained. Yes, sustained.

MS. MESINAS: But it's what Cathy said.

MR. JONNA: She was saying what Nikki said.

BY MS. MESINAS:

Q. Sorry. Let's go back.

Did Cathy ever say anything to Nikki Salas who objected to the policy? Let's focus on what Cathy said.

A. Yes. Cathy was asked what would --

MR. JONNA: Objection. Hearsay.

MS. TANACEA: Admission.

MR. JONNA: No. She said Cathy was asked.

BY MS. MESINAS:

Q. What Cathy said.

A. Cathy said if any LGBTQ community came, retaliated in any way, or were upset, decided to go to court or anything based on being turned away for a wedding cake, she said, basically, let them. I have a large community here. I have a large church, and they will all back me up and support me.

Q. Thank you. Just a couple more questions.

Did you ever get invited to Cathy's home during your employment?

A. Yes, I did.

Q. Can you tell me more about that?

A. Usually it was -- I believe it was for Christmas parties. So once a year we would have an annual Christmas party at her house. She would have a game, I believe, or two. She would have -- we would do a white elephant gift exchange with everyone. She would have food, desserts, all kinds of things for us.

Q. Did anything happen during one of those Christmas parties that affected your employment relationship with Cathy?

A. Yes. One of the Christmas parties -- I don't remember the year -- my husband came -- we were allowed to bring -- the first year we were not, but after that we were allowed to bring our partners with us. And my husband thought it was a silly joke to grab -- she had many, many Nativity scenes set up all around the house. And he grabbed one, baby Jesus, from the manger, a little tiny one, took it home. And I heard about it at

work the following day, that Cathy had said, this baby Jesus is stolen. Who took it? It must have been someone from the party because it was there, and I had no idea what is going on. It was probably later that day or at some point, I mentioned it to my husband, and he said, oh, I took it, and I thought it was a joke. It was dumb. It was a mistake.

Q. And so were you able to return it?

A. No. I did not return it.

Q. And why was that?

A. I had left not too much -- so maybe it was the Christmas before I left. I left not too long after having -- I went into labor with my daughter.

Q. And how did your employment with Tastries end?

A. I left because I had my daughter and wanted to be a stay-at-home mom. I also -- it was kind of a push that I needed to leave that job. It was no longer an enjoyable work environment for me, unfortunately.

Q. You said it was no longer an enjoyable work environment. But was it always that way, or did you enjoy work before then?

A. I did. I would tell my husband all the time it literally was my dream job. I get paid to do something that I absolutely love.

Q. What did you like about working for Tastries?

A. I loved getting to decorate cakes. I loved a lot of my coworkers. Some of them I'm still friends

with.

Q. Thank you. Those are all my questions for today, for now.

THE COURT: Cross?

MR. JONNA: Yes, Your Honor.

CROSS-EXAMINATION

BY MR. JONNA:

Q. Good afternoon, Ms. Johnson.

A. Hello.

Q. We met at your deposition.

So as you were just saying, you actually enjoyed working at Tastries when you started, both the work and your coworkers, correct?

A. Correct.

Q. When you met Cathy, actually you found her to be sweet and kind and motherly?

A. That is correct.

Q. She had Christmas parties, like you said, for employees?

A. Yes.

Q. She would buy the employees Jamba Juice cards when they were sick?

A. Yes.

Q. She would give you a card and a gift card on your birthdays, wouldn't she?

A. Yes, she would.

Q. As you said she took the team to Disneyland,

all paid by Cathy Miller and Tastries?

A. Yes.

Q. At one point, as you were testifying, Cathy made it clear that her policy at Tastries would not -- would be to not make any wedding cakes for same-sex weddings, and you learned about that policy while you were there, right?

A. Correct.

Q. But you did agree with it?

A. Correct.

Q. And Cathy had design standards that she communicated to the team and certain cakes she wouldn't make. She wanted to focus PG or G-rated themes, correct?

A. Yes.

Q. For example, there was a bachelorette cake you remember -- like, if she got an order for bachelorette cakes, she'd tried to make it less risque, right?

A. Correct.

Q. And so this policy that Cathy developed to deal with same-sex wedding cakes was to refer them to another decorator, right?

A. Correct.

Q. And she would send those orders normally to Stephanie with Gimme Some Sugar?

A. Yes.

Q. And she made it clear, though, that she

didn't want the LGBT people to feel as though they couldn't get a cake. She wanted to make sure they got a cake from another good decorator, right?

MS. MESINAS: Objection. Calls for speculation.

THE COURT: If you know.

Overruled.

If you don't know, you can say you don't know.

THE WITNESS: Could you repeat the question?

BY MR. JONNA:

Q. She made it clear that she didn't want to send any LGBT people -- she didn't want them to feel as though they couldn't get a cake. She wanted them to make sure they got a cake from another decorator?

A. Yes.

Q. And your understanding, based on knowing Cathy for so many years, was that she had sincere religious beliefs and that was what was motivating her in that regard, correct?

A. That's what she voiced to us, yes.

Q. Right. And you think she was sincere in saying that, though, don't you?

A. I think she was sincere in following the Bible.

Q. So you were talking about your work at Tastries. When you took orders, you would normally ask the couple if they had a design in mind, the theme,

colors, for the wedding, the guest count for the serving size, and the delivery location, right?

A. Correct.

Q. You also had to work with the customers to decide the color, the tiers, the flavors, and those sorts of thing, correct?

A. Correct. Usually, yes.

Q. And as far as you recall, about 20 percent of the cakes at Tastries were case cakes and about 80 percent were custom order cakes, true?

A. Yes, yes.

Q. And a preorder cake at Tastries would just be any -- would be considered a custom cake?

A. Yes. Correct.

Q. And when you started working there, as you said on direct exam, you did a lot of deliveries of cakes, right?

A. Yes. A fair amount.

Q. Towards the end you would help deliver stacked cakes as well?

A. Yes. I was not doing too many deliveries by the end.

Q. When you were doing deliveries, though, oftentimes there would be people setting up at the wedding venue, and at least on one occasion you remember that all the guests were there, as well; isn't that true?

A. Correct. One situation because we were late

with the delivery.

Q. And you used your car initially, but then eventually you used a Tastries' car for the delivery; isn't that true?

A. Correct.

Q. As far as the recipes, you know that Cathy wanted to make frostings and cakes from scratch; isn't that true?

A. Yes.

Q. In fact, you know that she hired employees with culinary training in order to perfect their scratch recipes, and she made progress with those recipes; isn't that true?

A. As far as making progress, I'm not aware. But yes, she did hire -- she did hire two, I believe, that I can think of.

Q. And you actually were not a fan of the scratch recipes because you didn't think they seemed stable in the Bakersfield heat; isn't that true?

A. Are you talking about buttercream or cake?

Q. The scratch recipes, in general.

A. Yes. I and many of the other cake decorators.

Q. And you know that Cathy used box mixes and bought her buttercream -- but you heard of other bakers, including De Coeur doing the same thing; isn't that a fact?

A. No, that's incorrect. De Coeur did

everything from scratch. I knew of -- I was told of one bakery that they used box mixes.

MR. JONNA: Deposition transcript.

THE COURT: Can I have an original? Can you lodge that original, please, and hold on a minute.

We are going to need to see line and page, Counsel, before anything gets read.

The original transcript of the deposition of Mary Elizabeth Johnson has been lodged.

Date and line?

MR. JONNA: One second, Your Honor. I'm sorry.

82, 16 to 83, 19. Kind of a long excerpt. I'm sorry.

THE COURT: Ms. Mesinas?

Ms. Mesinas, any objection?

MR. JONNA: Your Honor, I'm just going to move on.

Is that okay?

THE COURT: Okay.

BY MR. JONNA:

Q. In fact, you, yourself, Ms. Johnson, use box mixes for your home baking, don't you?

A. Correct, I do.

Q. And Cathy, as you said, paid for you to go to the International Baking Institute Exposition in order to perfect your skills in this regard; isn't that true?

A. She paid for me to go to learn skills to

further her business.

Q. Right. Exactly. You believe, though, that perfecting the taste of a cake can be artistic; isn't that true?

A. I would say yes.

Q. And you prefer the taste of cakes that involve the use of box mixes, correct?

A. Me, personally, but that's not the common -- my husband prefers from scratch.

Q. While you worked at Tastries, you knew that there was an effort to make wedding cakes for same-sex couples without letting Cathy know, correct?

A. Could you repeat the question?

Q. While you worked at Tastries, you knew there was an effort on the part of the employees to make wedding cakes for same-sex couples without letting Cathy know, correct?

A. As far as not -- as I said, when we did wedding cakes, and if they were -- they were a couple that I was aware of, there were many cakes that they were just taken and placed in my order, other people's order, so as far as knowing for sure if whether they were same-sex or not --

Q. I think you testified about this on direct.

While you worked at Tastries, there were employees that were involved in making cakes for same-sex couples without Cathy's knowledge, isn't that true?

A. There were -- I believe it is hard because there was one particular employee who referred to an underground cake order program. I don't know. Again, underground. And as far as us sitting and saying we are going to -- none of that was taking place, so -- repeat the question.

Q. So she knew about the underground operation? Is that what you are testifying?

A. There was not -- that's what I'm saying. There was not -- I said one coworker, who I don't believe he was working anymore at the time, referred to this "underground" in quotes that when he talked about that, it was --

MR. JONNA: Your Honor, I would like to place the clip on Page 67, 14 to 68, 2.

THE COURT: I'm sorry. Give me those pages again.

MR. JONNA: 67, 14 to 68, 2. Actually, I'm sorry. All the way to 21, not 2.

MS. MESINAS: Your Honor, it is not impeachment. It is consistent with her testimony.

MR. JONNA: It is impeachment, Your Honor.

THE COURT: Hold on. Please, no crosstalk.

MR. JONNA: I apologize, Your Honor. It's 67, 14 to 69, 21.

MS. TANACEA: We withdraw the objection.

THE COURT: Okay. Go ahead.

BY MR. JONNA:

Q. You recall being deposed, correct, Ms. Johnson?

A. I'm sorry. Say that again.

Q. Do you recall having a deposition in this case?

A. Yes, I do.

Q. You were under oath?

A. Yes.

Q. And there was no reason you couldn't give your best testimony that day; isn't that true?

A. Yes.

Q. Okay.

THE COURT REPORTER: Your Honor, is there a stipulation that I don't have to take down what is on video?

THE COURT: Yes. Counsel, you are going to play a portion of the deposition, so there is audio and video. Can we stipulate that the court reporter can be relieved of any responsibility for taking down the audio portion of the video that is about to be played, and that she does not need -- the official record will be the transcript itself. The parties will submit the pages from the transcript, and they can be marked appropriately so that we can avoid having our court reporter have to burden the record with what's being played via audio.

Is that all right?

MR. JONNA: Yes, Your Honor.

THE COURT: Stipulate?
MS. MESINAS: So stipulated.
(Video played.)
BY MR. JONNA:
Q. After you left Tastries in June 2017, you started making cakes from home, right?
A. Correct.
Q. About two cakes a week?
A. Yes.
Q. Your business is unlicensed, correct?
A. Correct.
Q. And you believe that decorating a cake is a form of art, don't you?
A. I believe it can be.
Q. And you believe that the Rodriguez-Del Rios' cake, which you looked at, is a form of art; isn't that true?
A. Edible art.
Q. What's that?
A. Edible art, so yes, I suppose.
Q. You're also aware that some cake decorators call themselves cake artists. That's not an uncommon thing, right?
A. I'm aware of it, yes.
Q. As far as Cathy's faith, you believe that it is heavily incorporated to everything she does; isn't that true?
MS. TANACEA: Objection. Speculation.

THE COURT: Sustained.

BY MR. JONNA:

Q. You worked at Tastries for how many years?

A. Four, I believe.

Q. And based on your knowledge of Cathy Miller as a person, your testimony is that her faith is heavily incorporated into everything she does, as far as you could perceive; isn't that true?

A. Yes, from what she voiced while working there.

Q. And you knew before you were hired that Cathy was a devout Christian. There were Christian symbols in the bakery. There were Bible quotes everywhere. You knew that before you started, right?

A. She told me.

Q. And she talked about her faith? It was no secret. There was -- Christian music played in the bakery, correct?

A. I believe in my interview she mentioned she was a Christian.

Q. But if someone wasn't comfortable, they certainly didn't have work there. It was obvious when you went there this is a Christian bakery; isn't that true?

A. Yes, from her sharing that.

Q. And you remember her talking about how this is God's business, and she just manages it. We all work for God to bring joy to people and work together

as a family?

A. I do remember her saying things like that, yes.

Q. There were non-Christian employees that worked at Tastries as well; isn't that true?

A. One that I can think of, but I don't know that she voiced that to Cathy or not.

Q. You said you grew up in a Christian family, but at some point, obviously, you thought it was funny that your husband stole what was a very important baby Jesus Nativity set that Cathy -- and, you knew, was important?

MS. TANACEA: Objection. Argumentative. Badgering the witness.

THE COURT: Hold on.

Mr. Jonna, I'm going to sustain that objection. You can reask the question, but let's just ask it. Let's not argue it.

BY MR. JONNA:

Q. Your husband stole the baby Jesus from Cathy's Nativity set, true?

A. True.

Q. And you never returned it, true?

A. True.

Q. And you knew that she wanted it back; isn't that a fact?

A. Yes.

Q. And you knew it was important to her; it was

special to her?

A. Was that a question?

Q. Yes.

A. Yes. She said it was important to her.

Q. While you worked at Tastries, you knew that Cathy hired gay employees, correct?

A. She hired people that were gay, but as far as her knowing if they were gay or not, I do not believe that she knew that they were gay.

Q. And she treated those employees just fine, didn't she?

A. Again, I was -- I do not know think that she was aware that they were gay. One of the men she mentioned, "take these flowers to your girlfriend," and you don't say that to a gay man.

Q. There were two openly gay employees working at Tastries while you were there? Yes or no?

A. I knew that they were gay. They did not say, at any point, to the whole bakery, I'm gay and come out. One of them, I believe, did -- had not come out, at that point, publically.

Q. Cathy never mistreated any gay customers while you worked there; isn't that a fact?

MS. TANACEA: Objection. Overbroad. Calls for speculation.

MR. JONNA: While she worked there.

THE COURT: Sustained as framed. Reask.

BY MR. JONNA:

Q. Have you ever witnessed Cathy mistreat any gay customers while you worked at Tastries Bakery?

A. I had never witnessed her interact with anyone she knew was gay.

Q. So the answer to my question is you never witnessed her mistreat any gay customers?

MS. TANACEA: Objection. Asked and answered.

THE COURT: Overruled. Not answered.

THE WITNESS: I never witnessed her interact with someone that I knew that she knew was gay, either positive or negative.

BY MR. JONNA:

Q. Okay. You don't know of a single baker in this whole town that would object to making a wedding cake for a same-sex wedding, other than Cathy Miller; isn't that a fact?

MS. TANACEA: Objection. Relevance.

THE COURT: Overruled.

THE WITNESS: I can't say that that's a fact.

MR. JONNA: Your Honor, Page 101, Lines 10 to 13.

MS. MESINAS: I'm sorry. What was the lines?

MR. JONNA: 10 to 13.

THE COURT: Any objections?

MS. MESINAS: No, Your Honor.

THE COURT: Go ahead.

(Video played.)

BY MR. JONNA:

Q. You think, Ms. Johnson, that it is wrong to force someone to say something that they disagree with; isn't that true?

A. Can you repeat the question?

Q. You think it's wrong to force someone to say something that they disagree with; isn't that true?

MS. TANACEA: Objection. Vague and ambiguous.

THE COURT: Overruled.

THE WITNESS: Yes. I think that would be wrong.

BY MR. JONNA:

Q. You also think it is wrong to force someone to write something that they disagree with; isn't that true?

A. It's a little hard because I feel if you are offering a business service, then you are not saying you agree with it or not by writing it. If you offer service to say, please, tattoo this on me, you may not agree with necessarily what the statement says, but you are offering a service.

Q. I have your testimony. I can play it for you. I'm going to ask you one last time.

You think it is wrong to force someone to write or to draw something that they disagree with. Is that true or false?

MS. TANACEA: Objection. Argumentative.

THE COURT: Overruled.

THE WITNESS: I answer that, correct? Sorry I can't remember.

Yes. Yes.

BY MR. JONNA:

Q. You think that's wrong, correct?

A. Correct.

Q. But you think that people, including Cathy Miller, should be forced to make any cake that anyone desires, regardless of the message; is that true?

MS. TANACEA: Objection. Relevance. The ultimate issue -- her opinion doesn't -- is not relevant to the decision.

MR. JONNA: Well --

THE COURT: Hold on, Counsel. You are getting out in front of me here.

MR. JONNA: Those are my last two questions, Your Honor, but her opinion was relevant.

THE COURT: Counsel, let me catch up with you.

MR. JONNA: Sorry.

THE COURT: What's the objection, again, Ms. Tanacea?

MR. JONNA: By the way, she is not the examining attorney.

MS. MESINAS: Objection. Relevance.

THE COURT: Ms. Mesinas, what's the objection?

MS. MESINAS: Relevance.

THE COURT: I can't keep either one of you down, Mr. Jonna, you or Ms. Tanacea. I'm going to let it slide.

Ms. Mesinas, I'm sorry. Relevance and what?

MS. MESINAS: It goes to the ultimate issue, and her lay witness testimony asks that issue -- it's not relevant to this case. What she thinks about the --

MR. JONNA: They asked her all kinds of questions --

THE COURT: I'm going to overrule those objections, but I need you to reask the question.

BY MR. JONNA:

Q. Sure. You think that people, including Cathy Miller, should be forced to make any cake that anyone desires regardless of the message; isn't that true?

MS. MESINAS: Same objections.

THE COURT: Overruled.

THE WITNESS: If you're -- if she is offering a service --

BY MR. JONNA:

Q. It's a yes-or-no question.

A. Can you repeat question for me?

Q. Do you think Cathy Miller should be forced to make any cake that anyone desires, regardless of the message, true?

A. Yes. I think that she should --

Q. In fact --

THE COURT: She is answering, Counsel. I'm sorry. Please go ahead and restate your answer.

THE WITNESS: Yes. I think she should be.

BY MR. JONNA:

Q. In fact, you think that someone can come into Tastries Bakery and say they want a cake that says, "Hail, Satan on it," and Cathy Miller should make that cake; isn't that a fact?

A. Yes, if she is offering a service.

MR. JONNA: No further questions.

THE COURT: Ms. Mesinas, further examination?

MS. MESINAS: Yes, I have one question.

REDIRECT EXAMINATION

BY MS. MESINAS

Q. Do you think it was -- do you think that Tastries is serving same-sex couples by sending them to another bakery?

A. No.

MR. JONNA: Objection. Relevance.

THE COURT: Overruled. There was an answer. I heard "no."

MS. MESINAS: Okay. That's it, Your Honor. Thank you.

THE COURT: Any further examination?

MR. JONNA: No, Your Honor.

THE COURT: All right. May this witness be excused?

MS. MESINAS: Yes, Your Honor.

MR. LIMANDRI: Yes, Your Honor.

THE COURT: You're excused. Thank you.

Counsel, we are going to take our afternoon recess at this time. Let's take about a 15-minute recess.

(Recess taken.)

THE COURT: Back on the record. Appearances as previously indicated.

Mr. Mann, call your next witness.

MR. MANN: DFEH calls Mireya Rodriguez-Del Rio, Your Honor.

THE COURT: Raise your right hand and face my courtroom assistant.

THE CLERK: Do you solemnly swear that the testimony you may give in the cause now pending before this Court, will be the truth, the whole truth, and nothing but the truth, so help you God?

THE WITNESS: Yes, I do.

THE COURT: Have a seat.

If you -- make sure you speak clearly into the microphone. You can adjust it.

Would you state and spell your first and last name for the record, please.

THE WITNESS: Mireya Rodriguez-Del Rio, M-i-r-e-y-a R-o-d-r-i-g-u-e-z, hyphen, D-e-l R-i-o.

THE COURT: All right. Mr. Mann, your witness, please.

DIRECT EXAMINATION

BY MR. MANN:

Q. Good afternoon, Mireya.

A. Good afternoon.

Q. Like I always do, I'll apologize that I can't roll my Rs appropriately?

How long have you lived in Bakersfield now?

A. It's been maybe about 25 years.

Q. And who do you live with?

A. I currently live with my wife Eileen Rodriguez-Del Rio and my mother-in-law Margaret.

Q. And you have other family here?

A. Yes, I do.

Q. Mom and four siblings?

A. Yes.

Q. How often do you see your mom?

A. During the week every day after work.

Q. And what do you do for a living?

A. I'm a child development teacher at the Bakersfield College here in Bakersfield.

Q. And how long have you had that job?

A. Since the end of '99, so close to the 20-plus years.

Q. And what do you like about it?

A. Working with the children there.

Q. Let's talk about when you met Eileen. How did you meet?

A. She was also a -- when I started at the college, Bakersfield College, she was a substitute teacher for the child development center, and I was a student intern at that time.

Q. And you developed a friendship?

A. Yes.

Q. And what type of social things did you do together as friends?

A. We would go out to lunch or if on the weekend go over to her house, her mom, for dinner, or late lunch or something.

Q. And how long was it just a friendship?

A. Well, since we met up until 2014, 2015.

Q. So a long friendship, and then at some point things changed and it became romantic?

A. Yes.

Q. And when was that?

A. She asked me to be her girlfriend in April of 2016.

Q. She asked you to be her girl --

A. Wait a minute. I have to remember the numbers 4/3/15. So April 3rd of 2015, not 2016.

Q. And why is it hard to remember the numbers?

A. Too many anniversaries.

Q. Did you date any other women before you dated Eileen?

A. Yes.

Q. For a long time you did not consider yourself a lesbian; is that true?

A. Correct.

Q. And at some point after you've been friends for all this time and then you were dating for a while, Eileen proposed to you, right?

A. She did. A year after she asked me to be her girlfriend.

Q. Was that the April 3rd, 2016 date you mentioned?

A. Yes.

Q. Can you tell us about the proposal?

A. She had surprised me to go to Napa Valley, not that I love wine, but she took me to Napa Valley. She was going to propose that morning of April 3rd in a hot air balloon, but she didn't want to lose the ring up in the air. I didn't know that it was a hot air balloon surprise. She did it on -- they call it, I guess, the love bridge, and she proposed there. We marked a lock with our names and put it on the bridge.

Q. And how did you feel when she proposed?

A. Excitement, happiness, all the little butterflies going on.

Q. So after the proposal, did you start your wedding planning?

A. Soon after, yes.

Q. And did you come up with a date in mind for

the wedding?

A. Not exactly at the moment, but yes, we did come up pretty soon after.

Q. And what date did you select?

A. We selected October 7th. But before that there's -- what do you call it? There was going to be a change of president at the moment and so then we were afraid that we were not going to able to marry so we decided to do it through the courts on December 7th of 2016.

Q. So it sounds like you selected October 7th of 2017 as the date that you originally wanted to have it?

A. Yes.

Q. And then -- but you ended up getting married at the court in December of 2016?

A. Right.

Q. And I want to talk about that.

Did you do any wedding planning before the December 16th wedding?

A. We did. We got the venue, where we were going to have it at.

Q. Was that the first thing you did?

A. Yes.

Q. Can you take a look at 498, please.

MR. MANN: This has been stipulated to.

THE COURT: Again, I just know that I -- so I am going to have you folks spend some time with my courtroom assistant here and go through these and let's

find out exactly what has been received in evidence. I want to keep track of that and what has been objected to and ruled on, et cetera, et cetera. I want to make sure that we make a record of that today. So I'm going to leave a few minutes at the tail end of the day so we can do that. Okay.

MR. MANN: Okay.

THE COURT: I'm sorry. I didn't mean to interrupt you.

MR. MANN: No problem.

THE COURT: I'm sorry. One other thing. This is exhibit --

MR. MANN: I'm going to skip this one.

THE COURT: Okay. So but the exhibit numbers that counsel are referring to, that's how you want them marked in this trial, correct?

MR. MANN: Yes.

THE COURT: The way you are referring to them?

MR. MANN: Yes. There's depo exhibit numbers on there and there's Bates numbers, but we selected exhibit numbers and worked together, so we are going to refer to the trial exhibit number.

THE COURT: And the trial exhibit numbers, is it some sort of a Bates stamp in the lower right-hand corner?

MR. MANN: No. I'm sorry. Yes, there is. The trial exhibit number and then the page number.

THE COURT: Okay. So the first three digits are the trial exhibit number, and then the page number follows whatever -001, -002, et cetera. And you folks want the trial exhibit to be -- as you are referring to -- for example, this was Exhibit 498?

MR. MANN: Correct.

THE COURT: That is the trial exhibit number. I'm saying all this for the benefit of my courtroom assistant because she started preparing labels every time you guys were talking about something. I think we can -- I don't know if we need to do that or not. That's her job. But I want to make it clear what we are going to be doing.

The numbers you are using are the numbers that everyone should be expecting when they read a transcript of this later on, correct?

MR. MANN: Yes.

THE COURT: Okay. Thank you.

BY MR. MANN:

Q. So why was booking the venue so far in advance the first thing that you guys did?

A. Just from making Internet research, I noticed that a lot of places were doing it like a year or two years in advance because they book so fast.

Q. Which venue did you select?

A. It was Metro Galleries.

Q. And did you visit any other venues, looking for venue for your reception, after you booked the

Metro?

A. No.

Q. And then after you booked the venue, did you continue with your wedding planning?

A. Yes.

Q. And did you refer to it any certain way?

A. Yeah. Like I said, I did Internet research, so then I kind of -- I believe like a checkoff list of the different things that -- so I didn't forget. I also -- I believe I had written some of the things down.

Q. Okay. So you got married on December 7, 2016 officially. What was that ceremony like?

A. It was very intimate. It was only our mothers and siblings, and it was her two nieces.

Q. And where was that held?

A. It was at -- I always forget his first name, but Mr. Brown.

Q. In his office?

A. At his office, yes.

Q. And did you celebrate afterwards?

A. Not necessarily a celebration. It was just a little -- at the house.

Q. Did you have a cake there?

A. Yes. They surprised us with a cake.

Q. And what was that cake like?

A. It was sheet cake with little white rosettes and just like a boarder around the top, white and

grayish, silver color.

Q. Who had done it for you?

A. One of our mom's. I don't recall which one.

Q. How did it feel to be married on that day?

A. It was good. Nobody is going to tell us no anymore; for us, we were married.

Q. Was marriage something you've been looking forward to growing up?

A. It was something that -- yeah, that I thought I'd like to get to.

Q. I was going to show your marriage certificate. I think we all understand you are married, so let's just move on.

Did anything change in your life, after you were married, with your living situation?

A. Yes. I was staying with my -- at that time my friend off and on, but, yes, after we married, I moved in with her.

Q. And so you still had the October 7th date. What was that date going to be?

A. That was going to be with more family -- extended family and friends from out of town.

Q. And was the plan to do a ceremony and a reception on October 7th?

A. Yes. We wanted to exchange vows in front of them and have a reception.

Q. Now, you mentioned your checkoff list. Was anybody helping you with it?

A. It was mostly both of us to get and pay everything out of our own pockets and not bother anybody, but here and there was a little help, some ideas, but pretty much it was my wife and I.

Q. And did you have somebody special who was going to stand with you at the wedding and help you along with the planning?

A. I did ask my good friend Patrick Grijalva to be my man of honor. He did say that he wanted to help me out with little things whenever he could.

Q. I want to go through some exhibits really quick. 150, please.

So we look at the third dark one down.

"I was just wanting to check in with you."

I'm sorry. Next page, I think.

The bottom one.

"Just wanting to see if you wanted to get together in the morning. Maybe go to the flower shop, something to start looking into bouquet. I have to arrange a cake tasting soon. Maybe we can talk about this a little bit more together."

Do you see that?

A. Yes.

Q. Let's see if we get a date for that?

A. That date -- the date is July 7, 2017, according to the --

Q. July or January? I'm sorry. July?

A. July.

Q. Let's look at 151 real quick. I'm sorry. Yeah, 151.

And those are pictures of you trying on wedding dresses?

A. Yes.

Q. And that's in April, I think?

A. Yes. From the stamp on the picture, yes.

Q. To save time, there is more of these texts that start in January of 2017. So getting that checklist done was something that you started on pretty early and continued on throughout most of the 2017, right?

A. Right.

Q. And you were looking to get things that every bride gets, bouquets, shoes, the cake, the flowers, the dress, obviously. Those were part of the things that were on your checklist?

A. Yes.

Q. So let's focus -- I appreciate counsel stipulating to that so we can blow through that, Your Honor.

Let's go right to the cake because that's what is here. Can we do 154, please.

Bottom right. So were you working with Patrick? Was he helping you to find the wedding cake?

A. Yes.

Q. And do you remember doing some tastings with him?

A. Yes.
Q. And you had set up a tasting for August 15th?
A. I believe that was the date from the text message, yes.
Q. And he texted you that he is leaving the office now to meet you?
A. Yes, right.
Q. And you say you are in the car right outside?
A. Yes.
Q. And do you remember which bakery you were doing a tasting at that night?
A. It was for De Coeur.
Q. And how did it go at De Coeur?
A. It went really good. They were nice.
Q. And did you discuss the tasting with Eileen once you got home?
A. I did.
Q. And what did you two decide about getting a wedding cake from De Coeur?
A. That we weren't going to do it because it was a little expensive.
Q. Pop that back up, please, to the next page.
You see at the top there, is that Patrick that says "Maybe you want to try this place too"?
A. Yes, I see it.
Q. And that was Sugar Twist bakery?
A. Yes.
Q. That's August 17th he is suggesting Sugar

Twist; is that true?

A. Yes, from the text message.

Q. And did you taste cakes at any other bakeries?

A. Yes, we did.

Q. Where was that?

A. At the moment we didn't know the name of the bakery, but it ended up being Gimme Some Sugar.

Q. Well, how did you end up tasting from Gimme Some Sugar? Was that at Gimme Some Sugar?

A. No. My wife drove by there and she stopped and picked up some of their cupcakes and fillings and frostings that they do there and she brought it home.

Q. And did anybody taste with you?

A. My wife and her mom.

Q. What did you think about the taste of the cupcakes?

A. They were too sweet. And a lot of our family are diabetic.

Q. So the search continued?

A. Yes.

Q. So we saw you had a tasting with Patrick at De Coeur on August 15th. And then you saw that he was suggesting on August 17th Sugar Twist Bakery.

What happened on August 16th?

A. August 16th we had went to Tastries.

Q. And how did Tastries come into the picture?

A. My wife was also driving by and saw the sign,

so she told me about it, picked me up, and we ended up going to Tastries that day.

Q. And had you heard about Tastries before?

A. I had not.

Q. Had you ever been there before?

A. No.

Q. Had you heard of Mrs. Miller?

A. No.

Q. Did you know anything about her religious beliefs?

A. No.

Q. What were you thinking when Eileen suggested going to Tastries?

A. It was another bakery to see if we would get a wedding cake.

Q. What did you think when you drove up on that day?

A. We were just excited to hopefully be the last stop that we would have to get a wedding cake.

Q. And did you notice anything particular about the decor when you went inside?

A. Not necessarily. I mean a bakery has lots of cakes or baked goods like pastries, cookies, things like that. There was other items that I didn't pay too much attention to, but -- I'm not going to -- not like knickknack stuff but things to purchase as well, like additional to the bakery.

Q. Did you see any cakes that were on display

throughout the bakery?

A. Yes.

Q. Was there -- when you went in, did you have an idea of the kind of cake that you wanted?

A. I somewhat did, yes. I had looked -- just to get some ideas, online search, internet search.

Q. What did you have in mind at the time?

A. It was still the three-tier, round shape cake.

Q. Was there any display cakes at Tastries that helped influence your decision?

A. There was two different ones. One like up on the wall. It had like little hole to show and another one right on top of those display refrigerators, I believe they're called.

Q. And did a Tastries employee come up and help you at all?

A. Yes.

Q. And who was that?

A. That was Rosemary.

Q. And can you tell me about your interaction with Rosemary?

A. It was pleasant. She invited us to see if we needed any help, very friendly, smiling most of the time, and got to do the -- she was asking the questions, you know, how many layers of cakes do you want? Do you already know flavors? Any colors? Do you have a color scheme for your wedding? For how many

people?

Q. And was she taking notes or writing down any of this information?

A. Yes. It was maybe just like a back of a sheet paper that she had on the counter.

Q. And did either you or Eileen start filling out any information for them?

A. There was a form, but I don't remember if it was that day or was it the second time that we went to Tastries.

Q. All right. Let's take a look at Exhibit 11, please.

With this one, looking at it, does it look like Eileen's writing on it?

A. Yes. That's her writing.

Q. I will ask Eileen about that.

So you told us about some of the information you were providing Rosemary. Three tiers.

Did you know what kind of frosting you wanted?

A. Was going to be white, not fondant, but the other, I guess, buttercream.

Q. And was there any design or decoration that you wanted on it?

A. Nothing too elaborate. It was going to be simple. For me I like -- from her two displays, I like one that had like a rustic kind of look, but the other one had like a scaly, so I didn't want it on too light

or too thick. They had like a scaly, wavy kind of design.

Q. Were you going to add any flowers or anything to it?

A. We had our own topping so there was not -- nothing was going to get put on at the bakery.

Q. And did you want any writing on the cake?

A. No.

Q. Do you remember about how long you spent with Rosemary going over the information?

A. I kind of walked off from talking to them because I saw children's books. And I'm a teacher so -- I'm sorry, I'd say about five to ten minutes, maybe.

Q. When you finished with Rosemary, in your mind, was there anything left to decide about the design of the cake?

A. No.

Q. Did Rosemary talk to you about having any other cake with it, or would that be the only one?

A. She did say about how some customers have asked to have like a sheet cake on the side, half a sheet or a full sheet, depending on how many guests they had. So that was an idea of doing that because we were still not too sure about the flavors. And -- or it was just going to be kind of plain just because of how some of the -- we thought about allergies, about other people, so we didn't want them to be, you know,

having some kind of allergy reaction to it, to the cake.

Q. Do you remember if you got an estimate of the price or a quote that night?

A. I believe it was going to be like $400 or so. It was going to be cheaper from like the price that they had given us at De Coeur for sure.

Q. With the overall experience, how did you feel at the time when you finished with Rosemary?

A. I think we were going to settle, and if we could -- if we knew what flavors we wanted the cake in, we would have probably already had. But she did suggest -- they were going to have a cake tasting like a week or two later of the day of the 16th, so she invited us back to do that cake tasting.

Q. When you left was it your understanding that Rosemary had signed you up for the cake tasting?

A. Yes. Correct.

Q. And what was your impression of Rosemary at the end of your interaction with her?

A. It was good. She was friendly, nice.

Q. Did she make you feel welcome and comfortable?

A. Yes. We even -- we even invited her to our wedding. That day we happened to have some invitations in my purse. We even gave her an invitation.

Q. How did it come up that you considered inviting her to your wedding?

A. She said she was a wedding crasher.

Q. When you were talking and working with Rosemary, did she ever show you any rules about the kind of cakes that Tastries would make?

A. I didn't see any forms or anything that had their name until this form, the one that had my wife's writing on it from Tastries.

Q. Can we take a look at 8.2. Do you remember seeing a document like this?

A. No.

Q. And did Rosemary tell you anything or lead you to believe that Tastries wouldn't be able to make the cake for you?

A. No, not at all. Like I said, if we knew what flavors we wanted, we probably would have put our order in that day.

Q. Did you make any purchases at Tastries that night?

A. I did. Not a book, but I ended up buying a bag, a tote bag or something.

Q. Look at 108 real quick.

Do you remember that as the receipt for the tote bag?

A. Yes.

THE COURT: What exhibit was that?

MR. MANN: 108.

THE COURT: Thank you.

BY MR. MANN:

Q. How did you feel when you left Tastries that night?

A. Very confident that we were going to just stop there after the tasting. It was good.

Q. Now, did you end up telling Patrick about finally finding a cake?

A. Yes.

Q. Can we take a look at Exhibit 155, please.

Kind of in the middle there, under your name, is this a text exchange that you had with Patrick about going to the tasting at Tastries on August 26th?

A. Yes. Only four people were able to, like, sign up for that one time slot that they had. And so then it was going to be my mom, and my wife's mom, and, well, my wife and myself. And so then I had told Rosemary, and she said we have on the website where you can sign up your man of honor, and so that is what I was asking him then.

Q. So that way -- it sounds like if they had a separate appointment, you wouldn't be limited to just the four?

A. Right. It could kind of slide into the one with us.

Q. Can we look at 157, please.

Is that Patrick at the bottom saying, "Did you hear back about the cake tasting this Saturday?"

A. Yes, that's Patrick.

Q. Okay. Go to the next page, please.

Patrick tells you there, "Yes, we can make it. The one at 12:15 is better for us."

You see that?

A. Yes.

Q. Did you remember what time your cake tasting was that Rosemary signed you up for?

A. It was probably at 12:30. I'm not too sure.

Q. And then you -- let's look at 113.

And did you e-mail Tastries in between to help Patrick get set up for the tasting?

A. What was that? Can you repeat it?

Q. Did you e-mail Tastries to help set Patrick up for the tasting?

A. Yes. I was the one who did it.

Q. And that's what these e-mails are here?

A. Yes.

Q. In your mind -- scratch that.

So Rosemary sets you up for a tasting, you help get Patrick get set up for a tasting right about the same time?

A. Yes.

Q. Let's go to August 26th.

Do you remember that is the day of the tasting?

A. Correct.

Q. And what happened before you got to Tastries on August 26?

A. As we were getting ready that morning, I noticed -- my wife had left her phone on the bed and so I noticed that Rosemary had called, because we saved it with her name. And so she called her -- we missed the call. And so I asked my wife if she wanted me to call her, as she was still getting ready. She said, yes, go ahead. So I called Rosemary and I was, like, "Hey, Rosemary, it's Mireya and Eileen. We missed your call."

And she said something like, "Oh, I was just checking to see if you guys were still coming because I see question marks next to you guys' name.

I like, "oh, we are almost done. We should be on our way pretty soon." She said, "Okay, see you soon."

Q. Did you have any questions about the schedule or you guys were set and just ready to go?

A. We were just set to get ready to go.

Q. Look at Exhibit 103, please.

Is any of this your or Eileen's handwriting on 103?

A. No. I had not seen that form before.

Q. We can see -- is that -- Patrick and Sam signed up for 12:15?

A. Yes. That's the time that I had put them down.

Q. And then you were signed up -- looks like Rosemary signed you and Eileen up at 1:00?

A. Yes.

Q. And there was a four at the end? Yes, four.

A. Yes, that it was going to be four people, I believe. That's what she meant.

Q. All right. So what happened when you got to Tastries?

A. We were going to do the tasting. Rosemary approached us. She said in a low voice that her boss was going to take over and that she was sorry.

Q. Just to set the stage, do you remember that you guys went there earlier than the 1:00 time probably?

A. We probably arrived a few minutes probably before. I don't recall the exact time.

Q. Okay. And were Sammy and Patrick there?

A. Yes, they were already there.

Q. And what happened after Rosemary told you about her boss taking over the order?

A. I saw Mrs. Miller. At that time I didn't know who Mrs. Miller was, but I did see a lady going with a box through some doors on the side, and then coming back out. And when Rosemary -- I guess we had -- wait a minute. I'm sorry. I had to say hi to my guy friends and stuff. So, yeah, that's when Rosemary came over and said, you know, that she was sorry and that her boss was going to take over.

So then when I saw Mrs. Miller come out, then she introduced us, this is my boss Cathy Miller, she is

going to take over your order, and Rosemary walked away.

Q. And what happened next?

A. Mrs. Miller just asked us the same questions that Rosemary had already asked us on the 16th, that week and a half before that, you know, how many -- what kind of cake we were looking for, how many people, did we have an idea, you know, the shape and color. And so we told her that it was for a wedding. And then she asked about who was the bride and who was the groom. And I responded with, "What about two brides?"

Q. And when she was asking all the information that you had already provided to Eileen -- I'm sorry -- that you had already provided to Rosemary on the previous trip, did you guys say anything about that?

A. Can you repeat that again?

Q. When Mrs. Miller was asking the questions about the cake that you already provided to Rosemary, did you respond to her about that?

A. Did I respond to her?

Q. Either you or Eileen?

A. Yeah. We told her that Rosemary had that information. But in that matter of that moment I believe she -- either Miss Cathy or Rosemary somebody gave my wife's some papers and she started to fill it out. She went and sat down and we kind of moved over toward the back. Well, for us it seemed like it was the back of the store. We were -- she was asking all

those questions about what kind of cake, guests, and shape, and things like that.

Q. And that was information you had already provided to Rosemary last time, right?

A. Right, yes.

Q. From your perspective or -- what were you there to do that day?

A. Just the cake tasting, to decides flavors, and what frosting we were going to use.

Q. And what happened after you told Mrs. Miller "What about two brides?"

A. Like her tone of voice kind of changed. It wasn't as friendly anymore, and she just -- she said she didn't condone same-sex marriage.

Q. And what happened next?

A. It felt like there was some reaction. For me it was the first time I ever felt some kind of discrimination so I was like in shock. I wasn't sure how to act, how to respond or say anything, respond back. I kind of heard my friend "let's just go" and so then we just left the store without tasting.

Q. When you were leaving the store, did anyone yell?

A. No.

Q. From your party did anybody cuss or make a scene?

A. No.

Q. And did you get a chance to tastes any cakes

that day?

A. No.

Q. Why not?

A. We didn't get to that point of choosing flavors or frostings or anything.

Q. And did Mrs. Miller say anything else in that conversation?

A. No. She just said that she didn't condone. Well, she did say -- I'm sorry. She referred us to another bakery that we found out that it was -- well, she said it was Gimme Some Sugar, so she was referring us to Stephanie at Gimme Some Sugar. We told her that we didn't -- that why would she refer us, that my understanding -- I told her it was my understanding that we were getting our cake done there. And that's when she actually said, you know, that she didn't condone same-sex marriage. And so my wife was, like, well, if you are going to refer us, then there is no point of making business. Why would I make business with you if I can just go over to that bakery and do business directly with them?

Q. And anything else you remember from the conversation?

A. It was a while back, even reading my transcript still.

Q. How did you feel when Mrs. Miller said she didn't condone the same-sex marriage and she was going to send you over to Gimme Some Sugar.

A. I felt rejected kinda. You know, the money is the same everywhere you go. It's a public business so I was hoping that it was -- that it had nothing to do about our sexuality.

Q. And did you feel it was because of your sexuality?

A. I think so.

Q. And what happened next when you left?

A. When we left we kind of stood out in the parking lot. It was hot outdoors. And then we said we were going to go and meet up -- talking about my wife, my mother-in-law, my man of honor and his partner, Patrick and Sammy -- to go to Starbucks, and, you know, since it was air-conditioned, then we would be comfortable to talk there. But right before that my wife said let's just drive to this place Gimme Some Sugar to see where that place is at. Well, come to find out that the place was where she already got the take-home cupcakes and frosting from.

Q. What did you two do after you left Gimme Some Sugar?

A. After driving by and knowing that is the place she had been to already, then we ended up going to Starbucks and met up with my man of honor Patrick and his partner Sammy.

Q. How was your time at Starbucks?

A. I was still in shock. I -- it was like -- they were asking me if I was okay. But at the time

I was just quiet, distraught, in shock. I didn't talk much. I just told them I was kind of like -- I couldn't believe what had happened. We sat there for a little bit, maybe another five, ten minutes there, and then we just left.

Q. Did you notice whether Patrick or his partner were doing anything while you were at Starbucks?

A. Well, they -- having cell phones now is like cell phones everywhere, so they were on their cell phones. I don't know exactly what they were doing on them, but they were on their cell phones.

Q. Did they tell you what they were doing on their cell phones?

A. No.

Q. And at that point had Eileen told you that she had done any social media posts or anything?

A. No. I didn't even see her on her phone.

Q. What did you do after you left Starbucks?

A. We had some -- to run some errands so we ended up going to Target and -- yeah, we went to Target.

Q. And what happened at Target?

A. That's when I started breaking down, when I -- my wife said that's just you having -- now all your emotions are coming out from what just happened at the bakery. I was crying. I was -- I ended up with a nosebleed, something that I don't usually have, and a headache. I don't know. I guess my blood pressure was

up or something. I don't know. But we stood in the car with the air on -- well, she just let me cry and, you know, so I could let all my feelings out.

Q. And what was Eileen doing?

A. Well, she was just -- she was there, you know, to support me and stuff, to comfort me.

MR. MANN: Your Honor, maybe this is a good place to stop. We want to do something with exhibits.

THE COURT: We can keep going a little bit. Oh, you mean to -- I thought you wanted to do some exhibits. The exhibits I want to do. Yeah, this would be a good time. I thought you had something you wanted to do. Sure. Go ahead.

Why don't we go ahead and break for the afternoon. We will resume at 9:30 tomorrow. We are going to let the witness -- you can step down. 9:30 tomorrow. And then let's go off the record for minute so I can understand what we are going to do here and then we will make a quick record. Okay. We are in recess.

(Recess taken.)

THE COURT: Let's go on the record.

Counsel are present. Counsel had presented the Court with a joint trial exhibit list amended with objections. On that list -- this happens to be the joint list that was submitted by the parties. And I think during pretrial I mentioned that if they had a list that they could remove some columns on and this is

before that editing was done. This has columns.

The point is on this list circled are the exhibits that are received in evidence, that is the parties are stipulating to be admitted into evidence, and they are circled. We are not going to read these right now, but I am going to have you do that tomorrow, but it will give my clerk a chance to start doing what she needs to do.

So anything that is circled on this list -- put a received stamp on that, Madam Clerk. And anything circled on that list, she is going to start making her entries about those documents that have been stipulated to be received in evidence.

Is that correct, Ms. Mesinas?

MS. MESINAS: Yes, Your Honor.

THE COURT: Mr. Trissell?

MR. TRISSELL: Yes, Your Honor.

THE COURT: Okay. Those documents will be received in evidence. And those documents, as I understand, correspond -- those numbers correspond with what we have been seeing already. Even though this list has -- for example, it says Exhibit 1, what we know is it's really Exhibit 001, correct?

MR. LIMANDRI: Yes.

MR. MANN: (Nods head.)

THE COURT: So the exhibits have really a -- they all have three digit numbers; is that correct? And usually there is a dot and then the numbers that

follow are the page number of that exhibit, correct?

MR. LIMANDRI: Right.

THE COURT: Okay. Anything else we need to do? We'll have you make a record of all this tomorrow as far as what's been received. This will give my clerk an opportunity to do starting do what she needs to do.

Anything else, Mr. Mann?

MR. MANN: No.

THE COURT: Then we are in recess.

(Whereupon, proceeding adjourned.)

(Volume 5 consists of pages 901 through page 1080. There are no pages 1081 through page 1200. Volume 6 will start on page 1201.)

STATE OF CALIFORNIA)
) ss.
COUNTY OF KERN)

I, Cynthia R. Pola, hereby certify that I, as Official Reporter Pro Tempore of the Superior Court, County of Kern, do hereby certify that the foregoing transcript in the matter of DFEH vs. CATHY'S CREATIONS, LLC, ET AL.; Case No. BCV-18-102633, July 26, 2022, consisting of pages numbered 901 through 1080, inclusive, is a complete, true, and correct transcription of the stenographic notes as taken by me in the above-entitled matter.

Dated this 23rd day of June, 2023.

Cynthia R. Pola, CSR No. 11204
Official Reporter Pro Tempore

IN THE COURT OF APPEAL IN THE STATE OF CALIFORNIA

IN AND FOR THE FIFTH APPELLATE DISTRICT

--o0o--

DEPARTMENT OF FAIR EMPLOYMENT, AND HOUSING, AN AGENCY OF THE STATE OF CALIFORNIA, PLAINTIFF/APPELLANT, vs. CATHY'S CREATIONS, INC. D/B/A/ TASTRIES, A CALIFORNIA CORPORATION; AND CATHARINE MILLER, AN INDIVIDUAL, DEFENDANTS/RESPONDENTS.	Volume 6 of 8 Page 1201 - 1372 Case No. BCV-18-102633 Court of Appeal No. F085800 Bakersfield, California July 27, 2022
EILEEN RODRIGUEZ-DEL RIO AND MIREYA RODRIGUEZ-DEL RIO, REAL PARTIES IN INTEREST	

APPEAL TO THE COURT OF APPEAL

FROM THE SUPERIOR COURT OF KERN COUNTY

HONORABLE J. ERIC BRADSHAW, JUDGE; DIVISION J

APPEARANCES:

For the Plaintiff/ Appellant:	Department of Fair Employment And Housing By: GREGORY J. MANN, ESQ. By: KENDRA TANACEA, ESQ. By: SOYEON C. MESINAS, ESQ. 320 West 4th Street, Suite 1000 Los Angeles, California 90013
For the Defendants/ Appellant:	LIMANDRI & JONNA LLP By: CHARLES LIMANDRI, ESQ. By: PAUL M. JONNA, ESQ. By: JEFFREY M. TRISSELL, ESQ. P.O. Box 9120 Rancho Santa Fe, California 92067
Reported By:	Cynthia R. Pola, CSR No. 11204 Official Reporter Pro Tempore

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF KERN

HON. J. ERIC BRADSHAW, JUDGE, DIVISION J

--o0o--

DEPARTMENT OF FAIR EMPLOYMENT, AND HOUSING, AN AGENCY OF THE STATE OF CALIFORNIA, PLAINTIFF, vs. CATHY'S CREATIONS, INC. D/B/A/ TASTRIES, A CALIFORNIA CORPORATION; AND CATHARINE MILLER, AN INDIVIDUAL, DEFENDANTS.	Case No. BCV-18-102633
	Bakersfield, California
	July 27, 2022
EILEEN RODRIGUEZ-DEL RIO AND MIREYA RODRIGUEZ-DEL RIO, REAL PARTIES IN INTEREST	

REPORTER'S TRANSCRIPT OF PROCEEDINGS

APPEARANCES:

For the Plaintiff: Department of Fair Employment and Housing
By: GREGORY J. MANN, ESQ.
By: KENDRA TANACEA, ESQ.
By: SOYEON C. MESINAS, ESQ.
320 West 4th Street, Suite 1000
Los Angeles, California 90013

For the Defendants: LIMANDRI & JONNA LLP
By: CHARLES LIMANDRI, ESQ.
By: PAUL M. JONNA, ESQ.
By: JEFFREY M. TRISSEL, ESQ.
P.O. Box 9120
Rancho Santa Fe, California 92067

Reported By: Cynthia R. Pola, CSR No. 11204
Official Reporter Pro Tempore

MASTER INDEX - VOLUME 6 - (Pages 1201 - 1372)

SESSIONS

PAGE

WEDNESDAY, JULY 27, 2022

MORNING SESSION 1208

AFTERNOON SESSION 1278

MASTER INDEX - VOLUME 6 - (Pages 1201 - 1372)

CHRONOLOGICAL INDEX OF WITNESSES

PLAINTIFF'S WITNESSES:	PAGE
MIREYA RODRIGUEZ-DEL RIO	
DIRECT EXAMINATION BY MR. MANN	1227
CROSS-EXAMINATION BY MR. JONNA	1244
REDIRECT EXAMINATION BY MR. MANN	1268
PATRICK SALAZAR	
DIRECT EXAMINATION BY MR. MANN	1279
CROSS-EXAMINATION BY MR. JONNA	1298
REDIRECT EXAMINATION BY MR. MANN	1320
RECROSS EXAMINATION BY MR. JONNA	1324
EILEEN RODRIGUEZ-DEL RIO	
DIRECT EXAMINATION BY MR. MANN	1326
CROSS-EXAMINATION BY MR. JONNA	1359

MASTER INDEX - VOLUME 6 - (Pages 1201 - 1372)

INDEX OF PLAINTIFF'S EXHIBITS

EXHIBIT NUMBER	DESCRIPTION	PAGE
2	Received	1210
3	Received	1210
8	Received	1210
10	Received	1210
11	Received	1210
103	Received	1210
104	Received	1210
108	Received	1210
110	Received	1210
111	Received	1210
113	Received	1210
114	Received	1210
115	Received	1210
117	Received	1210
118	Received	1210
123	Received	1210
125	Received	1210
126	Received	1210
127	Received	1210
128	Received	1210
129	Received	1210
138	Received	1210
139	Received	1210
140	Received	1210
144	Received	1210

INDEX OF PLAINTIFF'S EXHIBITS

(CONTINUED)

EXHIBIT NUMBER	DESCRIPTION	PAGE
150	Received	1210
151	Received	1210
152	Received	1210
153	Received	1210
154	Received	1210
155	Received	1210
156	Received	1210
157	Received	1210
498	Received	1210
554	Received	1210
627A	Received	1210
630	Received	1210
631	Received	1210
141-001	Received	1241

MASTER INDEX - VOLUME 6 - (Pages 1201 - 1372)

INDEX OF DEFENDANTS' EXHIBITS

EXHIBIT NUMBER	DESCRIPTION	PAGE
671-001	Received	1267
671-002	Received	1267
553A	Received	1363
553B	Received	1365

BAKERSFIELD, CALIFORNIA; WEDNESDAY, JULY 27, 2022

MORNING SESSION

HON. J. ERIC BRADSHAW, JUDGE; DIVISION J

--oOo--

(Whereupon, the following takes place in open court.)

THE COURT: Let's go on the record on the matter of DFEH versus Cathy's Creations. Counsel are all present. Appearances as previously indicated.

I've just indicated off the record that -- correcting myself when I said that we would have Friday all day to deal with this trial and we thought that we were looking at argument, I have studied my calendar, which I had not done before I made that statement, and realized there is no way that I can do everything that's currently scheduled for Friday and also try this case.

But I've indicated to counsel here that I think I can carve out Friday afternoon. Counsel represented to me that they believe that's adequate to finish the trial, and that's what we are going to be angling towards.

This morning I have on the bench -- and I don't know what it is all about, but it looks like some either computer stuff or -- I don't know if this is e-mails. I'm not sure what this is, but the language

isn't very pleasant.

So where do you guys want to start?

Ms. Tanacea, you look like you are ready to say something.

MS. TANACEA: First, may we read in the exhibits and move them into evidence.

THE COURT: Yes, let's do that. Why don't we take that up right now.

So let's see, you have your list of exhibits.

MS. MESINAS: Yes, Your Honor.

THE COURT: And who's taking -- Mr. LiMandri, you are going to -- from your side, you are going to --

MR. LIMANDRI: I think Mr. Trissell will, Your Honor.

THE COURT: Mr. Trissell will. Okay. All right.

MS. MESINAS: Exhibit Number 2, Number 3, Number 8, Number 10, Number 11, Number 103, 104, 108, 110, 111, 113, 114, 115, 117, 118, 123, 125, 126, 127, 128, 129, 138, 139, 140, 144, 150 through 157, 498, 554, 627A, 630, 631.

THE COURT: Mr. Trissell, confirm?

MR. TRISSELL: Yes, those are all correct, Your Honor.

THE COURT: All right. And so first of all, as those were read, I just want to verify every one of those exhibits has already been premarked in the lower right-hand corner with the number of the exhibit, and

they're all -- the exhibit numbers are actually three-digit numbers, although counsel was representing Number 11, Number 12, and so whatever those numbers were, it is actually 011, not just 11; is that correct?

MS. MESINAS: Yes, Your Honor.

THE COURT: I'm using that as an example. I'm not trying to admit an exhibit that you folks haven't got.

But with that in mind, my understanding is that the agreement and the stipulation is that all of those exhibits are now being offered and received in evidence; is that correct?

MS. MESINAS: Yes, Your Honor.

THE COURT: Is that correct, Mr. Trissell?

MR. TRISSELL: Yes, Your Honor.

THE COURT: All right. That is the Court's order. Those exhibits are now received in evidence.

(Whereupon, Plaintiffs' Exhibits were admitted into evidence.)

THE COURT: Ms. Tanacea.

MS. TANACEA: Second, whenever we have a gap or a break, Plaintiffs do want to offer a request for admissions and read them into the record. I've shared the ones with defense counsel that we would like to put into evidence. I just want to make sure that it is done before we rest.

THE COURT: Certainly.

And from my standpoint, on something like

that, you can rest subject to reading those two. If there is another time that might be better, like if we have a witness issue or something, I would rather get to the oral testimony, and you can rest subject to those kinds of things. I -- sometimes it's easier to do that. But we will see where we are at the time, and I will certainly give you time to do that.

MS. TANACEA: Understood. Thank you.

Then turning to the pages that have just been offered as a potential exhibit, we object on hearsay basis and 352.

THE COURT: First of all, what am I -- who is in charge of this?

Mr. Jonna?

MR. JONNA: Your Honor, this is an impeachment exhibit. This is a response to a comment on Sam Salazar's Facebook. Sam Salazar, one of the individuals that was with the Real Parties the day of the incident, immediately posted on social media the -- you know, a post about his experience. And immediately -- this is, you know, the afternoon of the incident -- Whitney Weddell is commenting on his post, asking him if she can tell the entire world about this, and he says, "Please do."

And then later on in the second page, he -- someone said they couldn't share it. And he just said, "I just made it public," meaning his post.

So Sam Salazar is not testifying here, but

his husband, Patrick, is. And, you know, the Plaintiffs are disputing that they and their two friends that were with them were intending to make this viral and to bring attention to this situation.

And so it is an impeachment exhibit. It is not hearsay. It goes to their mental state. And it's not one of the -- and Counsel said something earlier about this is a motion in limine that excluded anything that the Plaintiffs didn't like. That was a motion in limine dealing with hate mail and with violent threats. This post is a -- is not going in for that purpose. It is being used to show that they did actually intend to tell the whole world about this and to make this a public thing.

And then all of the aftermath, which they say they don't -- they don't regret anything they did on social media. All the aftermath that happened is foreseeable and part of this coordinated attack on Tastries. So that's the purpose of this exhibit.

THE COURT: Ms. Tanacea.

MS. TANACEA: Okay. So it is still hearsay. No evidence the Real Parties in Interest liked these, as we discussed. Even though it is not hate mail, it is the same evidentiary issue here. They had no control over this so it's irrelevant. They were not a participant in this thread.

I mean, as everybody knows, social media is its own animal and can take off in a million different

ways not connected to the Real Parties in Interest. And for that reason, it's irrelevant and even -- and 352.

MR. JONNA: Your Honor, real briefly.

THE COURT: Yes.

MR. JONNA: I want to say that they were all together at Starbucks when they were making these social media posts. This was in the afternoon of the incident. It is also a prior inconsistent statement because, you know, they were sending that this is not --

THE COURT: Prior inconsistent statement by who?

MR. JONNA: By Patrick and by Eileen, both of whom have denied that they intended -- well, I guess in some limited way, they admit that they wanted to make this known to the public, but they --

THE COURT: Well, is Eileen -- is she involved in this?

MR. JONNA: She was there. She was posting on social media. She wasn't on this post, but she was there with them when they were doing this. And they were all talking about it together.

THE COURT: So here's where we are going with this: Right now, unless you can't tie this to a Real Party in Interest, you may be able to tie this to a witness. I understand that.

And the only -- you said relevance is state

of mind, and what I'm interpreting you as saying is, it goes to the witness' credibility while testifying in this courtroom.

That may be true, but that witness hasn't been called yet, and that witness hasn't testified yet. So this doesn't see the light of day until that happens.

MR. JONNA: Sure.

THE COURT: And then, you're still -- well, I mean, I'll have to listen to the testimony. It could be relevant for that purpose. But right now, I'm -- it is hearsay because there is no relevance to it until a witness testifies.

So I'm not going to permit Defendants to introduce this. They may be able to confront a witness with it, but that foundation hasn't been laid yet.

I understand that you guys may be alerting me to something that's coming. And so I'm taking it with that sort of thought in mind, that this could be an issue, and it may well be an issue. I don't know. But I haven't heard the foundation for it yet.

MR. JONNA: Understood. Thanks, Your Honor.

MS. TANACEA: Is it okay to speak, Your Honor?

THE COURT: Sure.

MS. TANACEA: The last issue is an evidentiary issue we tried to resolve informally. There are two posts by Eileen, but there are several

exhibits because they are in different contexts. And those are Exhibits 352, 353A -- I'm sorry. Let me start again.

352, 553A, 553B, 555A, and 555B.

THE COURT: Do I need to be writing this down?

MS. TANACEA: Well, it is for the record, Your Honor.

THE COURT: Okay. What are we talking about those exhibits for?

MS. TANACEA: So they are just variations, that there's just two posts that Eileen made. And one ends with, quote, "She must be a Trump supporter." And the other one has #mustbeatrumpsupporter, all crunched together like a hashtag.

And we just ask the defense to redact that, as Your Honor indicated yesterday, that those political issues are not relevant. So we just want those redacted.

MR. JONNA: Let me explain, Your Honor. So yesterday the question was about Cathy Miller praying in her bakery before the incident occurred. And the question was: Did she ever pray for a certain outcome of the election? Completely irrelevant to this case, 100 percent. There is no connection whatsoever.

THE COURT: Slow down.

MR. JONNA: This post -- there were only a couple of posts by the Real Parties. Every single

word on those posts is relevant to this case. Those are public posts that they made right after they left Tastries. And they said, on a couple occasions, must -- she must be a Donald Trump supporter. And she posted that, I think, at least twice.

Now, it's not -- is it a couple of questions on that, but it's not irrelevant. I mean, it was a post directed at our clients after this incident, following the incident, so it's obviously relevant to the case, and there is no need to redact it.

THE COURT: When you say -- what's obviously relevant to the case?

MR. JONNA: Why they wrote that down on a public post after leaving Tastries.

THE COURT: Why is that relevant to the case?

MR. JONNA: Because it is a -- there are only, like I said, three different posts or a handful of posts by the Real Parties about this incident, so I think everything they wrote on those posts is relevant because they're, you know, telling the whole world about Tastries and about their experience at Tastries, and, you know, I think they should be asked about anything that they put on that post because it's --

THE COURT: Well, I view it less -- I don't think it's quite that broad, but I need to hear what the testimony is before I can really dive into this. You know, the -- typically on a prior inconsistent

statement in any event, the document does not come into evidence until you do a few things. And where you may confront the witness with certain statements that they make, but the document itself doesn't come into evidence.

And so when you talk about redaction, Ms. Tanacea, I'm not sure what the intention here is.

I thought we were talking about impeaching the witness with a prior statement. And the purpose of the prior statement is to show some sort of bias, interest, motive, et cetera, et cetera. All the things that we allow attorneys to do when -- if they think that they've got evidence of that sort of thing while they are testifying. Relevant.

However, at least at this point, I haven't seen anything -- I don't understand the relevance of the presidential election in 2016. I really don't understand that. And how -- how a comment that somebody would support or oppose a particular candidate even sheds light on anything here. I realize that battle lines have been drawn across this country and colors -- everybody's got their colors, and all that stuff. But, you know, I view the issue in this case very narrowly in terms of the issues that I'm looking at, and I don't really see how that bears on it, you know, who the president -- who you supported for president, what that has to do with this. That's my initial thought. But --

MR. JONNA: If I could add one thing, Your Honor.

THE COURT: Let me just say that, based on the evidence I've heard, I would not let somebody get into that.

Once we hear some testimony, you know, I don't know. I don't know what people are going to say, so I can't really define the scope of something that I haven't heard yet.

MS. TANACEA: Your Honor, may I address that?

THE COURT: Yes.

MS. TANACEA: So we know from the deposition what that is. One would be, there was a comment that we wanted to get married in 2016 because we were afraid of our rights being taken away by Trump. That's one.

The second would be that they would just try to authenticate this post and then ask her about her political beliefs on the stand. So that's where the context is with the testimony and the documents.

MR. JONNA: No one is planning to ask about anyone's political beliefs. I never asked at deposition. I wouldn't ask here.

THE COURT: It hasn't happened yet, Ms. Tanacea. Again, I understand you are saying from deposition testimony you are thinking that that might be an area of inquiry. But you know what? I'm not reading these depositions. I'm listening to testimony, and I'm ruling on objections, and, you know, I'm not --

MS. TANACEA: Judge, but with the representation defense counsel just made that they are not going to ask about politics or political, then that should be redacted.

THE COURT: When you say "redacted," that's what happens to documents that are received in evidence. I'm not planning on receiving a document in evidence yet. I haven't heard the foundation. When we cross that bridge, I may need to hear from you.

MR. LIMANDRI: All I wanted to say, Your Honor, there is another, I think, potential significant point with respect to relevance.

As you know, there is one text message where one of the Real Parties said one of the DFEH lawyers talked about the Real Parties and apparently their lawyers being concerned about the blue wave because they're -- of the Republican hypocrites, whatever, and it brought back into the context of the non-neutrality of the DFEH and the hostility. And now here you have the Real Parties themselves, who are purportedly concerned about sexual orientation, discrimination, or are they really more concerned about wanting to make a political statement about people who don't share their political views and launching that out into a community that's going to be whipped up more into a frenzy.

THE COURT: Who is launching it out?

MR. LIMANDRI: Well, we've got --

THE COURT: This isn't the Real Party in

Interest we're talking about.

MR. JONNA: Yes, it is, Your Honor. That was a post by Eileen Rodriguez Del-Rio.

THE COURT: This post? This same one --

MR. JONNA: The one we are talking about now.

THE COURT: Oh, we've moved on.

MR. JONNA: The one about, must be a Donald Trump supporter, that was written by the Real Party.

THE COURT: Okay.

MR. LIMANDRI: Ironically, Donald Trump never came out against gay marriage. Be that as it may, it goes to show that this is more political than it is a sexual orientation. And I think that that's important, particularly if they are saying the DFEH is sharing their perspective on it.

And from that perspective, I think that it's potentially irrelevant as to the non-neutrality issue. I wanted to point that out.

THE COURT: So explain that relevance one more time.

MR. LIMANDRI: Sure. We have the Real Parties right after --

THE COURT: What issue does it relate to? What Unruh element does it relate to? What defense does it relate to?

THE WITNESS: The Masterpiece defense.

THE COURT: Okay.

MR. LIMANDRI: Where the Real Parties, said

the DFEH lawyer basically said that this is a blue -- the Christians are afraid of the blue wave and washing the Republican hypocrites out. That goes to the hostility Masterpiece defense, and now you have the Real Parties basically being motivated by the same thing as the DFEH and acting in concert with them on that perspective.

THE COURT: Okay. You just -- I'm going to break this down one at a time.

How does the Masterpiece defense -- how is it supported by something that the Real Party in Interest does?

MR. LIMANDRI: Because they are being represented by lawyers who are making representations to them that are now mirroring basically what they said previously, and I think adds additional weight to the fact that this was political by both the Real Parties themselves, who are claiming sexual orientation discrimination, and their lawyers.

THE COURT: Well, okay. First of all, when you say "acting in concert with the" -- you think they are acting in concert with the state agency?

MR. LIMANDRI: Yes. I think this is political, and that's part of our Masterpiece defense.

THE COURT: Ms. Tanacea.

MR. MANN: I will take this one, Your Honor.

Masterpiece didn't deal with politics, so I don't know how this even plays into that. What

they're purported or relying on is hearsay on top of hearsay on top of a vague statement that was made, not by the Real Parties but by their friend, and it is commenting on an article that is accusing them of wearing microphones. So it has nothing to do with politics. It has nothing to do with DFEH. It is unclear what's going on.

THE COURT: It is unclear to me.

MR. MANN: It is unclear to me. It's -- it's -- I -- I just -- I don't even know what to say. I mean, when you see it -- I mean, there's -- it's trying to breach attorney-client privilege. It's completely vague, and it's -- there's three different statements, and they're trying to pick out one statement that references -- it's just --

THE COURT: So I'd look back up a little bit. Maybe I understand something.

Is the Real Party in Interest your client?

MR. MANN: No.

THE COURT: What attorney-client privilege are you talking about?

MR. MANN: You don't have to have a retainer agreement to have an attorney-client privilege. If somebody --

THE COURT: I'm asking you if the Real Party in Interest is your client. I didn't ask you about a retainer agreement.

MR. MANN: No, they're not our client.

THE COURT: Okay.

MR. MANN: But under the Evidence Code, there's an attorney-client privilege because they reached out seeking for legal advice with the expectation that there would be confidentiality. So there is as attorney-client privilege, but they are not our client. There is no retainer agreement. But you don't need any of that to have the attorney-client privilege. And this was something we thought about previously and the Fifth Appellate District agreed with us and said, you know, that they would have to prove that there was no attorney-client privilege before they could get to certain communications.

So, I mean, it's -- I mean, that could be a whole another thing we would have to get into, Your Honor. But they are not our clients. It is just that you don't have to have a traditional attorney-client relationship in order to have an attorney-client privilege.

THE COURT: Anyway, I distracted you from your -- maybe you covered it.

MR. TRISSELL: Your Honor, may I respond?

THE COURT: Hold on, Mr. Trissell.

MR. MANN: Other than that, I will say it is completely vague. It's hearsay. There is a lack of foundation, and there is no connection to the DFEH.

THE COURT: Mr. Trissell.

MR. TRISSELL: Um --

THE COURT: Speak loudly, please.

MR. TRISSELL: I was just going to say, Your Honor, that this issue was litigated last year, and, you know, we agree with the DFEH -- well, we disagree that there is an attorney-client privilege. The Fifth Appellate District has held there is not. In this case, they litigated that the Appellate District quashed the discovery of other grounds not because there is an attorney-client privilege.

MR. JONNA: Just to clarify, Your Honor, what Mr. Mann was talking about was the blue wave exhibit, which is not the subject of this request right now. They are asking the Court to redact something on a different exhibit. This is an exhibit that they're stipulating to admissibility if it is redacted. Now the exhibit we are talking about, Eileen's Facebook post, was a statement by the Real Party in Interest that was posted. This is not hearsay. I mean, this is her statement, and there is no basis to redact, you know, stuff that they just don't like in her statement. So that's what was --

THE COURT: So this is an -- Ms. Tanacea, are we talking about an exhibit that has come in or that has not come in?

MS. TANACEA: We agree that these posts should come in because the Real Parties wrote them. We are just asking for the redaction on the Trump matters.

THE COURT: All right. So do we have to do

this now?

MR. LIMANDRI: No. Let's move on.

MS. TANACEA: And then the blue wave exhibit is a different exhibit.

THE COURT: Ms. Tanacea, I guess I should connect something you said originally. This is about exhibits that you may want to offer, that you are going to offer, one way or another, before you rest your case. Is that what you're talking about?

MR. MANN: So let's -- it's hard because any time something comes up, they keep wanting to go into the DFEH bias. Let's focus on the post that has the "must be a Trump supporter."

THE COURT: What exhibit is that?

MR. MANN: Is that in evidence, Paul?

MR. JONNA: 553A. And then, what's the other one?

MS. TANACEA: 553A, 553B, 555A.

THE COURT: It's all the same comment, thought, right? Let's talk about --

MS. TANACEA: Yes, two comments.

THE COURT: Okay. It's a couple of comments.

MS. TANACEA: One comment, "She must be a Trump supporter," quote. Other comment is the hashtag, "#mustbeatrumpsupporter" with all those words, letters together.

MR. MANN: And Defendants -- this is an exhibit that has been marked, but I believe it is not

in evidence.

THE COURT: Okay. When it gets offered, can we have this conversation?

MR. LIMANDRI: Yes.

THE COURT: Let's do that. When it is actually offered, we will have the conversation. I thought -- okay.

All right. So is there anything else that we need to take up before we resume our examination of Ms. Rodriguez-Del Rio?

MR. LIMANDRI: I don't believe so.

MS. TANACEA: Thank you, Your Honor.

THE COURT: We will have her come back to the stand.

Ms. Rodriguez-Del Rio is on the stand, and she appears to be seated and comfortable.

If you could pull that microphone towards you and speak clearly into the microphone.

Mr. Mann, you're going to continue the examination?

MR. MANN: I hope so.

THE COURT: Okay.

MR. MANN: We can get to what is important here.

THE COURT: All right. You may resume your direct examination.

//

//

DIRECT EXAMINATION

BY MR. MANN:

Q. Good morning, Mireya. How is it going?

A. Good morning.

Q. I want to correct the record from a mistake that I made yesterday when I was questioning you. I talked about the date of your first visit to Tastries being August 16th.

Could we look at 108, please.

And you testified that this was the receipt of the tote bag that you brought on the first trip to Tastries; is that correct?

A. Yes.

Q. And can you see the date up there at the top?

A. Yes.

Q. And what's that date?

A. August 17, 2017.

Q. Is that the day you remember of your first visit to Tastries?

A. Yes.

Q. All right. I apologize for getting that wrong.

And then there is one other thing that we need to correct. You testified that when you got a quote from Rosemary or an estimate about how much the cake that you wanted from Tastries would cost, I think you said it would be $400 or so.

Do you remember that?

A. Yes.

Q. And do you have a different memory of that?

A. Yes. It was actually half of that amount. So about half. It was like $250- $60.

Q. Okay. Is there anything else -- that's good. Thank you. I apologize again for getting that date wrong. You would think I would remember it after four and a half years.

Yesterday you testified that Mrs. Miller said that she was sending your order to Stephanie at Gimme Some Sugar.

Do you remember that?

A. Yes.

Q. And what did you think about that offer that she made?

A. I don't think it was fair for her to offer another place. If we were already -- because of the first visit that we had with Rosemary, we felt so comfortable. They're two different businesses. So then I wouldn't had think that they're -- they make the same.

Q. Do you think that by offering to send you some Gimme -- send you and Eileen to Gimme Some Sugar that Tastries was offering you full and equal services?

MR. JONNA: Objection. Calls for a legal conclusion. That's an element under the Unruh Act, Your Honor.

THE COURT: Yeah, I'm going to let her answer

the question.

Overruled.

I understand that that is a question that the Court has to deal with, but it's not something that she can't answer. She may have a sense of that.

THE WITNESS: Can you repeat the question?

BY MR. MANN:

Q. Yes.

Did you think that by offering to refer your order to Gimme Some Sugar that Tastries was offering to provide you full and equal services?

A. No. They're two different businesses.

Q. Thank you.

Let's pick up from where we ended yesterday.

Did you end up making any social media posts about Tastries refusing to take your order?

A. I think that I did one but not right away. It was later in the evening.

Q. Okay. Let's take a look at Exhibit 554.

And do you recognize -- is this the post that you made?

A. Yes.

Q. And why did you post this?

A. The people I have on my Facebook are very close friends and family. So I just -- I just felt to express my feelings of what had happened that day.

Q. And who did you expect would see this post?

A. It's just family and friends.

Q. Do you recall tagging anyone outside of family and friends?

A. No.

Q. And did you intend for anyone to act on your post and do anything harassing to Tastries or Ms. Miller?

A. No, not at all.

Q. And do you know if Eileen ended up doing a social media post in the aftermath of Tastries' denial?

A. Yes.

Q. Did she talk to you about it before she made it?

A. No. I don't recall any -- her saying anything to me.

Q. And were you aware if Patrick or Sam were making posts about how they felt about the experience of being with you when you were denied?

A. I learned that later after just scrolling through my Facebook page, but I did not know that they were doing that.

Q. Did they ask you before they posted?

A. No, not at all.

Q. Did you encourage them or ask them to post?

A. No.

Q. Now, at some point did you find out that Tastries had denied wedding cakes to a gay couple before you went in that day?

A. No. I learned that afterwards.

Q. And once you learned about it, did you know that couple? Had you ever met them?

A. No.

Q. Did you ever do any interviews with local media here in Bakersfield?

A. We did.

Q. Do you remember how many interviews you did?

A. Do I remember -- can you repeat it?

Q. Do you remember how many interviews you -- that you did?

A. Two.

Q. And do you remember what -- generally what you discussed in those interviews?

A. It was just in general about what had happened at Tastries, like I did on my post.

Q. And did you reach out to the news to seek these interviews?

A. No. They seeked us.

Q. And did you do any other -- or did you do any public appearances where you discussed your treatment at the hands of Tastries?

A. We were invited, but we didn't discuss anything about the case.

Q. And do you remember who invited you?

A. It was PFLAG.

Q. And were you a member of PFLAG at the time?

A. No.

Q. Are you a member now?

A. No.

Q. Had you ever been to a meeting before that night?

A. No.

Q. Have you been to a meeting since?

A. No.

Q. And can you tell us a little bit about what you discussed at that appearance?

A. It was just how we met and how she proposed, as well, and to be her girlfriend and how long she waited, and things like that, but nothing about the case.

Q. Now, did you -- do you have a recollection at all of visiting Tastries' Yelp page ever after the denial?

A. No.

Q. Do you remember ever visiting Tastries' Facebook page after the denial?

A. I don't recall. No.

Q. And you didn't make a review on their Yelp page or their Facebook page or any social media, correct?

A. No.

Q. Now, did you ever ask anybody to make social media posts or to in any way harass Tastries, Ms. Miller, or their employees?

A. No.

Q. And same answer, whether it would be you

asking through social media or in person?

A. No.

Q. All right. Do you know who Whitney Weddell is?

A. Yes.

Q. And who is she?

A. She's an advocate for the LGBTQ community.

Q. And she's here in Bakersfield?

A. I -- she was at the moment. Now I believe she -- she moved.

Q. And at some point after the incident, did you meet with Ms. Weddell?

A. Yes.

Q. And what did you speak about with her?

A. About the incident that had happened at Tastries, about how -- the discrimination.

Q. And did she give you any information or advice about pursuing your rights?

A. Yes.

Q. What did she -- what information did she tell you?

A. She advised that -- she said that that was basically discrimination of what had happened and to --

MR. JONNA: Objection, Your Honor. Hearsay.

THE COURT: Sustained.

BY MR. MANN:

Q. And then after -- so she provided you some information, you said?

A. Yes.

Q. And then after you had met with her, what did you decide to do, you and Eileen?

A. We went to go make a complaint to the DFEH department.

Q. And then you did that?

A. Yes.

Q. After you made your complaint with the DFEH, did you ever meet with DFEH attorneys?

A. Yes.

Q. And did the DFEH interview you about the incident?

A. Yes.

Q. And did you provide documents to the DFEH?

A. Yes, quite a bit.

Q. And what did you think that your relationship was with the DFEH, attorneys you met with?

A. It was good. They were interested in what had happened and how to help us out.

Q. And did you think that they were your attorneys, or what did you think about your relationship with them?

A. Yes, I did feel that DFEH is our attorney.

Q. Do you remember if the DFEH attorneys described to you the Real -- that you would be Real Parties in Interest? Do you remember a conversation -- without saying anything, just "yes" or "no," do you remember -- actually, let me strike that.

So you said that DFEH asked you to provide lots of documents?

A. Yes, several times.

Q. Okay. Several times. And when you collected documents, what did you do?

A. Looked through our phones, like messages -- text messages, e-mails, Facebook Messenger, things like that, even the hard copies of our forms that we probably had at home.

Q. And did you do your best to collect all the documents that you thought were relevant to the case?

A. Yes.

Q. And did you have your own attorney at some point?

A. We did.

Q. Do you remember what her name was?

A. I remember her first name. Patricia.

Q. And at some point, a subpoena came in for you to provide more documents.

Do you remember that?

A. Yes.

Q. And did you go about the same process of looking at your phone, Facebook pages, and trying to collect all the documents that were responsive?

A. Yes. Correct.

Q. Did you ever intend to withhold any documents that would have been responsive to any of the requests you received?

A. No.

Q. Okay. Let's return to the actual important part.

So after all this, the denial on August 26th and the aftermath, you still had a wedding to plan and do, right?

A. Yes.

Q. So did you continue with your checklist and get ready for your October 7th wedding?

A. We did, yes.

Q. And Tastries wasn't going to provide it, so you needed a cake, right?

A. Right.

Q. And can you tell us how you ended up getting a cake?

A. Jessica Criollo and Lizette, they're from Tiers of Joy, they reached out to my wife. And then my wife let me know about what they had sent her, the information that they had sent her. And we talked about it, and we got to talk to them.

Q. And did you end up doing a tasting with them?

A. Yes.

Q. Can you tell us about that?

A. Yes. Jessica does not have a bakery place. So she does it out of her home. So she invited us to go over and to taste cakes and frostings and fillings.

Q. And who went with you to do the tasting at Jessica's?

A. I think it was only my wife and myself.

Q. Do you know if Patrick went with you that time?

A. No.

Q. And how was the experience?

A. It was good. Welcoming.

Q. And after that tasting, did you decide to go with Tiers of Joy?

A. Yes.

Q. Yesterday you testified that Rosemary had suggested that you have a sheet cake in addition to the main wedding cake.

Do you remember that?

A. Yes, I remember.

Q. And in working with Tiers of Joy, did you consider having some form of other cakes aside from the main wedding cake?

A. Because we couldn't decide how many flavors we wanted, we couldn't just cut it down. She did offer that our best one for us, our favorite was one flavor, and that one actually had nuts. Then the other ones were not going to have any kind of nuts. So we went with -- I think it was three different flavors of loaves of bread and the different toppings or fillings that they would offer.

Q. So if I understand this correctly, you would have the main wedding cake, and we've seen pictures of that, 631. And then you would have, you said loaves.

I think you just used the word "loaves."

A. Loaves. But they were, like, sliced already. So then our guests were able to choose a little slice of that loaf or the other and add their own fillings.

Q. So you would have the main cake and that would be, you know, the good-looking cake. And then instead of a sheet cake, you would have these loaf cakes, and that would be feeding everybody and everybody could pick their different flavors. Is that correct?

A. Yes. They call it something like a cake bar, something like that.

Q. Cake bar. Okay.

So was that, the cake bar with the loaf cakes, to use that, kind of a substitution for the sheet cake that you would have gotten at Tastries?

A. Yes.

Q. So what -- now, you've decided to work with Tiers of Joy, and you have your cakes.

What was the lead-up to your wedding day like?

A. It's just last-minute things, making sure everybody had their tuxedo or dresses or the flowers, making sure they were fresh. So it was like crunch time. Excitement and just being nervous.

Q. You have never been married before?

A. No.

Q. So when the -- your actual big day arrived,

October 7th, you talked about a checklist that you had for planning.

Did you have any kind of a checklist for the date of your event?

A. Yes. I -- because we were limited on time, we only had so many hours at the venue. I kind of wrote out a schedule of the things that were -- and what times they were going to happen.

Q. And what types of information was on that schedule?

A. Like what time we needed to be up, showered, and when people were going to come over to get hair done, makeup done, pictures with family, what time was going to be -- you know, when we were going to do the ceremony, the exchange of vows again, and then when it was going to be the toast, things like that.

Q. And was that something that you put on in your phone or on paper, or did you record it at all?

A. I had it on paper. I created it myself, had an idea just from the searches that I had done.

MR. MANN: I'd like to publish an exhibit we don't have in evidence, Your Honor. It's Exhibit 141.

Is that okay, Your Honor?

MR. LIMANDRI: We don't know what it is, and we think there's probably a relevance and 352 objection.

MR. JONNA: We object, Your Honor, on hearsay. Relevance.

THE COURT: Mr Mann, you want to lay some foundation?

MR. MANN: Well, I just laid a lot of foundation about what this document was.

BY MR. MANN:

Q. Do you remember what you called that document, Mireya?

A. "The Big Day."

Q. And you said that was your checklist for the day, and you -- did you -- and you put it on paper?

MR. JONNA: Objection, Your Honor. Relevance. The testimony is becoming cumulative now.

MR. MANN: Well, I'm going to show it, and we can move on.

THE COURT: I'm going to overrule.

Go ahead.

BY MR. MANN:

Q. Is this the document you've been talking about, Mireya?

A. Yes.

Q. Is that an accurate reflection of the document you created?

A. Yes.

MR. MANN: Your Honor, I'd like to move this into evidence?

THE COURT: Exhibit 141?

MR. MANN: Yes.

THE COURT: All right. Is that -- or is it

something else?
MR. MANN: Yes, Exhibit 141.
MR. LIMANDRI: 001.
THE COURT: Okay. It will be received.
(Whereupon, Plaintiffs' Exhibit No. 141-001 was admitted into evidence.)
BY MR. MANN:
Q. Were you able to keep to your schedule pretty well that day?
A. We did, yes.
MR. LIMANDRI: Is it just the one page, Your Honor, 141-001 --
THE COURT: It's just one page. That's all I saw. That's all we talked about.
MR. MANN: That's all I'm trying to get in.
BY MR. MANN:
Q. So tell us about the ceremony that you had at Metro Galleries?
A. The ceremony -- Metro Galleries has, like, a loft on top, and at the top of that -- well, right there we had chairs set up for the family and guests. And then we had an arch up with flowers. And we exchanged our vows again in front of our friends and family.
Q. Can we look at 627A3, please.
And is that a good representation of where the ceremony was?
A. Yes.

Q. And it would have been you and Eileen kind of under that arch there in the middle?

A. Yes.

Q. And you had said this is up on a loft, right?

A. Correct.

Q. And then was the reception up in that area as well?

A. No. There's some stairs to the right that goes down into the reception, the main area of the gallery.

MR. MANN: Let me see 627A1, please.

BY MR. MANN:

Q. Are those the stairs you were talking about?

A. Yes.

Q. And is this when you're walking down to the reception area?

A. Correct. After all the guests had already went down.

Q. And is that the most you've ever seen Eileen smile in her life?

A. No. No, it's not. When I first said yes to her, when I finally said yes to her.

MR. MANN: And could we take a look at 627A5, please.

BY MR. MANN:

Q. You look beautiful, by the way, Mireya.

A. Thank you.

Q. So is this a picture from the loft, looking

down on the reception area?

A. Yes. Correct.

Q. And looking at the picture, what are you two doing there?

A. We are dancing or doing our first dance.

Q. And can we see the cake anywhere in that picture?

A. No. The cake was under the loft.

Q. So this picture looks like it was taken from the loft. So the cake would have been kind of under where this picture was taken from?

A. Correct.

Q. Did you consider the main wedding cake the centerpiece of your celebration?

A. No. It was us. We were the main people there.

Q. And you did have a cake cutting, right?

A. Yes.

Q. And you fed each other the cake like folks do at weddings?

A. Yes.

Q. Was there any mention of Tastries at all during your wedding day or reception?

A. Not to my knowledge, no.

Q. And what did you think of the cake that you got from Tiers of Joy?

A. I think it was delicious and beautiful. I like the way that it came out.

Q. Did you receive any kind of message from the cake?

A. No.

Q. And how would you sum up your feelings about your big day on October 7th, 2017 when you finally married Eileen?

A. We says finally. Well, I think that was her word, probably. We were happy.

MR. MANN: Thank you, Mireya.

THE COURT: Mr. Jonna, before we get started, why don't we take a short recess, about a ten-minute short recess.

(Recess taken.)

THE COURT: All right. We're back on the record. Counsel are all present. Appearances as previously indicated. Our witness is on the stand.

Mr. Jonna, your cross-examination.

MR. JONNA: Thank you, Your Honor.

CROSS-EXAMINATION

BY MR. JONNA:

Q. Good morning, Ms. Rodriguez-Del Rio.

A. Good morning.

Q. I just want to go back to your testimony earlier. I think you testified that you got married to Eileen in December 2016, correct?

A. Yes.

Q. And then you guys had an exchange of vows

later in the following year; is that right?

A. Correct.

Q. And for the December 2016 event, you guys went out to breakfast, and you had a cake that your mom bought. It was a sheet cake, and it said your names on it, "Congratulations"; is that true?

A. Correct.

Q. But you guys wanted a cake again to celebrate with your family the following year in October of 2017?

A. Yes.

Q. And so as part of that process, you tried a couple of different bakeries. You first went to Gimme Some Sugar -- or Eileen did at least -- and you guys weren't happy with the cakes, that they were too sweet. Is that true?

A. Yes.

Q. And then you tried De Coeur, but you guys weren't happy with them because they were too expensive?

A. Yes.

Q. And Patrick, your man of honor, he had offered to pay for the wedding cake; isn't that true?

A. It doesn't sound right. No.

Q. Okay. You don't recall Patrick offering to pay for the cake?

A. Yeah, I don't remember.

Q. Okay. That's fine. You guys were looking for a three-tier, round-shaped cake, right?

A. Yes.

Q. And you wanted a wedding cake because it is an important part of the celebration and, in fact, as you said, one of the main things to have in a wedding celebration; isn't that true?

A. I don't know if those were exactly something that I might have said, but it is part of a celebration.

Q. Do you agree that a wedding cake is one of the main things to have in a wedding celebration?

A. I wouldn't say main.

Q. Do you recall that I took your deposition earlier in this litigation?

A. Yes.

Q. And you recall being under oath?

A. Correct.

Q. And you told me that you had no reason why you couldn't give your best testimony that day, correct?

A. Correct.

Q. Okay.

MR. JONNA: Your Honor, I would like to play a clip from Ms. Rodriguez-Del Rio's deposition. It is Page 57, Line 7 to 17.

THE COURT: Do I have that transcript?

MR. JONNA: I'm sorry.

THE COURT: Show that defense has lodged the deposition -- videotaped deposition of Mireya

Rodriguez-Del Rio taken on July 28, 2021.

I'm sorry. Line and page?

MR. JONNA: Page 57, Line 7 to 17.

THE COURT: Mr. Mann?

MR. MANN: That's okay. Yeah.

(Video played.)

BY MR. JONNA:

Q. So, Ms. Rodriguez-Del Rio, later you guys went to Tastries Bakery; isn't that true?

A. Um --

Q. As part of looking for a cake, you tried the cakes at Gimme Some Sugar. You went to De Coeur, and then at some point, you also visited Tastries Bakery, right?

A. Yes.

Q. And you were happy because Rosemary there made you feel comfortable?

A. Yes.

Q. And you remember -- when you went in there, you remember seeing images of Christian decor, you remember seeing crosses and Bible verses and books in the shop; isn't that true, ma'am?

A. Yes.

Q. After Cathy found out that your cake was for a same-sex wedding, she told you that she could refer you to another bakery that had similar recipes; isn't that true?

A. Yes.

Q. But you knew that you wanted your cake from Tastries even though you never tried their cakes; isn't that true?

A. Yes.

Q. And if Tastries' cakes, in fact, tasted like the cakes at Gimme Some Sugar, which were too sweet, you wouldn't have wanted a Tastries' cake; isn't that true?

A. Can you rephrase?

Q. If the cakes at Tastries that you didn't try, but if they tasted like the ones that you did try, Gimme Some Sugar, which you guys thought were too sweet, you would not have wanted a cake from Tastries; isn't that true?

A. Yes.

Q. You were ultimately able to get a wedding cake at another bakery in Bakersfield for your wedding, correct?

A. Correct.

Q. In fact, there are various different bakeries in town --

A. Yes.

Q. -- that would have been happy to make the wedding cake for your wedding; isn't that true?

A. Yes.

Q. In fact, before you confirmed with Tiers of Joy, you actually tasted their cakes before you decided to go with Jessica Criollo; isn't that true?

A. Tasted what cakes?

Q. You tasted their cakes. You testified on direct with Mr. Mann, just a few minutes ago, that before confirming that Jessica Criollo would be making your cake, you actually had a tasting. You tried their cakes, and then you confirmed; isn't that a fact?

A. Right.

Q. Now, when you spoke to Rosemary at Tastries, you guys discussed having Rosemary bring the cake to your reception, hanging out at the wedding and celebrating with you guys. And then actually having her, a Tastries employee, cut the cake and serve it for you guys; isn't that true?

A. She offered.

Q. And that's what you wanted, true?

A. Yes.

Q. And, in fact, with Jessica Criollo, the one who actually ended up making your cake, you had her at the celebration as well serving the cake; isn't that true?

A. Yes.

Q. Now, we took a look at your Facebook post earlier. I don't think we need to pull it up again, but towards the end you said, "No business for Tastries," and you meant that people shouldn't be going to Tastries anymore.

A. It was for me personally, that we were not doing any business with them.

Q. Okay. And Sam also posted on Facebook, and Eileen posted on Facebook right after the incident when you guys were at Starbucks, correct?

A. I don't know what time they did it, but they eventually did.

Q. And in response to those posts, you guys got offers for free services, free makeup, free hair, free photography, and a free cake; isn't that true?

A. No, not everything.

Q. Which one of those did you not get?

A. The free hair. We paid some money for it.

Q. You got offers, though, from different people for different services, including free makeup, free photography, and a free cake; isn't that true?

A. Yeah, there was offers, yes.

Q. And let's take a look, actually, really quickly, at Exhibit 555A.

MR. JONNA: Would you please blow that up for me.

BY MR. JONNA:

Q. This is a post on August 26th, 2017 by Eileen Del Rio reviewing Tastries on Facebook.

And she says, "Because the owner is a bigot and hates lesbian and gays and refuses service to them. Apparently, gay and lesbian --"

MR. MANN: Your Honor, objection. This is not in evidence.

MR. JONNA: I'm trying to --

MR. MANN: I thought you said to me you couldn't show it unless --

THE COURT: So Counsel, yeah. I don't want to publish exhibits unless there's agreement or it's been received into evidence.

Now, what are we doing here?

MR. JONNA: Previously, Your Honor, what happened was we had the same issue with one of their exhibits. You said let Mr. Mann lay a foundation and ask questions.

THE COURT: I did.

MR. MANN: I didn't show it, though.

MR. JONNA: It was shown. I mean, an exhibit that we objected to --

THE COURT: It was, Mr. Mann. So -- but, like -- but I need to know what's happening. Because right now, anything that is getting put up there, I assume has been received into evidence, unless there is some contrary issue and -- or I've ruled. I do this one at a time on an exhibit-by-exhibit basis.

What are we doing here?

MR. JONNA: I want to ask Ms. Rodriguez-Del Rio about that Facebook post, but it could wait for Eileen's questioning, if you would like, Counsel. I mean, it's --

THE COURT: If -- you know, if Mr. Mann has a problem flashing it up there right now, you can certainly take the exhibit itself and examine the

witness with it, the actual exhibit, and come to the stand, approach the witness with it, if you want to approach it that way.

MR. JONNA: Sure. Okay.

BY MR. JONNA:

Q. Actually, you have an exhibit binder in front of you, Ms. Rodriguez-Del Rio. If you want to just flip to Exhibit 555A.

A. What was the number again?

Q. 555A.

THE COURT: Three fives and an A.

THE WITNESS: Thank you. Okay. I got it.

BY MR. JONNA:

Q. Okay. Take a look at it, please, and read the document to yourself.

A. Done.

Q. Do you recognize this review that Eileen gave of Tastries?

A. This is the first time me seeing it.

Q. But we -- you looked at it in your deposition.

Do you recall that?

A. I don't.

Q. Okay. Well, having looked at it right now, you personally, Ms. Rodriguez-Del Rio, you don't agree that someone who doesn't believe in same-sex marriage automatically is someone who hates gays and lesbians; isn't that true?

A. Can you rephrase --

Q. You do not think --

THE COURT: You need to slow down just a little bit, Mr. Jonna.

MR. JONNA: Sure.

THE COURT: You're talking a little fast and so just --

MR. JONNA: Sure.

BY MR. JONNA:

Q. You don't believe that someone who is not in favor of same-sex marriage hates gays and lesbians; isn't that true?

A. Yeah, not everybody does.

Q. You would not have used these words that Eileen used in describing the owner of Tastries Bakery; isn't that true?

A. Yeah. I don't use those words.

Q. So if we could take a look -- I think --

MR. JONNA: Mr. Mann, most of these exhibits that I'm going to be talking about today are not stipulated to. So why don't you tell me if you have a problem with me showing Exhibit 557.

THE COURT: Madam Reporter, can I have that last answer read.

(Record read.)

MR. MANN: Is Mireya on this?

MR. JONNA: She is, yes.

(Discussion held off the record.)

BY MR. JONNA:

Q. Okay. I'll show you Exhibit 557, please.

MR. JONNA: Wait. Let's blow up the date for a second.

BY MR. JONNA:

Q. This is a text message chat with you, Eileen and Sam, and it is dated August 26th, 2017 at 2:20 p.m.

In the thread Eileen -- or I think it's actually Sam says, "You should call an attorney for reals. All kidding aside."

And then Eileen responds, "Whitney is getting me one."

Do you see that?

A. I see it, yes.

Q. And that's Whitney Weddell, correct?

A. Correct.

Q. So the same day, just shortly after leaving, you guys were looking for a lawyer, correct?

A. Not to my knowledge. Shortly leaving the bakery, no.

Q. Well, this is a text message chat of the -- you know, that occurred just a couple of -- just shortly after leaving the bakery. And in the chat they say, "You should call an attorney," and Eileen said "Whitney is getting me one."

Does that refresh your memory?

A. I don't recall reading it probably because at this time, I don't --

Q. Okay. You read some of the hateful comments that were directed towards Tastries on Facebook, correct?

A. It might have came across on my Facebook, yes.

Q. And when you saw those hateful messages, you felt like the situation was out of control, right?

A. I don't know if I -- I probably did say that it was out of control.

Q. And you recall that your sister-in-law Andrea Del Rio -- she tagged an article about the case to Ellen DeGeneres looking for media attention.

You remember that, right?

A. I remember seeing that later.

Q. You, Ms. Rodriguez-Del Rio, never personally got death threats; isn't that true?

A. Correct.

Q. But you did get free offers for free photography, a free wedding cake, free hair and makeup, right?

MR. MANN: Objection. Cumulative.

THE COURT: Sustained.

BY MR. JONNA:

Q. And you also were featured by the PFLAG organization and were able to tell your story. And your case was actually mentioned in the advertisement for the PFLAG event; isn't that true?

A. Well, we couldn't talk about the incident of

what had happened, but they did invite us.

Q. And they mentioned your case, though, didn't they?

A. That they said -- I don't know exact -- the words, but they probably just said these are the couple that were refused service.

Q. Right. You had -- for your wedding, you had a traditional wedding. Isn't that what you guys wanted, more of a traditional wedding?

A. Sure. Yes.

Q. And the cake that you got from Tiers of Joy, Jessica Criollo, a three-layer cake with the top layer were real and the other two layers were not real. They were Styrofoam, isn't that true?

A. Correct.

Q. And let's take a look at Exhibit 631.

This is the wedding cake that Jessica Criollo made for you for your wedding, right, ma'am?

A. Yes, without the flowers.

Q. And this is similar to the cake that you wanted Tastries to make for you; isn't that true?

A. Close to it, yes.

Q. And you had, I think you said, loaves of bread with different frosting and filling on the side, right?

A. Correct.

Q. And in that timeline that Mr. Mann just showed you earlier, there was a specific notation here

at 7:30, we'll be cutting the cake.

Do you remember that?

A. Yes.

Q. And your cake actually had real flowers on it, right?

A. They added them, yes.

Q. And the cake was given to you for free, correct?

A. Yes.

Q. And you really liked the cake -- you actually loved the cake, and you thought it was beautiful, didn't you?

A. Yes.

Q. And let's take a look at Exhibit 7B. I don't think you've stipulated to these, there was a couple of these. I'm not going to show too many, but 7B series.

A. I could see that in the binder?

Q. Yeah, you can look at your binder.

MR. MANN: Do you have any specific pages or --

MR. JONNA: Just -- I'm going to go through, like, just 42, 54, 1, 13, and 92. I mean -- yeah, so these were ones that were asked about at her deposition.

MS. TANACEA: Just to clarify for the record, one -- or 7B is 140 photographs. So I just suggest that we use the Bates numbers to identify which ones we're talking about.

THE COURT: I would agree with that. And the last three digits that we need too. So we are looking at 007B as in boy?

MS. TANACEA: Yes, Your Honor.

MR. JONNA: Yes, Your Honor.

THE COURT: And then when you talk about these exhibits, since we are looking at 007B, as in boy, we need to refer to the specific page numbers as we are examining the witness.

MR. JONNA: Yes, Your Honor.

THE COURT: Okay.

MR. JONNA: Can we publish these, Mr. Mann?

MR. MANN: Tell me what I'm looking at.

MS. TANACEA: Just --

MR. JONNA: Page 42, 54, 1, 13 and 92.

MR. MANN: Okay. So 92 and 113.

MR. JONNA: No. 1 and then 13.

MR. MANN: And you asked her about these all at her depo?

MR. JONNA: Yeah.

MS. TANACEA: Yes.

MR. MANN: Sounds good.

BY MR. JONNA:

Q. Before I show you those, just to clarify something. So the cake that you had from Ms. Criollo, Tiers of Joy, the top layer was real, the other two layers were Styrofoam. I think you testified on direct that it was the loaves -- the loaves that actually fed

everyone dessert that night, not the cake, true?

A. Yes.

Q. Okay. Let's take a look at Exhibit 7B, Page 42. You -- this -- this cake, you believe requires artistic skill to create; isn't that true, ma'am?

A. I think anybody could do that one.

MR. JONNA: Okay. I would like to play 176 -- Page 176, 11 to 23.

MR. MANN: Tell me those pages again.

MR. JONNA: 176, 11 to 23.

MR. MANN: Yeah. That's okay.

(Video played.)

BY MR. JONNA:

Q. How about Exhibit 7B, Page 1 -- or sorry -- Page 54.

You would agree that it would require artistic skill to make that cake -- it's on the screen there -- wouldn't you?

A. I think so.

Q. How about Exhibit 7B, Page 1?

A. Page 1.

Q. That one as well, you would agree requires artistic skill, right?

A. I mean, I wouldn't be able to do it.

Q. But it requires artistic talent or skill, correct?

A. Probably.

Q. Please go to Page 13. Same with that cake, right?

THE COURT: Let's ask a complete question, please.

BY MR. JONNA:

Q. You would agree that it requires artistic skill to make that cake, wouldn't you, Ms. Rodriguez-Del Rio?

A. Yeah. Yes.

Q. Page 92, you would agree it requires artistic talent to make that cake as well, don't you?

A. You would have to kind of have an idea, yes.

Q. Okay.

MR. JONNA: You can take that down.

BY MR. JONNA

Q. In your wedding, ma'am, the cake was actually at the side initially, and then it was brought to the center of the room at some point, in the middle the dance floor; isn't that true?

A. Yes.

Q. There were -- I think you already testified to this, but just to confirm, there were plenty of bakeries in Bakersfield that were more than happy to make your wedding cake, ma'am, right?

A. Yes, I guess.

Q. Okay. You believe that Christian beliefs about the marriage of nature -- the nature of marriage and homosexuality are part of discrimination; isn't

that true, ma'am?

A. Can you say that again?

Q. You believe that Christian beliefs about the nature of marriage and homosexuality are part of discrimination; isn't that true?

A. I've heard of it, yes.

Q. That's your opinion, though. You think that those beliefs are part of discrimination, correct?

A. Yes.

Q. And at your deposition, you said that all you want in this case is compensation for emotional distress.

Do you recall that?

A. I don't.

Q. Let's play 22, 23 to 23, 11.

MR. MANN: Read back the question, please.

THE COURT: Go ahead.

(Record read.)

MR. MANN: And I'm going to object. I believe Defendants have said emotional distress is irrelevant for damages.

MR. JONNA: Right. And then the Court denied that motion in limine and then --

THE COURT: Yeah. It's overruled, Mr. Mann. You've made it clear that -- everybody seems to have made it clear that it seems to be something we need to talk about it.

MR. MANN: 22 and what?

MR. JONNA: 22, 23 to 23, 11.
MR. MANN: We need more of that read for context, Your Honor.
THE COURT: What do you feel needs to be read?
MR. MANN: Up to 14 on 23 -- I'm sorry -- 22, starting at Line 14.
THE COURT: To where?
MR. MANN: Through the -- through 15.
THE COURT: I'm sorry. I didn't hear you.
MR. MANN: Through Line 15 on 23.
THE COURT: All right. Yes, read through line -- read through -- under the rule of completeness, I feel you need to read through 23, 15.
MR. LIMANDRI: Okay.
THE COURT: Go ahead.
(Video played.)
BY MR. JONNA:
Q. If someone told you, Ms. Rodriguez-Del Rio, that they sincerely believe that marriage should be between one man and one woman, you would respect their beliefs because everyone has their own beliefs, right?
A. Yes.
Q. In fact, you wouldn't want to force anyone to express beliefs that they don't agree with, true?
A. I mean, anybody could say anything they want.
Q. Right. But my question was: You wouldn't want to force someone to express beliefs that they

disagree with; isn't that true?

A. Yes.

Q. And you wouldn't want to force anyone to say something that they don't believe. You'd want them to be honest, correct?

A. Correct.

Q. And you also wouldn't want to force someone to go to an event that they felt uncomfortable at. You would want people to go where they please and be welcomed and enjoy their time, right?

A. Yes.

Q. You testified that your experience at Tastries was the first time in your life, actually, since identifying as a lesbian, that someone told you that they disagree with same-sex marriage to you personally; isn't that true, ma'am?

A. Yes.

Q. And, in fact, you said that even since this incident, no one has told you they disagree with you on same-sex marriage; isn't that true?

A. Correct.

Q. But you do have friends and family that you care about and that think that marriage should be between one man and one woman, right?

A. Yes.

Q. And you wouldn't expect family to disagree with your lifestyle to attend your wedding. That's their decision, right?

A. Correct.

Q. You agree that people in America are entitled to different beliefs, right?

A. What was that again?

Q. You believe that -- you agree that people are entitled to different beliefs in this country, right?

A. Yes.

Q. And if you owned a store and someone came in and told you to draw something that went against your beliefs that you thought was wrong, you think it's your store, and you can do whatever you want; isn't that true, ma'am?

A. If it is open to the public, I mean, it should be --

Q. You think the owner should be able to do whatever they want. It's their store.

Isn't that what you said at your deposition?

A. I don't know if it was the exact words, but it doesn't sound right.

Q. Okay. Let's take a look at 158, Page 22 to 159, Page 10 -- Line 10. Sorry. 158, Line 22 to 159, Line 10.

MR. MANN: Objection. Improper hypothetical, Your Honor. I don't think it's -- I think it's a little bit different than Mr. Jonna's question as well.

THE COURT: Overruled.

MR. JONNA: Your Honor, the deposition of -- yeah. Sorry.

(Video played.)
BY MR. JONNA:
Q. Let's take a look at Exhibit 671.
MR. JONNA: This is a disputed exhibit, Your Honor, but I'm not -- Your Honor has already seen it. It's the "blue wave" thing.
Greg, I can publish that?
MR. MANN: Well, no.
MR. JONNA: Okay.
BY MR. JONNA:
Q. All right. If you could pull up Exhibit 671 in your binder, ma'am.
Do you have it in front of you?
A. Yes.
Q. Now, this a text message chat between you, Mireya Rodriguez, as well as Patrick Salazar; is that true?
A. That's on the -- yes.
Q. And take a look at it, and tell me if you recognize it. It's dated November 7, 2018 and there is two pages.
Actually, I'm only asking you about Page 671-002. So that one is dated November 17, 2018.
A. Yeah. It's not very clear, my memory -- recollection on it.
Q. But that is, in fact, a text message string between you and Patrick Salazar that was actually produced in this litigation by Sam Salazar; isn't that

a fact?

A. That's what it shows on here, yes.

Q. And you have no reason to doubt that this was, in fact, a text message string between you and Patrick, correct?

A. That's what it shows, yes.

MR. JONNA: Your Honor, this is a statement by a party. I want to admit this into evidence.

MR. MANN: Objection, Your Honor. Well, which part?

MR. JONNA: The -- Page 671-002.

MR. MANN: But who is the party? DFEH?

MR. JONNA: Mireya Rodriguez, the Real Party of Interest. She's been --

MR. MANN: I've definitely got problems with part of this message, Your Honor.

THE COURT: I'm sorry?

MR. MANN: We're objecting to certain parts of the --

THE COURT: Let me -- I may need to look at it, Counsel, so I can handle your objections.

MR. JONNA: Do you need a copy, Your Honor?

THE COURT: No, I have it.

MR. JONNA: Okay.

THE COURT: All right. So what's the objection?

MR. MANN: On the second page, the next-to-last text there.

THE COURT: I'm looking at 002. Was there something else I should have looked at?

MR. JONNA: No, Your Honor.

MR. MANN: 002 is correct. The second one of -- the November 17th, 6:57 a.m., we object to that under attorney-client privilege, hearsay, relevance, and 352.

THE COURT: Overruled.

MR. JONNA: If you could please publish that.

THE COURT: Are you seeking to admit this?

MR. JONNA: Yes, Your Honor.

THE COURT: Exhibit 671 -- and you're just looking for this page?

MR. JONNA: Correct.

THE COURT: Okay. 671-002 will be received.

MR. MANN: Your Honor, if 002 is received, we'll ask that 001 be. It is important.

MR. JONNA: We don't -- we don't object, Your Honor.

THE COURT: All right. So that's the entirety of 671, correct, 1 and 2?

MR. JONNA: Correct.

THE COURT: All right. Exhibit 671, Pages 1 and 2 are received.

(Whereupon, Defendants' Exhibit No. 671-001, 671-002 were received into evidence.)

BY MR. JONNA:

Q. Ms. Rodriguez-Del Rio, Patrick Salazar said:

"It's Christian news, so, of course, that's how outlandish and exaggerated it sounds. They're scared of the blue wave that came in and washed a bunch of those Republican hypocrites out of office. They're grasping at straws."

And then you wrote in response to that message:

"Yep, that's basically what the lawyer from DFEH said."

Do you see that, ma'am?

A. I see it.

Q. You wrote that, right?

A. I wrote that, yes.

MR. JONNA: No further questions.

THE COURT: Redirect.

REDIRECT EXAMINATION

BY MR. MANN:

Q. If we could look at the first page.

MR. MANN: 671. If you can blow up the article there.

MR. MANN:

Q. You see this here, was this in this text thread, Mireya?

A. Yes.

MR. MANN: If we can scan up a little bit.

BY MR. MANN:

Q. Was this the beginning of this new thread

that ended with your statement that Mr. Jonna just asked you about?

A. Yes.

MR. MANN: We can blow it back up again.

BY MR. MANN:

Q. And it says, "Lesbians who filed complaint against baker for not making wedding cake wore hidden microphone. Report."

Was that about you and their understanding?

A. Yes.

Q. Did you wear microphones when you went to Tastries on either occasion?

A. No.

Q. What did you think when you saw this article that was lying about you?

A. That's why I put that it was BS.

MR. MANN: Could we see that next one, please.

BY MR. MANN:

Q. So you find this defamatory article about you by some news network that you don't know. Had they ever reached out to you to interview you?

A. No.

Q. And you're upset, and you say that it's BS, right?

A. Yes.

Q. I think we all know what BS means, so I'm not going to go there.

MR. LIMANDRI: So stipulated.

MR. MANN: Could we go to the next page, please. If we could look at the Yelp statement.

BY MR. MANN:

Q. So were you referring to that defamatory article when you made this statement?

A. Yes.

MR. MANN: And can we go up just to the one at the top. I'm sorry. The one just above this.

BY MR. MANN:

Q. Was there any part of Sammy's statement that you were referencing when you said that?

A. Patrick?

Q. I'm sorry. Patrick.

A. I was -- on the part of the grasping at straws on the bottom.

Q. And who is the "they're" you're talking about?

A. The people from -- who wrote that article.

Q. Thank you.

Let's -- I'm going to ask you a few questions about what Paul asked you. Why were you at Tastries on August 26th the second time?

A. We were going for the cake tasting.

Q. And that's when Ms. Miller tried to send you to Gimme Some Sugar?

A. Yes.

Q. Did you ever get a chance to taste while you

were there?

A. No.

Q. And why didn't you get a chance to taste?

A. We didn't feel like we wanted to taste their product now that she refused.

Q. Okay. Paul asked you about the sweetness of cakes at Gimme Some Sugar.

Do you remember that?

A. Yes.

Q. And do you remember talking to Rosemary about how the cakes at Tastries tasted?

A. Yes. She commented on it.

Q. Did she comment -- or did she tell you anything about the sweetness of Tastries' cakes?

A. Yeah. They could do less sugar or something like that on their cakes, that they were not that sweet.

Q. And did that give you confidence that you had a good chance of liking Tastries' cakes?

A. Yes.

Q. Let's look at some of these pictures of really pretty cakes.

Can we look at Number 1. I'm sorry, 007B.

How many tiers did your cake have?

A. Only three.

Q. Did your cake have any of this really intricate -- I wouldn't even know what to call it -- on the bottom two tiers?

A. No.

Q. Did your cake have any of these -- this gold flowing that are on the upper tiers?

A. No.

Q. Let's take a look at 13.

You said yours had three tiers. Did yours -- they were all round; they weren't round and square, right?

A. Correct.

Q. Did yours have anything like this amazing flowing ribbon?

A. No.

Q. Did it have any of this piping detail with the different colors and the diamond shapes?

A. No.

Q. And then on the two square tiers, did it have that really intricate design with the frosting?

A. No.

Q. Let's go to 42. I'm sorry. 92. 92.

This look like anything like your cake?

A. No.

Q. I think -- do we see a cake topper up at the top of this one?

A. Yes.

Q. Did your cake have a cake topper?

A. We were going to put a topper, but we didn't. It did end up having flowers after all.

Q. So did your cake have a cake topper? At your

wedding, did you have a cake topper on your cake?

A. No.

Q. And were you ever going to order a cake topper from Tastries?

A. No.

Q. And lastly, 54.

Again, your cake had no cake topper. Did your cake have any of this intricate design detailing on the front?

A. No.

Q. Now, Mr. Jonna asked you about Jessica being there to serve.

Do you remember that?

A. Yes.

Q. And why was Jessica -- or why did she stay at your wedding throughout the service?

A. She offered to stay.

Q. And what was she doing once the cake came out?

Let me tell you this -- let me go back.

So you had testified that with Jessica you were going to get loaf cakes and have a cake bar, right?

A. Yes.

Q. So did that require Jessica to be there to help people with the cake bar?

A. No. It was just to maintain the things cold.

Q. She was going to be working with the cake bar

and making sure it stayed cold?

A. Yes.

Q. From Tastries, were you going to order a cake bar?

A. No.

Q. And you didn't ask Tastries at any time for -- to have a cake bar, right?

A. No.

Q. You were going to have a sheet cake on the side?

A. Yes.

Q. And that would have been a rectangular sheet cake that we see at grocery stores?

A. Yes.

MR. JONNA: Your Honor, all these questions are leading.

THE COURT: Sustained.

I can only rule on the last one.

MR. JONNA: Sorry.

BY MR. MANN:

Q. Just a few more.

Paul asked you about this hypothetical, if you were a business owner and someone wanted you to make a drawing that you didn't want to.

Do you remember that?

A. Yes.

Q. Would you say that if you're doing a drawing, it is about design?

MR. JONNA: Objection. Leading.
THE COURT: Sustained.
BY MR. MANN:
Q. Did Cathy Miller ever tell you that there was a problem with the design of your cake?
A. No.
Q. What was the problem, or why Cathy Miller would not provide your cake?
A. Because we're lesbians.
MR. MANN: Thank you, Your Honor.
THE COURT: Any recross?
MR. JONNA: No, Your Honor.
THE COURT: All right. You can step down.
What's the next indicated step, Mr. Mann.
MR. MANN: We'll have, I think, a fairly short witness, and then Eileen to end. And then we will be resting after we read in our --
THE COURT: Sure. Sure. How much reading do you need to do? You want to get started on that?
MS. TANACEA: Right now? Sure.
THE COURT: You could, if you wanted to.
Let's go for about five minutes here, and then we'll break for lunch.
And these are discovery responses?
MS. TANACEA: Responses to request for admission.
THE COURT: Okay.
MS. TANACEA: Your Honor, do I need to read

the objections?

THE COURT: Well, let me just ask you, Counsel. I have no problem if you want to spend the next five minutes agreeing that the written product can be presented rather than reading it into the record. We can mark it as an exhibit if everybody is going to agree to it. You want to spend that five minutes?

MS. TANACEA: I've been asking, so I just need -- if it is okay, we can do it.

MR. LIMANDRI: Yeah, I would need five minutes, Your Honor, because I haven't read the --

THE COURT: So why don't we do that. I'm going to give you guys about five minutes to talk about that, then we will break for lunch. We are going to go ahead and recess right now. But if you guys can spend about five minutes chatting about that, how you want to handle the written discovery.

I mean, I can see a more efficient way to do this, given it is a bench trial. Normally, I would ask you to read to the jury because the jury wouldn't get to have it, but I don't feel that there is any problem reading through objections that you might not be able to be read if you are reading to a jury. I can get past that. Okay.

MR. LIMANDRI: Thank you, Your Honor.

MS. TANACEA: Fine by me, yes.

THE COURT: Okay. We'll go ahead and recess until 1:30. We'll have counsel stay behind for a few

more minutes and talk about that, and we'll come back at 1:30. We are in recess.

(Recess taken.)

//

//

BAKERSFIELD, CALIFORNIA; WEDNESDAY, JULY 27, 2022

AFTERNOON SESSION

HON. J. ERIC BRADSHAW, JUDGE; DIVISION J

--oOo--

(Whereupon, the following takes place in open court:)

THE COURT: Back on the record. Counsel are present. Appearances as previously indicated.

Mr. Mann, your next witness.

MR. MANN: Yeah, DFEH calls Patrick G. Salazar.

THE COURT: Okay.

You can come right up here, and then just stand right there and raise your right hand and face my courtroom assistant, please.

THE CLERK: Do you solemnly state that the testimony you shall give in this matter shall be the truth, the whole truth, and nothing but the truth, so help you God?

THE WITNESS: Yes, I do.

THE COURT: You can have a seat right there.

THE WITNESS: Okay.

THE COURT: If you can just pull that microphone in a comfortable place. You can move it around as you need to and make sure you speak clearly into the microphone.

Could you state and spell your first and last name for the record, please.

THE WITNESS: Yes. It's Patrick, P-a-t-r-i-c-k, Salazar, S-a-l-a-z-a-r.

THE COURT: All right. Thank you. Let's see. Mr. Mann, your witness.

DIRECT EXAMINATION

BY MR. MANN:

Q. Good afternoon, Patrick. How's it going?

A. Good. How are you?

Q. I'm doing well. Thank you. Thanks for being here.

You live in Bakersfield?

A. Yes.

Q. About how long now?

A. 42 years.

Q. Is that pretty much your entire life?

A. Yes.

Q. And are you married?

A. Yes.

Q. To who?

A. Sam Salazar.

Q. And how long have you been married now?

A. Three years.

Q. And how long have you been together?

A. 22 years.

Q. Congratulations.

A. Thank you.
Q. You have other family here?
A. Yes.
Q. And what do you do for a living?
A. I am a program manager at the Kern County Public Health Department.
Q. And how long have you been there?
A. I have been there 15 years.
Q. So tell us about when you first met Mireya. How did you become friends?
A. So I met Mireya probably back in 1998, 1999. We were both in a program together called AmeriCorp.
Q. Was that at Bakersfield College?
A. Yes. It was at Bakersfield College.
Q. And how about Eileen? When did you meet her?
A. I met her shortly some time after that. Again, at Bakersfield College.
Q. And you've been friends with the both of them ever since?
A. Yes.
Q. I know -- I don't want to try his Honor's patience, so we're going to skip around some things.
A. Sure.
Q. At some point, did Mireya ask you to be her man of honor?
A. Yes, she did.
Q. And did any responsibilities come with that role?

A. Yes. Yes, it did.

Q. What kind of responsibilities were those?

A. So just helping her with things that she needed, you know, whether that be with the flowers. It could be the cake. Some of those different things, and so those were things I offered to help with.

Q. And do you remember, was that in -- we saw a lot of exhibits. I don't want to go over them. My recollection is that there was some January 2017 text messages where you had reached out about doing some shopping with Mireya to look for flowers and shoes and bouquets.

Does that sound right to you?

A. Yes, it does.

Q. And did you have particular responsibilities a little bit more with helping to find the cake?

A. Yes. I was trying to be proactive to help out however I can, including the cake.

Q. And how did you -- how did you go about being proactive to help them find a wedding cake?

A. So I just kind of went in and did some, you know, searching on Google, just to see what kind of popped up and just kind of taking it from there it.

Q. And do you have a recollection of setting up any tastings for yourself and Mireya?

A. I did reach out to one bakery called De Coeur to set something up.

Q. Okay. I don't want to belabor, but if we can

look at 140 real quick.

And did you take the lead in communications with De Coeur bakery?

A. Yes, I did.

Q. Taking a look at Exhibit 140, at the top, is that your e-mail with somebody there at De Coeur Bake Shop?

A. Yes.

Q. And if we could -- that's -- that one was from September, which was like after.

We can scroll down to -- I think this one goes in reverse order.

Page 002 up at the top. We can see there at the top some August 2nd communications from De Coeur Bake Shop.

Do you see that?

A. Yes.

Q. And they talk about speaking with you over the phone and agreed to set up a cake tasting on August 15th?

A. Yes.

Q. Is that in line with your memory of doing a cake tasting?

A. Yes, it is.

Q. We saw some text messages from you and Mireya about -- I think she was in the car waiting, you had texted her that you were going to go to meet her at the shop.

Does that sound familiar on the August 15th date?

A. Yes, it does.

Q. And then you did the tasting at De Coeur on August 15th?

A. Yes.

Q. And how did that go?

A. It went -- it went fine.

Q. And is it your understanding, though, that Mireya and Eileen did not go with De Coeur?

A. Correct.

Q. And do you have an understanding of why not?

A. Mireya just wanted to kind of think about it and maybe, you know, look at some other places to see if, you know, there was anything else that was out there.

Q. Did she ever talk to you about De Coeur being a little bit more than they wanted to pay?

A. Yeah. It was a little bit more pricey, so yeah.

Q. And at some point, as part of your man of honor duties, offer for Eileen and Mireya that you would be willing to help pay for -- you would be willing to buy the cake for them?

A. Yes.

Q. And they did not take you up on that, right?

A. No, they didn't.

Q. And how did that make you feel?

A. It was fine. It saved me money, I guess, so --

Q. All right. So do you remember doing any other cake tastings with them?

A. The only other one I remember is, they had got some cupcakes from Gimme Some Sugar, I think is what they're called.

Q. And do you remember where that was that you -- so you did not do a tasting at Gimme Some Sugar, right?

A. No.

Q. Do you remember where it was?

A. It was at their house.

Q. And they ended up not going with Gimme Some Sugar?

A. No.

Q. And then -- can you briefly explain, or do you have a recollection that -- how Tastries came into the picture as part of a possibility of providing the cake?

A. So Mireya reached out to me to let me know that they were -- they had visited Tastries and that she wanted to know if we could set up a -- you know, when we would be available to set up a time to go and taste cakes at Tastries.

Q. And you recall there was some text messages back and forth between you about setting that up?

A. Yes.

Q. And did you ever have any direct communications with Tastries to set it up?

A. No.

Q. Was it your understanding that Mireya was handling that?

A. Yes.

Q. Do you remember generally what time -- or let me start -- did you end up getting set up for a time for a tasting?

A. Yes.

Q. Do you remember the time generally?

A. We agreed on 12:15 in the afternoon.

Q. And what was your expectation of how it would go? Would you be tasting with Eileen and Mireya?

A. Yes, that is my understanding.

Q. And who else was going to go with you?

A. That was -- that was all that I understood. Just the four of us.

Q. And then who would be the fourth?

A. Sam.

Q. Okay.

A. Yes.

Q. And did you -- did you ever talk with them about either of their moms or both their moms going with them?

A. No.

Q. On the day of the tasting, was one of their moms with them?

A. Yes.

Q. So let's talk about the day of the tasting. It was August 26, 2017.

So do you have a recollection of when you and Sam arrived at Tastries?

A. So we arrived at Tastries about maybe five to ten minutes before the appointment.

Q. And, you know, what happened while you were waiting for Eileen and Mireya to arrive?

A. So we were just -- someone approached us to, you know, ask how they could help us, and we just said that we were waiting for our friends to do a cake tasting.

Q. And then what happened when Eileen and Mireya arrived?

A. So we -- as soon as they got there, we were then escorted over to the area where the tasting was going to happen.

Q. And do you have a recollection of who walked you over there?

Let me ask it this way: Did you end up working with somebody different than who escorted you back there?

A. I don't recall which person it was.

Q. And then once you got back there, at some point you started working with Cathy Miller?

A. Yeah. She came out a little bit -- not long after that.

Q. So does that help you remember that -- let me say this: Cathy wasn't the person who greeted Mireya at the door and walked them back? She came -- Cathy came from the back and met you guys there, right?

A. Yes.

Q. And what happened once you started -- Cathy started talking with your group?

A. So she -- when she came out, she asked, you know, which -- you know, who was the -- you know, who was the groom. It was a question asked. And my husband made a joke and said it was Eileen. And that's when she started the process of the form that she had kind of writing down some of the details. That's what I remember.

Q. And did Eileen and Mireya give you a sense of what they expected to do that day at Tastries?

A. Yes. She said we are just there to taste the cakes.

Q. Was it your understanding they had already provided the information about the design of the cake?

A. Yes.

MR. JONNA: Objection. Leading.

THE COURT: Sustained.

BY MR. MANN:

Q. Did you have an understanding of -- of what they expected to do -- I'm sorry.

Did you have an understanding if -- scratch it. You said what we need to do.

MR. JONNA: Move to strike the response.
MR. MANN: There was no response.
THE COURT: The response to the leading question?
MR. JONNA: Yeah, because he did answer it.
THE COURT: All right. If there was a response, I didn't hear it. It's stricken.
BY MR. MANN:
Q. And it was your understanding that Eileen and Mireya -- they had told you that they were there to taste?
MR. JONNA: Objection. Leading.
THE COURT: Sustained.
BY MR. MANN:
Q. What was your understanding of what Eileen and Mireya planned to do that day?
A. My understanding is that we were there to taste cakes.
Q. And what happened next?
A. So we -- Cathy was, you know, asking some questions that were on that form about details, you know, when they needed it, when they needed it delivered to the venue, what were they looking for in terms of some of those details?
Q. Did Eileen and Mireya respond to those questions?
A. They were responding.
Q. And did Eileen say anything else in response

to getting those questions?

A. She did make a comment, just the first time, to say we already did this before.

Q. And what happened next?

A. And so basically -- we kind of kept going -- Cathy kept going through some of the questions for the order. And Eileen said a second time, you know, why are we doing this again? We already did this when we were here.

Q. What happened next?

A. And it was kind of at that point where Cathy had said, you know, I don't do these kind of cakes. I usually will take the order and send it to Gimme Some Sugar.

And so after that, it was kind of mentioned, you know, what do you mean you don't do these cakes? And that's when she had made the comment of, well, I -- it goes against my beliefs.

Q. And were there any other comments back and forth with the group and Ms. Miller?

MR. JONNA: Objection. Overbroad. Calls for hearsay.

THE COURT: Overruled. That's a "yes" or "no" question.

THE WITNESS: Yes.

BY MR. MANN:

Q. And what happened next?

A. So basically after that when that was

mentioned we -- at that point, she kind of went a little further and said, you know, I usually send these kinds of orders to her. I've done this before. We have kind of like an arrangement where I send those to her.

And then at that point, it started to -- it was taking a little bit of a turn, in terms of, like, you know, us not really understanding, like, what was happening, and so we -- Cathy was still trying to take some of those order details at the same time. And we ultimately decided to, you know, not proceed any further with it.

Q. Did you say anything in the conversation?

A. Yeah. So kind of toward those final moments when Cathy was still taking some of those details, she was, like, well, I can send this over to, you know, Gimme Some Sugar. And at that point, I said, you know what? Let's just go. You know, we are kind of done here.

Q. Do you remember if Eileen and Mireya had any comments in response to Cathy's, "I can still send this over to Gimme Some Sugar"?

A. I don't recall any exact comments.

Q. And after you said let's go, is that about when you guys left?

A. Yes.

Q. Did anybody -- you had said Cathy was filling out a form?

A. Yes.

Q. Did anybody from your group take the form from her?

A. So Eileen kind of took the form from Cathy. So that's what happened.

Q. Do you remember if Eileen said anything when she did?

A. I don't recall.

Q. Do you remember Eileen touching Cathy when she took the paper?

A. No.

Q. No, you don't remember, or no, she didn't touch her?

A. No, I don't -- she did not touch her.

Q. Did you or Sam touch Ms. Miller at all?

A. No.

Q. How far away from her were you standing?

A. So we were probably around, maybe, three -- three to five feet from her.

Q. Other than the comment you mentioned with Sam making a joke when you pointed at Eileen and you saying let's go, did you or Sam have any other participation in the conversation?

A. No.

Q. And were Eileen and Mireya close to Ms. Miller except for when Eileen took the paper?

A. They were in her vicinity.

Q. Normal conversation distance?

A. Yes.

Q. How tall is Sam?

A. Sam is probably around five -- five-five.

Q. So he's shorter than you?

A. Yeah, he's a little shorter than me.

Q. At any time were either of you hovering over Ms. Miller?

A. No.

Q. And how tall are you?

A. I'm five-nine.

Q. Has anybody ever described you as intimidating?

A. No.

Q. And what happened next?

A. So we left the bakery and we went outside to our cars, and we were just kind of standing around, just kind of, I guess, still in shock that -- you know, the experience we just had. And we decided to leave -- to leave at that point.

Q. On your way out, did anybody yell or scream or make a scene?

A. No.

Q. And then where did you go after you left the parking lot there?

A. So we went to a Starbucks.

Q. And was it still the same five people; Eileen and Mireya and Eileen's mom, you and Sam?

A. Yes.

Q. And tell me about the Starbucks.

A. So we were just kind of -- again, just kind of talking, you know, about, you know, what just had happened, and just trying to process everything that just happened. And, you know, yeah, just kind of, I guess, debriefing a little bit.

Q. Do you remember any of the conversations you had?

A. No, I don't recollect.

Q. And did you end up making any social media posts about that experience?

A. I didn't, no.

Q. Did you hear Eileen or Mireya or ever find out that they asked Sam to make any posts about it?

A. No, they didn't ask him.

Q. Did you ever hear from Eileen and Mireya that they reached out and asked anybody to make any social media posts or in any way harass Tastries or Ms. Miller?

A. No.

Q. And after Starbucks, was that the last time you saw Eileen and Mireya that day?

A. Yes.

Q. Whether it be that day in person or through text messages within the aftermath and within the few days, did you come to understand how Eileen and Mireya felt about being denied services at Tastries?

A. Yes.

Q. And what was your understanding of how they felt?

A. I mean, they were upset. They were -- just upset about the whole thing that had happened.

Q. Some of the words that have been used to describe feelings were "stunned" and "shocked."

Is that consistent with how they felt in the media aftermath of being denied?

MR. JONNA: Objection. Leading.

THE COURT: Sustained.

BY MR. MANN:

Q. How would you describe your friends and seeing them and when you were talking about kind of gathering together afterwards at Starbucks? Can you describe it for us a little bit more?

A. So just in talking about it, you know, I could see that they were upset. They were upset by it and just still trying to understand. They were just feeling hurt.

Q. And you had known Mireya -- well, you've known both of them for 17-plus years at that point, right?

A. Yes.

Q. And had you ever known Mireya having been denied service like that in the past at all?

A. No.

Q. Had you ever known her to be discriminated against because of her sexual orientation?

A. No.

Q. So from your understanding of your friendship, this was a new experience to her?

A. Yes.

Q. How did you feel about it when you left Tastries?

A. I was still shocked, but I -- I guess I felt, like, inadequate, like I just didn't feel right. It was weird.

Q. Was it -- what was it that made you feel inadequate?

MR. JONNA: Objection. Relevance, Your Honor.

THE COURT: Sustained.

BY MR. MANN:

Q. In the text messages with Eileen and Mireya afterwards, was that kind of a continue -- oh -- well, how would you describe what those text messages were about?

MR. JONNA: Objection. Overbroad. There were a lot of text messages.

THE COURT: I'm going to sustain that.

Let's be a little more specific.

BY MR. MANN:

Q. In text messages discussing the discrimination from Tastries, can you, without having to dig into them, give us a summary of how you viewed those?

MR. JONNA: Objection. Argumentative. Calls for a narrative. Calls for hearsay.

THE COURT: Sustained.

BY MR. MANN:

Q. All right. Well, let's take a look at some of them, then. I'd like to -- before we do, did you come to understand that Tastries had denied service to another gay couple that day?

A. No, I did not know that.

Q. Later on, had you come to understand that?

A. I did -- I did hear about that later on, after the fact.

Q. So after that Tastries experience, Eileen and Mireya still needed a cake, right?

A. Yes.

Q. Did you participate at all in the experience with Tiers of Joy?

A. Yes.

Q. And in what -- how did you participate with them?

A. So they asked us to help them try the cakes, the flavors.

Q. So you and Sammy did a tasting with them?

A. Yes.

Q. And how did it go with Tiers of Joy?

A. It went well.

Q. And they ended up going with Tiers of Joy for the wedding?

A. Yes.

Q. And you were at the wedding?

A. Yes.

Q. And do you recall where the cake was throughout most of the reception?

A. Yes.

Q. Can you tell us?

A. It was toward the back of the venue. There was, like, a -- like, a bar set up back there, and it was on top of that in the back.

Q. Do you remember if there was a loft area in that area?

A. Yes.

Q. And at some point, when they had the cake cutting, did they move the cake from there?

A. Yes.

Q. Otherwise, was the cake back there the whole time?

A. Yes.

Q. And would you describe the wedding cake, even during the cutting, as the centerpiece of the event?

MR. JONNA: Objection. Relevance.

MR. MANN: It's the Defendants' argument.

THE COURT: Overruled.

THE WITNESS: Can you repeat that, please.

BY MR. MANN:

Q. Would you describe the cake at any time during the reception, even when it was during the

cake-cutting, as the centerpiece of the celebration?

A. No.

Q. What would you describe as the centerpiece?

A. That would be Eileen and Mireya.

Q. And when you saw the cake, did you receive any kind of message from the cake?

A. No.

Q. How did you feel at the end the day when your friends were married after all that time?

A. I was very happy.

MR. MANN: Thank you, Patrick.

THE COURT: Cross?

MR. JONNA: Yes, Your Honor.

CROSS-EXAMINATION

BY MR. JONNA:

Q. Good afternoon, Mr. Salazar.

A. Good afternoon.

Q. You are good friends with Eileen and Mireya Rodriguez-Del Rio; isn't that true?

A. Yes.

Q. You said you've known them since 1998, 1999?

A. Yes.

Q. And you want to help them in this case, don't you?

A. Yes.

Q. In fact, you'd do anything within reason to help them, right?

MR. MANN: Objection. Argumentative.
THE COURT: Overruled.
THE WITNESS: More or less.
BY MR. JONNA:
Q. And you said you've known Mireya from even before she identified as a lesbian. She was heterosexual at the time, right?
A. Yes.
Q. And you're married to Sam Salazar. You guys got married in 2019, right?
A. Yes.
Q. You testified that you were Mireya's man of honor and you helped her plan the wedding. And you were asked specifically to help with the cake, correct?
A. More or less.
Q. And, in fact, I think you said you offered to buy it, but you also told them there was no budget. You have a blank check, basically, for the offer to buy the cake?
A. Yes.
Q. And you guys -- you testified that you tried Gimme Some Sugar and De Coeur. Those were the two bakeries before going to Tastries, correct?
A. Yes.
Q. And it was Mireya who was more interested in the cake decisions. Eileen wasn't as interested.
That's your memory, correct?
A. Yes.

Q. And Mireya, I think you said, ordered a cake topper for the cake, which you believe included two women, correct?

A. Yes.

Q. I want to go through the day that you were at the store in a little bit more detail than you went with Mr. Mann.

So you arrived at the store with Sam before Eileen and Mireya arrived. And you waited for about five minutes, looking at the decor in the shop, correct?

A. Yes.

Q. And you actually recall seeing religious decor at Tastries, don't you?

A. Yes.

Q. And you remember that you were at the two high-top tables over where the cupcakes were, and there were three chairs around each table, right?

A. I don't remember how many chairs there were.

Q. But that's where you were, the section of the bakery with the high-top tables?

A. Yes.

Q. And Cathy Miller wasn't there at the time. It was just another employee, Rosemary, when you first got there?

A. Yes.

Q. And at that point, you hadn't tried any of the cupcakes, correct?

A. Correct.

Q. And you and Sam were standing next to Eileen and Mireya. And Eileen was filling out paperwork on the clipboard, right?

A. Yes.

Q. And when Cathy came, she looked at you and Sam, and she asked who was the groom. And then Sam pointed to Eileen and said that she is?

A. Yes.

Q. Cathy asked where they were going to get married, and they said at the Metro.

You recall that right?

A. Yes.

Q. And Cathy wanted to know the time of the wedding so that they could determine the delivery window; whether it was the afternoon or later. And they said they didn't know the answer to that question.

Do you remember that?

A. Yes.

Q. And when Cathy realized this cake was for a same-sex wedding, she said that Stephanie at Gimme Some Sugar is a great baker and decorator. She said that she even offered her a job at Tastries when they first opened the bakery. And she said she would be happy to set up an appointment for you guys to meet with Stephanie.

Do you remember that?

A. I remember the setting up the appointment.

Q. You don't remember the other parts?

A. I don't recollect the other parts.

Q. And you also remember that Cathy said you're more than welcome to continue the cake tasting. And she can't create a cake for a same-sex wedding or other events that would go against her religious beliefs.

You recall that, correct?

A. I recollect her saying that I don't do those -- I don't make those kinds of cakes.

Q. Because they would go against her religious beliefs.

You recall that, don't you?

A. Eventually, yes. Yes.

Q. And then one of the girls said, "Well, why won't you bake our cake?" And Cathy said something along the lines of "It would hurt my Lord Jesus."

You remember that, too, don't you?

A. I don't remember her saying that.

Q. Okay.

MR. JONNA: Your Honor, I would like to play two different clips.

BY MR. JONNA:

Q. And, Mr. Salazar, you remember I took your deposition in this case?

A. Yes.

Q. You remember you were under oath?

A. Yes.

THE COURT: Do you have an original

transcript, Counsel?
BY MR. JONNA:
Q. And you remember telling me that there was no reason why you couldn't give your best testimony that day, right?
A. Yes.
MR. JONNA: Your Honor, should I give you the page and line?
THE COURT: Yes.
MR. JONNA: The first one is Page 60, Line 14 to Page 61, Line 2.
And the second one is Page 61, Lines 3 through 10. So I guess that's one long clip.
THE COURT: That is one long clip.
MR. JONNA: Sorry about that. 60, Line 14 to 61, Line 10.
THE COURT: Objections?
MR. MANN: Could you go to Line 16, Your Honor, on 61?
THE COURT: 60, Line 14 what?
MR. MANN: On Page 61, instead of 10, let's go to 16.
THE COURT: I'm sorry -- could you speak up a little bit?
MR. MANN: I'm sorry.
THE COURT: You know what, I don't think you have a microphone in front of you, and it is not your fault. It's -- we've needed to hijack your microphone,

too. Just speak up for me.

MR. MANN: I'm trying. I'm getting drained, Your Honor. You know how it goes.

Instead of stopping at 10, could we just go to 16? We think that is a more apt description.

MR. JONNA: That's fine, Your Honor.

THE COURT: All right. Let's go to -- let's do that.

MR. JONNA: He just has to cut that clip. One second.

(Video played.)

BY MR. JONNA:

Q. And you do remember, though, Cathy saying that you guys were still, obviously, welcome to stay and taste the cakes, right?

A. Yes.

Q. And you remember Cathy saying it would go against her conscience or her religious beliefs to participate in a same-sex wedding, correct?

A. I do remember her saying her conscience.

Q. And after Eileen got upset about the fact they wouldn't make the wedding cake, I think you just testified with Mr. Mann that it was Eileen who -- I think you said "took" the clipboard. But at your deposition, you said it was either you or Sam "grabbed" the clipboard.

Do you remember that, sir?

A. I don't remember it being Sam or I grabbing

that clipboard. I don't recollect that.

Q. You remember someone grabbing the clipboard?

A. I remember -- I recollect Eileen taking the clipboard.

Q. Okay.

MR. JONNA: I'd like to play another clip, Your Honor, Page 63, Line 16 to Page 64, Line 5.

MR. MANN: It's not impeaching, Your Honor.

Can we have the last question read back, please.

THE COURT: Yes. That's the last question and answer, please.

(Record read.)

MR. MANN: That was the last question and answer?

THE COURT REPORTER: (Nods head.)

MR. JONNA: Okay. It's all right. We can move on.

BY MR. JONNA:

Q. Mr. Salazar, although you disagree with Cathy Miller, you do agree that she handled everything in a very kind manner that day, don't you, sir?

A. Yes.

Q. After you left Tastries, you went to Starbucks, and Sam posted on Facebook what had happened, correct?

A. Yes.

Q. And after that post, you remember that you

guys -- when I say "you guys," the four of you, people are commenting, offering free makeup and free photography.

You remember that, right?

A. Yes.

Q. And Eileen did her own post on Facebook that day. And your understanding is that she did that in order to get the word out about what happened, and make it go viral; isn't that true?

A. She never said that to me, but she did make the post.

Q. But your understanding, sir -- I'm not asking what she said to you -- is that she did that in order to get the word out about what happened and make it go viral; isn't that true?

A. She didn't say it would go viral --

Q. I'm not asking --

A. -- that she wanted it to go viral.

Q. I'm not asking --

THE COURT: Counsel --

MR. JONNA: Sorry.

THE COURT: -- while he is talking, you have to let him answer the question. Then you can ask another question.

MR. JONNA: My apologies, Your Honor.

THE COURT: Do you wish to restate your answer for me, please.

THE WITNESS: Sure. I said she did not state

that she wanted it to go viral.

MR. JONNA: I'd like to move to strike the response, Your Honor. That wasn't my question.

BY MR. JONNA:

Q. The question was --

THE COURT: I'm going to deny the motion to strike, but go ahead.

BY MR. JONNA:

Q. Your understanding is that she posted on Facebook in order -- to get the word out about what happened and make it go viral?

MR. MANN: Objection. Calls for speculation.

BY MR. JONNA:

Q. You can answer.

THE COURT: Well, it's not speculation as to his understanding.

Overruled on that ground.

THE WITNESS: Can you repeat that, please.

BY MR. JONNA:

Q. Your understanding is that Eileen posted on Facebook in order to get the word out about what happened and make it go viral; isn't that true?

A. She did post it to Facebook.

MR. JONNA: Your Honor, I would like to read 71 -- Page 71, Line 9 to Page 72, Line 14.

MR. MANN: I think the question was on 71, 9 through 18.

MR. JONNA: No. It goes -- it's 72, Line 14.

MR. MANN: Wasn't your question --
Yeah, 8 through 14 on 72 sounds sufficient.
MR. JONNA: Your Honor, is that okay?
THE COURT: Are you talking about 8 through 14 on 72?
MR. JONNA: Whatever the Court would like. I think the whole thing --
THE COURT: I wouldn't like any, but you are going to -- I understand you are going to do it. I agree with Mr. Mann. It seems substantively, it's a --
MR. JONNA: Okay.
THE COURT: -- direct, concise statement of what you're talking about.
MR. JONNA: That's fine. We'll play 72, 8 to 14.
BY MR. JONNA:
Q. You recall, sir, when -- after Sam made his post on Facebook, Whitney Weddell commented on the post asking if she can tell the entire world, and Sam telling her please, do so, and making the post public.
Do you recall that?
MR. MANN: Objection. Hearsay.
THE COURT: Sustained as framed.
BY MR. JONNA:
Q. Do you recall Whitney Weddell commenting on Sam's post?
A. Yes, I believe she did.

Q. Do you remember Whitney Weddell -- do you remember her being interested in making the story public?

MR. MANN: Objection. Lacks foundation.

MR. JONNA: I'm trying to establish the foundation, Your Honor.

THE COURT: I'm going to sustain on that.

I'm not satisfied -- I'm not sure what this witness' knowledge of this is, so I'm ruling foundation.

BY MR. JONNA:

Q. Do you know Whitney Weddell?

A. Yes.

Q. How do you know her?

A. She is -- she was my eighth grade teacher.

Q. Okay. Do you have a specific memory of you and Sam trying to get her -- make her aware of the situation that transpired at Tastries?

A. No, I don't.

MR. JONNA: May I refresh the witness' recollection with an exhibit, Your Honor?

THE COURT: Yes.

MR. JONNA: Do you have a copy -- an extra copy?

BY MR. JONNA:

Q. Could you take a look at Exhibit 35 in the binder in front of you?

A. This one?

THE COURT: Just read it -- you're going to -- there should be two binders there. One should have a tab that says 35.

Take at look at it, read it to yourself or look at it. Don't read it out loud. When you are finished looking at it, look up, and Mr. Jonna will ask you a question.

THE WITNESS: You said 35?

BY MR. JONNA:

Q. Yes.

A. Okay.

Q. Does this document refresh your recollection about Whitney Weddell's involvement the day of this incident at Tastries?

A. Yes.

Q. And what do you remember?

MR. MANN: Can I have that question read back?

THE COURT: "What do you remember?"

MR. MANN: About Tastries or about the document?

THE COURT: Well, the question was: What do you remember?

MR. MANN: Vague.

THE COURT: You want the last two questions or the last -- you want to go back a little further?

MR. MANN: I'll just go vague on the last one, "What do you remember?" Well, if you -- if not,

we can go back two. I just --

THE COURT: Let's go back two questions and answers.

(Record read.)

MR. MANN: That's fine, Your Honor. Thank you.

THE WITNESS: I just remember her commenting on the post.

BY MR. JONNA:

Q. What do you remember her commenting?

MR. MANN: Hearsay, Your Honor. Objection.

THE COURT: Overruled.

THE WITNESS: She wanted -- what it says there, "May I tell the world?"

BY MR. JONNA:

Q. "May I tell the entire F'ing world," right?

A. Yes.

Q. And then --

MR. MANN: Objection. Have it stricken as hearsay.

THE COURT: Well, is this document in evidence?

MR. MANN: No, it's not.

THE COURT: I'll take it subject on motion to strike.

I don't know where this is going, so I'll take it subject on motion to strike.

This testimony is about this witness' memory

of what Whitney Weddell said.

Is there further examination on this point?

MR. JONNA: Not much, Your Honor, no.

THE COURT: Well, when you are finished with it, I will hear comments on it.

BY MR. JONNA:

Q. I'm going to switch subjects right now. You were happy to find out --

THE COURT: Mr. Mann?

MR. MANN: I would like that last question or last answer struck from the record because --

THE COURT: Okay. What's the objection, Counsel?

MR. MANN: Oh, I'm sorry. Hearsay, because he was simply reading the out-of-court statement.

MR. JONNA: No. He was -- it was based on his recollection.

THE COURT: He did say he remembered it, but the objection is hearsay?

MR. MANN: Yes.

THE COURT: Sustained.

BY MR. JONNA:

Q. You, Mr. Salazar, were happy when you learned that Tastries had to shut down their social media pages because of hate mail they received; isn't that a fact?

A. Yes.

Q. And you recall people calling Cathy a bigot, that doesn't like gay people. Don't give them your

money, and people boycotting Tastries.

You remember those things, correct?

A. Yes.

Q. And you don't remember, though, any post on social media threatening violence against Eileen and Mireya, correct?

A. Correct.

Q. You are quite aware, though, that dozens and dozens of threats of violence were leveled at Cathy after your story went public, true?

MR. MANN: Objection. Calls for speculation.

MR. JONNA: I'm asking about what he's aware of.

THE COURT: It's a timing issue.

Overruled.

BY MR. JONNA:

Q. You can answer.

A. Can you repeat that, please.

Q. You are aware that dozens and dozens of threats of violence were leveled at Cathy after your story went public, correct?

MR. MANN: Objection. Vague as to time.

THE COURT: Sustained.

BY MR. JONNA:

Q. After your story went public in the months after -- the weeks, the days after, you were aware that there were dozens and dozens of threats of violence leveled at Cathy; isn't that true?

MR. MANN: Objection. Still vague as to time, but -- and vague as to his story.

What's the foundation?

THE COURT: That's the vagueness part I'm talking about.

Sustained on that.

BY MR. JONNA:

Q. After this incident was made public, after you and -- not you, but Sam and Eileen and Mireya made posts on Facebook, after that story went public, you're aware that there were dozens of threats of violence leveled at Cathy; isn't that true, sir?

A. Yes.

Q. With respect to the wedding ceremony you talked about earlier, you do recall the cake being in the center of the room. It was a white cake with fresh flowers, and you think it was decorated nicely; isn't that true?

A. It was not located in the center of the room.

Q. Okay.

MR. JONNA: I would like to read from 98, 19 to 99, 6. Or just to make this shorter for, Your Honor, 98, 19 to 21.

MR. MANN: I was looking at 96. What's the page again?

MR. JONNA: 98.

THE COURT: 98, 19 to 21.

MR. MANN: Oh, I'm sorry. Yes. All right.

Go ahead.

THE COURT: Go ahead.

(Video played.)

BY MR. JONNA:

Q. And earlier, when you were testifying with Mr. Mann, he asked you, well, what was the centerpiece of the wedding, and you said it was Eileen and Mireya.

That was a question that he told you he was going to ask you today; isn't it, sir?

A. No.

Q. You prepared for that -- you guys prepared for that question, didn't you?

MR. MANN: Objection. Argumentative.

THE COURT: Overruled.

BY MR. JONNA:

Q. Didn't you?

A. No.

Q. Okay. As far as your views on the Christian understanding of marriage, you believe that people who endorse those views are bigots, don't you?

A. Yes.

Q. And you think that they're -- that's hate speech?

A. Yes.

Q. You think that everyone who voted in California to pass Proposition 8 that those people are all bigots; isn't that true?

A. Yes.

Q. People -- any person, even if based on their sincere religious beliefs, if they have a traditional understanding of marriage, they're bigots?

A. Yes.

Q. But you and Sam don't just think Cathy Miller is a bigot, you also think -- to use your own words -- that she's a b-i-t-c-h, and you and Sam call her that when you speak about her; isn't that true?

A. Yes.

Q. And you called her that when you saw her at a bridal show in January 2018, right?

A. Yes.

Q. And you don't think that people can disagree on the nature of marriage and homosexuality and still love LGBT people; isn't that true?

A. Yes.

Q. But you have family members that don't agree with your lifestyle, and they can still love you, right?

A. I don't think so.

Q. That's what you said at your deposition. You're friends with Whitney Weddell. I think you said that earlier, right?

A. Yes.

Q. You see her at gay pride events. You asked for her advice about how to handle this case, correct?

A. Yes.

MR. MANN: Objection.

BY MR. JONNA:

Q. And the DFEH interviewed you in this case, and I think you said the call lasted about 30 minutes initially?

A. More or less.

Q. I'm not going to show you the hateful comments that we looked at during your deposition, but you do remember some of those comments being posted by friends of yours, people you know, like Mary Tibbetts and Matthew Sullivan.

Do you remember that?

A. Yes.

Q. And, in fact, you testified that it is not uncommon for -- to see hateful comments from members of the LGBT community when they -- when they don't like someone who claims to be religious and not in favor of same-sex marriage; isn't that true?

A. Yes.

Q. But despite that, you still don't think it would have been smart to be more careful about what was said on social media to avoid inciting all these people with crazy thoughts, hateful thoughts; isn't that true?

A. I --

Q. You don't regret the way you guys went about your social media posts, you think -- you don't think it would have been smart to be more careful, in light of the fact that you're aware that it's common for people in the LGBT community to react this way to

incidents like this?

A. I wouldn't say it's common.

Q. That was not my question right now.

My question right now is: You don't think it would have been smart to be more careful about what you guys said on social media to avoid inciting the hateful and crazy thoughts and comments from people; isn't that true, sir?

A. I'm just still trying to understand your question.

Q. Do you regret the way you approached this -- these public comments on social media after this incident occurred, in light of all the hateful comments that you've seen?

MR. MANN: Objection. It mischaracterizes testimony. He didn't make a post.

THE COURT: It is a question.

Overruled.

THE WITNESS: I would say no.

BY MR. JONNA:

Q. No, you don't regret it, right?

A. No.

Q. Okay.

MR. JONNA: Let's take a look at Exhibit 559, Page 1. I'm not sure if that's a stipulated one. You want to look first?

THE COURT: I'm sorry. What was the exhibit number again?

MR. JONNA: Page 5 -- Page 559 -- or sorry. Exhibit 559, Page 1.

BY MR. JONNA:

Q. You can pull it up in your binder first, if you'd like.

THE COURT: Has that been received?

MR. JONNA: Not yet.

THE COURT: Okay.

THE WITNESS: I'm sorry. What number was that?

THE COURT: So it would be 559, the exhibit. There should be a tab that says 559.

THE WITNESS: Is this backwards?

MR. JONNA: Are you guys objecting?

MR. MANN: I can't even see who is in this other than Mireya.

THE COURT REPORTER: I'm sorry. Are you guys on the record, because I can't hear both of you?

MR. MANN: Yeah, if we're just whispering --

THE COURT REPORTER: Okay.

THE COURT: So do you have questions of the witness, Counsel?

BY MR. JONNA:

Q. Eileen and Mireya told you that they want to see Cathy's bakery closed; isn't that true?

A. Yes.

Q. And it wouldn't bother you at all to see Tastries shut down. In fact, you would be happy to

read that they were shut down and forced to pay millions of dollars; isn't that true?

A. Yes.

MR. JONNA: No further questions.

THE COURT: Redirect?

REDIRECT EXAMINATION

BY MR. MANN:

Q. And Mr. Jonna asked you about the cake topper. I believe you said that Mireya had ordered one?

A. Yes.

Q. Do you know where she ordered it from?

A. I don't remember where she ordered it from.

Q. Do you know if she ordered it from Tastries?

A. No.

Q. No, you don't know, or no, it wasn't from Tastries?

A. She didn't tell me it was from Tastries.

Q. And was there a cake topper at the wedding on the cake?

A. At the Metro?

Q. Yes.

A. Okay. I don't remember if there was a cake topper. I do remember flowers.

Q. All the social media that Mr. Jonna talked to you about, are people able to make their own posts go viral on social media? Is that your understanding of

how posts go viral?

A. Not themselves.

Q. So if somebody, even if they wanted to, they can't make their own posts go viral?

A. Right. Yes.

Q. He asked you about threats. Were the answers that you were giving, were these threats all on social media?

A. Not to my knowledge.

Q. Were you aware that -- when you -- when he was -- when you were answering questions about it, were the threats that you were talking about social media posts?

A. Yes.

Q. And what do you think when people are making social media posts when they're upset in a situation like this? Do you consider them, like, trolls, or what is your understanding?

MR. JONNA: Objection. Vague. Leading.

THE COURT: Leading sustained.

BY MR. MANN:

Q. Did you see them as threats?

A. Umm --

Q. Let me -- let me strike that.

I think when I asked you, you said -- or did you make any social media posts about Tastries' denial of the cake to the Rodriguez-Del Rios?

A. No.

Q. So all these questions that he was asking were about other people's social media posts?

A. Yes.

Q. And when he asked you about the cake being in the center of the room, what -- I think you testified when I asked you, you said it was in the center of the room for the cake-cutting?

A. Yes.

Q. Was it in the center of the room at any other time?

A. No.

Q. And how long was the cake-cutting?

A. Maybe five to ten minutes.

Q. And how long was the whole reception?

A. I believe the reception was about three to -- maybe three or four hours, something along those lines.

Q. Can we take a look? With the text messages between you and Sam and Mireya and Eileen after you experienced that treatment at Tastries, how would you characterize your texts amongst yourselves?

MR. JONNA: Objection. Overbroad and vague.

THE COURT: Overruled.

THE WITNESS: A lot of -- there's a lot of joking that happens in the text messages overall.

BY MR. MANN:

Q. Was there any attempt to support each other?

A. Yes.

Q. Can you tell me a little bit more about why

you probably felt you needed to support each other?

A. Because we had just went through this experience together, so even though it -- the -- Mireya and Eileen were the ones getting married, we were still part of it, and so we felt -- I guess we felt connected, that we needed to support each other through it.

Q. Did Eileen ever tell you that she wanted her social media post to go viral?

A. No, she didn't.

MR. MANN: Show 111-001, please.

MR. LIMANDRI: What is it?

MS. TANACEA: 111, the Metro Gallery.

MR. MANN: I'm sorry, 141.

THE COURT: Is that one of the documents that's been received?

MR. MANN: Yes.

THE COURT: 141.

MR. MANN: Can we look there -- can we look at 4:15 ceremony. Could you pull that up a little bit? Through the 9:45 last dance.

BY MR. MANN:

Q. Does this help refresh your recollection of how long the ceremony and reception were at the wedding?

A. Yes.

Q. So would you -- do you want to change your estimate of about how long the festivities went on?

A. Yeah, it went on for about six hours.

Q. And I think you just said the cake cutting, where the cake was in the middle, was five or ten minutes?

A. Yeah. Yes.

Q. Mr. Jonna asked you on the day of the tasting, that after she had tried to send -- tried to send Mireya and Eileen to Gimme Some Sugar that they could still stay and taste the cake. Did Eileen respond to that?

A. Yes, she did.

Q. What did she say?

A. She said no. No.

Q. And did you have an understanding of why she didn't want to stay and taste the cakes?

A. Because of what had just happened, she did not want to stay.

MR. MANN: Thank you, Patrick.

THE COURT: Hold on, Counsel.

Exhibit 141 was received in evidence.

Go ahead, Mr. Jonna, your recross.

MR. JONNA: Thank you, Your Honor.

RECROSS EXAMINATION

BY MR. JONNA:

Q. You testified that there is no way you can guarantee a post can go viral, right?

A. Right. Yes.

Q. But, of course, there's things you can do to enhance the chances that it will. You'd agree, correct?

A. Umm --

Q. Tagging people on Facebook, asking people with media contacts like Whitney Weddell to make the story public, those are things that can enhance the chance they can go viral; aren't they?

A. It could.

MR. JONNA: Thank you.

THE COURT: Redirect?

MR. MANN: No.

THE COURT: May this witness be excused?

MR. MANN: Yes.

MR. JONNA: Yes.

THE COURT: You're excused.

THE WITNESS: Thank you.

THE COURT: Thank you. Counsel, we are going to take about a 15-minute recess. 15 minutes. Off the record.

(Recess taken.)

THE COURT: Let's go on the record. Counsel are present. Appearances as previously indicated.

Just for the record, the deposition of transcript of Patrick Salazar was previously lodged during his examination. All right.

Mr. Mann, your next witness.

MR. MANN: Yes, Your Honor. I'd like to call

Eileen Rodriguez-Del Rio.

THE COURT: Stand right there, raise your right hand, and face my courtroom assistant, please.

THE CLERK: Do you solemnly state that the testimony you shall give in the matter will be the truth, the whole truth, and nothing but the truth, so help you God?

THE WITNESS: I do.

THE COURT: You can have a seat. Pull yourself up. Adjust that microphone as you need to.

Could you state and spell your first and last name for the record, please.

THE WITNESS: It's Eileen Rodriguez-Del Rio. E-i-l-e-e-n, R-o-d-r-i-g-u-e-z D-e-l R-i-o.

THE COURT: All right. Mr. Mann?

DIRECT EXAMINATION

BY MR. MANN:

Q. Good afternoon, Eileen.

A. Good afternoon.

Q. You live in Bakersfield, right?

A. Yes.

Q. And how long have you been here?

A. Most of my life.

Q. And who do you live with?

A. My mom and my wife.

Q. Are you close with your mom?

A. Very close.

Q. Has she been supportive of you over the years?

A. Yes.

Q. And what do you do for a living?

A. I am a -- the title is laminator, but I get the parts ready for -- to make medical braces. I work for a medical device company.

Q. Is that here in Bakersfield?

A. Yes.

Q. And what do you like about that job?

A. Knowing that we are helping people. We work with the NFL, and stuff like that, to help players, and we recently made a brace for a deer -- not a deer -- a giraffe because he couldn't walk. So to see the stories that come out from the braces that we make.

Q. Tell me about when you met Mireya.

A. I met her when I was working at BC as a preschool teacher. She was an intern, and we became friends.

Q. And how did that relationship develop over the years?

A. Over the years, we were friends. Every year I would ask her out, and she would say no.

Q. And your experience with your sexuality is different than hers, would you say?

A. Yes.

Q. How would you describe it?

A. I knew at a young age that I was gay, and she

was -- she learned later.

Q. And when did you feel things started to change with her, and it became romantic?

A. 20-plus years later when she finally said yes to going on a date with me.

Q. And when that was?

A. April -- April 3rd of 2015.

Q. April 3rd. What other April 3rd is a special day for you two?

A. When I proposed to her.

Q. Hot air balloon?

A. Yeah.

Q. Tell us about that.

A. So I told her that we were going away for the weekend, and I didn't tell her where. I just told her we are going to Napa Valley. We got there, and I told her, you need to get rest. We got to the hotel late. I told her to get some rest because we have to be at this place at 4:00 in the morning. And she was like, where are we going? I said, it's a surprise.

When we got there it was like a -- it was like an airfield or something, and so the lady that was there played along with me, and was like, oh, we are skydiving today, and she was like, what? She is like, I'm not going. And I was like -- and so we joked around a little bit and then I told her, no, we are going on a hot air balloon, and she's like, what? I've never done that. And so that started our day, but I

didn't tell her what the purpose was for.

Q. And she had testified that the proposal was actually on a love bridge or something?

A. Yeah. Because once we got up into the hot air balloon, I didn't factor -- when I was making the plans for it, they had sent me something saying, if the weather conditions were not permittable, I believe you should have some type of back-up plan for your weekend because it is a distance to go.

And so I started looking at other options if I wasn't able to propose up in the hot air balloon or weren't able to go at all. So I had a back-up plan set up. When we went up in the air balloon, two things were factored. One, I was afraid I going to drop the ring out of there and never find it because we were so high up. And two, I didn't realize that every time we had to go up, they would pull down on the thing, and it was really loud. And then there was like four other couples on there with us. So it wasn't a private hot air balloon. There was a few others in there with us. So I did change the location to a bridge that I discovered called Locks of Love.

Q. And it sounds like it worked out well for you.

A. It did.

Q. We talked a lot about wedding planning, so I don't want to go through that again, but it kind of sounds like you weren't as interested in that as Mireya

was. Is that fair to say?

A. It's fair to say, but also I was out of town at the time a lot.

Q. You were working out of town?

A. Yeah, I was a supervisor for a hazardous waste company.

Q. And once you proposed in April 2016, did -- was there one thing that you were kind of focused on in terms of wedding planning?

A. Well, we were focused on --

Q. What was the first thing you did?

A. When we started planning?

Q. Yeah.

A. We focused on the venue because we know that takes time, and we didn't know what the extent it was going to take to find a venue.

Q. And did you lock down a venue?

A. Yes.

Q. And you remember that was in August 2016?

A. Yes.

Q. So that was well in advance of your October 2017 wedding?

A. Yes.

Q. And Mireya said that you originally planned to get married in October, but you ended up getting married in December; is that correct? I'm sorry. You planned to get married in October 2017, but you got married in December 2016?

A. Correct.

Q. Why is that?

A. I had been talking to her about the end the year, and there was talks -- me and my mom had talked, and my mom was like, well, we better hope that Trump doesn't go in the presidency because you guys might -- they might overturn gay marriage. And I was like, well shoot. I -- you know, I talked to her, and I was like, well, maybe we should get married before he goes into presidency because we will be denied that option.

Q. And was the fear about marriage equality ending?

A. Yes.

Q. You got married in December. Did the living arrangements change at that time?

A. Yes.

Q. How so?

A. Well she became my wife, so we lived together.

Q. And then wedding planning picks up in earnest, fair to say?

A. Repeat that.

Q. Wedding planning picked up for the October reception?

A. Yes, we continued.

Q. So we don't need to go through all that again. Let's just focus on the cake.

You did participate in helping do one

tasting.

Do you remember that?

A. Yes.

Q. And who -- which bakery was that with?

A. Gimme Some Sugar.

Q. Yes. And what -- how did that happen?

A. I went by a bakery and went in and started asking questions. And the lady had said, well you can actually just take six cupcakes, six fillings, six frostings home and try them at your home and not have to do it here. It was $20 -- it cost $20 to pick the flavors, all that. And then you can decide that way.

Q. And did you go ahead and do that?

A. Yes.

Q. And did you have a tasting at your house?

A. Yes.

Q. And what did you -- what did you all think about Gimme Some Sugar?

A. It was too sweet. My mom was like, I -- the frostings were way too sweet for her. So -- and both of our parents are diabetics. We wanted to look for other options because that wasn't even an option at that point.

Q. So how did Tastries come into the picture as a possibility?

A. I was driving home from work, saw a sign, and got in touch with my wife, and said, hey, I saw this bakery on the way home. What are you doing? And she

is like, nothing. I said, I will pick you up so we can go check it out.

Q. Is that what you did?

A. Yes.

Q. And can you tell me about that first experience on August 17th?

A. So we walked into the bakery, and we met the lady at the counter, and I walked up, and said, yeah, we are looking for a wedding cake for our wedding. And she said --

MR. JONNA: Objection. Hearsay.

MR. MANN: Rosemary is an agent --

THE COURT: I'm sorry?

MR. MANN: Rosemary is an agent of one of the Defendants.

MR. JONNA: She's an employee, Your Honor.

THE COURT: That's not automatic. I need foundation.

Sustained.

BY MR. MANN:

Q. So how did it go with Rosemary?

A. It went well.

Q. And what was your understanding of what Rosemary's job was at Tastries?

A. To take my cake order.

Q. And did you have an experience with her where that was going on?

A. Yes.

Q. Did you have conversations back and forth about the cake order you wanted?

A. Yes.

Q. And was Rosemary asking you questions?

A. She asked us --

MR. JONNA: Objection, Your Honor. Hearsay.

THE COURT: Well, I'm going overrule on the questions that are being asked. It is not hearsay.

Overruled.

THE WITNESS: She asked us how many tiers and what type of cake we wanted.

BY MR. MANN:

Q. Did you end up filling out any information about the cake that you wanted?

A. Yeah.

Q. Take a look at Exhibit 11, please. Do you recognize this form, Eileen?

A. Yes.

Q. And did you fill out any of this information?

A. Yes.

Q. Did you sign it at the bottom?

A. I did.

Q. And is that your and Mireya's names on there?

A. It is.

Q. And in the middle, for the event, what did you write?

A. Wedding.

Q. Was there any doubt in your mind that

Rosemary knew you were seeking a cake for your own wedding?

A. No.

Q. And by the end of your conversation with Rosemary, was there any other information she was requesting from you about the cake that you wanted?

A. She wanted to know the flavors, and we weren't sure because we were trying to figure out the best flavors to go with diabetics and people that possibly have nut allergies and stuff like that.

Q. Did you have any conversation with Rosemary about the sweetness of the flavors?

A. Yes.

Q. And what did she tell you about Tastries cakes?

MR. JONNA: Objection, Your Honor. Hearsay.

THE COURT: Could you reread the question for me, please.

(Record read.)

THE COURT: Sustained.

BY MR. MANN:

Q. Rosemary testified that she worked in the front taking orders.

Was that your understanding of what she was doing?

MR. JONNA: Objection, Your Honor. Leading.

THE COURT: Sustained.

BY MR. MANN:

Q. What did you understand from Rosemary about the sweetness of Tastries' cakes?

A. That they weren't as sweet.

Q. Weren't as sweet as what?

A. As other bakeries.

Q. And you had made it -- that was important to you?

A. Yes, because we told her that our -- both our moms were diabetic.

Q. Did you feel that she understood that was important to you?

A. Yes.

Q. From your understanding, was there anything -- any other choices that you needed to select regarding the design of the cake?

A. No.

Q. And did you request that any writing be put on the cake?

A. No.

Q. Did you request to order a cake topper from Tastries?

A. No.

Q. Was it ever your intention of getting a cake topper from Tastries?

A. No.

Q. Did you tell Rosemary that you wanted a cake topper?

A. No.

Q. Can we look again at Exhibit 11, please. We see the event time is 4:00.

Do you see that?

A. Yes.

Q. Do you see above that, Rosemary testified that the circled DEL was -- meant delivery.

Was that your understanding?

A. Yes.

Q. And 2:00 to 3:00 delivery?

A. Yes.

Q. And why did you want it delivered at least an hour before the event started?

A. The Metro Galleries told us anything that was -- needed to be set up, needed to be set up hours before our wedding, that we had X amount of time to get everything set up prior to.

Q. And when you were going in to order, was -- did you want Tastries to be there during your wedding or reception?

A. No.

Q. Was that anything that you requested from Rosemary, that Tastries be there during your ceremony?

A. No.

Q. Take a look at 631, please. Do you recognize that cake?

A. Yes.

Q. And what is that one?

A. That's our cake.

Q. Does that reflect the details that you provided to Rosemary about the cake you wanted from Tastries?

A. Yes.

Q. And did Rosemary -- or did you discuss another cake with Rosemary on the side?

A. Yes. A sheet cake.

Q. Would that have had any writing on it?

A. No.

Q. Would that have had a cake topper?

A. No.

Q. And did Rosemary give you an estimate of the price?

A. Yes.

Q. What was that?

A. I believe it was 260.

Q. And how did that sound?

A. Lovely, considering my wife came home with 400-plus with the other place.

Q. And did you recall that Patrick had offered to pay for the cake?

A. She mentioned it.

Q. And did you two consider it?

A. No. Because we didn't want anybody to be put out for our wedding. We didn't even want our parents to be burdened by something that we were planning.

Q. And how did Rosemary make you feel during this time you were with her?

A. Very comfortable and -- just very comfortable and relaxed. She was laughing with us and carrying on a conversation like she knew us.

Q. Did she joke with you about crashing your wedding?

A. Yes. She said she crashed a lot of weddings. She was known as the wedding crasher.

Q. And did you consider putting down a deposit for the cake that day?

A. We did.

Q. And why didn't you?

A. Rosemary said, well, let's just hold up. Maybe you should taste it first and be 100 percent.

Q. And what happened after that?

A. We agreed, and she signed us up.

Q. Signed you up for the tasting?

A. Yes.

Q. And she had signed you up. There was nothing further that you needed to do to make sure you had the tasting with them?

A. No.

Q. At any time, did she tell you that Tastries didn't provide cakes for lesbian couples?

A. She did not.

Q. Did she show you any design standards or guidelines or rules that said that Tastries would not provide wedding cakes for gay or lesbian couples?

A. She did not.

Q. And do you remember making any purchases at Tastries that first night?

A. I did not, but my wife did.

Q. What did she purchase?

A. She bought a tote with an apple on it.

Q. And how did you feel when you left Tastries that night?

A. We felt good that we were going to be able to check something off the list and get down to the last few things that we needed to worry about.

Q. And when you were in Tastries, were you paying attention to the decor at all?

A. No. I went straight to the counter. I'm all about business. I just started talking about what I needed.

Q. Do you have a recollection of how long the process was with Rosemary?

A. Not really. It wasn't that long, 15 -- 10 to 15 minutes, max. I don't recall us being in there real long.

Q. Long enough to get what you needed done?

A. Yes.

Q. So August 26th rolls around, the day of the tasting. How did things go that day before you got to Tastries?

A. We got up, and we started getting ready. And I had a missed call from Rosemary, and so I asked my wife to call her back because I was still getting

ready, so she did. And Rosemary says, hey, are you guys still coming because there is question marks beside your guys' names. My wife said, yeah, we're coming. We are on our way right now. And so we said, we will be there shortly, and she said okay. And then that was it. We headed that way.

Q. And who was with you?

A. It was me, my wife, and my mother.

Q. And was it important that your mom be with you?

A. Yes.

Q. Why is that?

A. She is my ride or die. She has been -- she's been with me always. Like my mom is my heart. My wife is my heart, but my mom is also my heart.

Q. And what happened when you got to Tastries? Were Patrick and Sam already there?

A. Yes, they were there. So we walked in. Of course, my wife greeted them. Again, I just walked in, ready to do business and get some cake tasting on. And then she came to me and said -- Rosemary apologized and said that her boss was taking over the order.

Q. Mireya said that to you?

A. Yes.

Q. And what happened next?

A. We were -- we were escorted to the back of the bakery, and then this lady -- I didn't know at the time was Cathy Miller -- started asking all the

questions that I had already discussed about the cake and what we wanted, and I was like, why are we talking about this? We already talked to Rosemary about all the needs of that.

Q. And why were you at Tastries that day?

A. Just for the tasting.

Q. And that was to help you pick the flavors?

A. Yes.

Q. And what happened next?

A. She started writing stuff down, saying, oh, well, you want an additional cake. And she started writing prices and jotting stuff down on a piece of paper. And I said again, why are we going through this again when we already had that laid out with Rosemary? And she was like, well, I'm doing it now. And -- and she said, who's -- who's the groom? And one of the guys said Eileen. And then she asked another question that I don't recall. And then she was like -- when she asked that question, I remember saying, whatever my wife wants, she can have.

And at that point, she says, well, I will get this over to Stephanie. I don't condone same-sex marriages. And she started to walk off, and I says, what? And she says, I don't condone same-sex marriages. And then she said she would get it over to that lady Stephanie. And I says, well, why would I continue giving you information and stuff if you are sending me somewhere else?

And she said, well, she can take care of your order. I'm just helping her. And I said, I don't need a middleman. I want to do business with the -- where I'm at. Why would I be sent somewhere else? Why would I need you? And I asked for that paper back, and we left. We didn't taste the cakes because there was no sense. She was not going to even make them for us.

Q. Did she offer to let you still taste the cakes after she tried to send you away?

A. Yeah, she did offer, but again, if she had no intentions of making a cake, why would we even taste it?

Q. And when you got the paper with your information, did you touch Ms. Miller?

A. No.

Q. Did you see Sammy or Patrick or Eileen or your mom -- I'm sorry, or Mireya or your mom touch Ms. Miller?

A. No.

Q. Did Patrick or Sam say anything other than a joke about you being the groom?

MR. JONNA: Objection, hearsay.

THE COURT: Overruled.

THE WITNESS: I remember Patrick saying let's leave. At that point, when she basically said she didn't condone same-sex marriages, I immediately was like what? And so if the guys were talking, I really didn't pay attention.

BY MR. MANN:

Q. What did you understand her to mean when she said she doesn't condone same-sex marriages?

A. I basically felt like, you're a lesbian and I'm not serving you.

Q. When you left, did anybody make a scene, yell, scream, cuss, make a ruckus?

A. No. We just walked out. My mom was with us, and I would never do anything to disrespect my mom. Like my mom -- I was more concerned with my wife and my mom, to get them out of the situation and take them outside. My mom was so upset. To have my mom go through that pain that she was feeling for me and my wife, we just -- I took them out.

Q. Had your mom ever seen something like that happen to you before?

MR. JONNA: Objection. Calls for speculation.

THE COURT: Sustained.

BY MR. MANN:

Q. Had you ever shared anything with your mom that was similar to being denied a product that's available at Tastries?

A. No.

Q. What was your sense of how Eileen was feeling, since you've known her for 20 years? I'm sorry.

How Mireya was feeling since you knew her for

so long, and she was your wife?

A. I was upset, but I was also angry. I was really angry and frustrated because they hurt her, and it's my job to protect her. So when they did that to her and when she was not knowing how to feel or what to do at that time when she walked out and she was like, what's going on? My immediate response was to protect.

Q. What happened next?

A. We went outside. We were standing out in the parking lot. Then we were like, let's just leave this area, and we decided to go meet at Starbucks.

Q. And did you post to social media about your feelings at some point?

A. Yes, I did.

Q. Why did you do that?

A. Because I was angry.

Q. Who were you posting for? Like, who was the intended audience that you were posting to?

A. My family and friends.

Q. What did you -- why did you feel you wanted to reach out to your family and friends?

A. To let them know how we were just treated at a business. All my family supports who I am. And I've never had to hide who I am. So when it happened, I let them know, hey, you know, this is how we were treated, just so you know. This still exists. Discrimination still exists, and it's here in Bakersfield, and it's ugly. So I posted the post.

Q. And did you receive support from family and friends?

A. Yes, I did.

Q. Did that help you get through how you were feeling?

A. Yeah.

Q. At some point later, did you understand that Sammy had posted as well?

A. Yeah, I learned later he did.

Q. Did he ask you or tell you before he posted?

A. No.

Q. Was it your sense that he posted for similar reasons, to get support from family and friends?

A. Yes.

Q. Now, did you -- what happened next after you left Tastries?

A. We went to Starbucks. Well, sorry. Before we went to Starbucks, I had said to my wife, let's go to see where this place she is talking about, because we had -- she had mentioned it, so we drove by Gimme Some Sugar before we went to Starbucks. And I said that's the place that I got the cupcakes from, and then we headed over and met the guys.

Q. So what did the offer to send you to Gimme Some Sugar amount to you for you?

A. Well, it was a place that we had already went to and declined, so I don't know how she felt like she was offering me equal services, when it's not equal.

Every -- the bakeries are different. They are not owned by the same person, so it's not the same cake.

Q. If she would have sent you to a different bakery that you hadn't visited before, would that have been okay?

A. No.

Q. Why is that?

A. Because again, it's not the same bakery. They're -- they're -- if -- if it was a Vons sending me to a Vons, that would be two different bake- -- two types of bakeries making the same type of stuff. They're not the same. They're both different businesses.

Q. And where did you go after Gimme Some Sugar?

A. We met the guys at Starbucks.

Q. And how did that go with the guys?

A. We just sat down and kind of was trying to regroup our thoughts as to what had just transpired. Again, we were like in disbelief, but, like, it was surreal that that just happened. And we were just trying to -- trying to make sense of it.

Q. Did you have any experiences like that with any of the other wedding vendors that you dealt with through the process?

A. No.

Q. You ever have any experience like that from a business here in Bakersfield?

A. What do you mean?

Q. Where you get denied a service because of your sexual orientation?

A. A business?

Q. Yes. Had that ever happened to you before in Bakersfield?

A. Being discriminated against?

Q. Yeah. Well, specifically from a business.

A. No.

Q. What happened after Starbucks?

A. After Starbucks, we still had some running around to do. And so the guys left, and we left, and we proceeded to go to Target, which is where we were heading after everything was supposed to be done.

Q. And what happened when you got to Target?

A. My wife broke down.

Q. Can you explain that for us?

A. We pulled into the stall, and I thought we were going to get out of the car, and then she just -- just broke down. She started crying like I had never seen her before. And I comforted her, and, you know, support -- was trying to be there to support her. But I felt helpless because, like, I can't take that away. She was going through that, and I -- all I could do is be there for her because she was feeling everything right then, and so I just tried to help her.

And then a little bit after that, she got a bloody nose, and we literally had to sit in the car for about 30 minutes because it started out one nostril,

and then it came to the second nostril. And then we -- she -- it was crazy because she literally got sick from that situation.

Q. At some point, did you find that another gay couple had been denied at Tastries that day?

A. Yeah, we found out later.

Q. Had you known that couple before?

A. No.

Q. Take a look at Exhibit 139, please. Is this a post that you saw from that couple?

A. Yes.

Q. Do you see it in the -- well, let's go through it.

"So the fiancé and I are out cake tasting in Bakersfield for our big day, and the lady helping us, (I have another name for her) asks, so this is for the bride and groom? Turning to Adam's mom."

Does that sound familiar to your experience with Ms. Miller?

A. Yes.

Q. And they continue: "No. It says Adam and Ted on the form. When we let her know that it's for us, she quickly without hesitation replied, 'Well, I'm going to transfer your order to Stephanie at Gimme Some Sugar cakes.'"

Does that sound familiar with what happened to you?

A. Yes.

Q. "She stands up walks away, calls Stephanie to transfer us. I think she meant to say refuse service to us and set an appointment. And after she leaves the voicemail for Stephanie, she comes back to update us and says okay I called and left her a message. We can do the design. You're can do the filling. You are welcome to stay and enjoy my cupcakes."

"And you are welcome and enjoy my cupcakes," is that something that sounds familiar to you?

A. Yes.

Q. Can we look at -- back out a little bit. Focus in on the timestamp.

So this is 12:37 p.m. that went up. And was it your recollection that the tasting at Tastries was 12:15?

A. Yes.

Q. Thank you.

We've heard her name a lot. Who is Whitney Weddell?

A. She is the -- she's an advocate for the LGBTQ community.

Q. And did you ever ask her to do social media posts on your behalf?

A. No.

Q. Did she reach out and ask you if she can do posts before she did them?

A. No.

Q. Come back to Ms. Weddell.

Now, after this happened, things calmed down somewhat. Did you end up -- scratch that.

Did you end up doing any interviews that day?

A. No.

Q. And did you end up doing some interviews?

A. Two.

Q. And since those two, have you done any, even throughout this whole four-year -- four and a half year, almost five-year process?

A. No.

Q. And did you do any appearances in person and talk about the denial of service, to talk about your relationship? The PFLAG event?

A. Yes.

Q. And what was discussed at that PFLAG event?

A. How we met.

Q. And are you a member of PFLAG?

A. No.

Q. Have you ever been?

A. No.

Q. Had you been to any meetings before then?

A. No.

Q. Any meetings since?

A. No.

Q. Did your anger and upset and how you felt as a result of the denial by Tastries disappear in a day or two?

A. No.

Q. Now, you did end up meeting with Ms. Weddell or having communications with her, right?

A. Yes.

Q. And did she help you? Provide any information you found helpful?

A. Yes. She answered the questions I asked her and kind of talked to me about some options.

Q. Were you considering pursuing your rights?

A. Yes.

Q. And why did you want to do that?

A. I wanted to do it because I felt my rights were violated, and when I reached out to her, I asked her, who could I talk to that this -- so this didn't happen to anybody else and anybody shouldn't have -- so anybody won't have to feel what me and my wife have experienced and felt.

Q. Did you know what to do on your own to pursue your rights?

A. No.

Q. And what did you do to help to pursue your rights?

A. We went down to the DFEH and filed a complaint.

Q. And did you end up meeting with the DFEH attorneys?

A. Yes, we did.

Q. And did they interview you?

A. Yes, they did.

Q. Describe the process to you?

A. Yes, they did.

Q. And did you consider the DFEH attorneys to be your lawyer?

A. Yes, we did.

Q. Did the DFEH lawyer explain to you that if it went to a civil complaint or -- did they explain to you that the law -- let me scratch that.

Did you get an understanding in working with DFEH lawyers that any complaint would be in the DFEH's name, but it would be filed on your behalf?

A. Yes, we did.

Q. Now, did you see -- or did you go on Tastries -- or make any comments on social media about Tastries, aside from your Facebook posts?

A. I believe I made one other post.

Q. And why did you do that?

A. I believe it was a review, and I gave my opinion as a review.

Q. What was your opinion based on?

A. That they discriminated and treated us unfairly.

Q. What do you think that deserved as a review?

A. If there was negative stars, I would gave them negative stars.

Q. And did you like posts, social media comments to your post on Facebook?

A. Yes.

Q. And why did you do that?

A. Because they were my family members or friends that were supporting how I was feeling when I wrote that post.

Q. Were some of them a little off color?

A. Yes, they were, but I wasn't commenting on the actual post. I was commenting on the people who posted the post.

Q. Did -- do you remember any of them in particular that might have been off color?

A. One of my good friends, Crystal.

Q. What was that post?

A. She said she was going to fly down from Maryland and whip her ass.

Q. Did you have any thought that she would fly in from Maryland?

A. No.

Q. And making any social media posts, were you hoping that they would result in harassment of Tastries?

A. No.

Q. Did you want your posts to lead to any violence against Tastries?

A. No.

Q. Now, after being denied a product or -- before we get there, did Ms. Miller explain to you that there was a problem with your cake design?

A. No.

Q. Did she say anything about the artistry and that's why she was denying your cake?

A. No.

Q. Did she say anything about she didn't want to send a message and that's why she was denying the cake?

A. No.

Q. So after the cake denial, you still have a wedding to plan, right?

A. Yes.

Q. And I don't want to go into it too much. There was a tasting with Tiers of Joy?

A. Yes.

Q. And you ended up deciding to go with Tiers of Joy on a cake?

A. We did.

Q. And you talked about, with Tastries, there would have been a sheet cake, as well as the main cake?

A. Yes.

Q. Did you talk about a sheet cake with Tiers of Joy?

A. We did.

Q. And what did Tiers of Joy suggest?

A. They were talking about doing a new thing called a cake bar, and kind of explained to us the process. And because we were indecisive on the flavors that they presented with us, they said we would get more options if we chose the cake bar. And after tasting the different varieties that they provided for

us, we chose the cake bar.

Q. And can you tell us a little bit about what the cake bar -- obviously, it had more flavors -- of how it would have worked?

A. They basically said they set it up. They put the different types of cakes out. The guests are able to go up to the cake bar, let them know what type of cake they wanted. They could choose their fillings -- or their flavor, and they had the few options of the stuff that they had out there. And it seemed to sound like a really good idea at the time.

Q. Was that anything that you discussed with Tastries?

A. No.

Q. Would you have needed Tastries' personnel to stay at your reception after they delivered the cake?

A. No.

Q. And then your wedding day comes, October 7th. How did that go for you?

A. It went well considering. I thank God that my wife didn't turn into Bridezilla because she had this little agenda, and I was like, oh, Lord. So, I mean, it turned out well.

Q. When you say "agenda," do you mean the page that had everything lined up?

A. Yes.

Q. It sounds like she likes checklists.

A. She does.

Q. And tell us about the ceremony.

A. So the ceremony went well after the wedding. The food -- the food was great, and the -- I mean, everything went according to plan, right down to how she had the schedule. So the reception and everything went without a hitch. It was a pleasant day.

Q. And was the cake -- I might have asked you this -- the cake that you had with Tiers of Joy similar to the one you wanted over at Tastries?

A. Yes.

Q. And aside from the cake cutting, was it ever in the center of the reception area?

A. Not during the reception and stuff because they literally had to walk over to the bar and to the food area to get their food, get their drinks, that had to be an open area. It was off to the side. It was pulled out later when we were going to do the -- at the time of the cake -- at the time that she had for the cake. So it was not around in -- visual, right there within the reception. It was off to the side.

Q. And how long would you estimate that the cake cutting lasted?

A. Not long. We just cut one piece and then opened the cake bar to everybody to go enjoy.

Q. And would you describe the cake as a centerpiece of the reception?

A. No.

Q. Was there any mention of Tastries at your

wedding or reception?

A. No.

Q. I want to look real quick at -- how would you sum up being here finally after almost five years after being denied?

A. It's reopened a lot of stuff that we've tried to push down. At times it does bring the anger back to think that, again, this is happening, and it happened. And then again, having to have my wife once again go through it and, you know, see her struggle through the day. Us getting through the process these past five years, our life -- our life has been a little chaotic with it because we've gone back and forth with this whole situation. It's been a very crazy five years to get where we are today.

Q. If you can get a ruling that confirms that businesses need to treat people equally and provide full and equal service regardless of sexual orientation, would that have been worth it?

A. Yes, it would.

MR. JONNA: Objection. Leading.

THE COURT: Sustained.

MR. MANN: Thank you.

THE COURT: Cross?

MR. JONNA: Yes, Your Honor.

//

//

CROSS-EXAMINATION

BY MR. JONNA:

Q. Good afternoon, Ms. Rodriguez-Del Rio.

A. Afternoon.

Q. You testified that, in fact, after your first meeting at Tastries with Rosemary you felt comfortable with her on that day, the first day, that you guys decided you wanted to get your cake from Tastries Bakery; isn't that true?

A. This is true.

Q. It wasn't the second day that the cake tasting was scheduled, but the first day, correct?

A. Say that again.

Q. It was the first time you went to Tastries, before there was a cake tasting even scheduled, it was on that day that you decided that's where you are getting your wedding cake, correct?

A. Yes.

Q. I think we've already talked about the different bakeries you went to before Tastries, but the bottom line is this: You didn't have any way of knowing if Tastries' cakes tasted similar to the ones that you didn't like at Gimme Some Sugar; isn't that true?

A. No, we did not.

Q. And if Cathy told you that the recipes were similar to Gimme Some Sugar, you wouldn't have wanted them -- you wouldn't have wanted a cake from Tastries;

isn't that also true?

A. Can you repeat the question?

Q. If Cathy Miller told you that her recipes were similar to those at Gimme Some Sugar, you would not have wanted a cake from Tastries, correct?

A. If she told me, or she told me?

Q. If she told you.

A. If she told me?

Q. Yes.

A. No.

Q. If she told you that the cake at Tastries tasted like the cakes at Gimme Some Sugar, you would not have wanted a cake from Tastries, true?

A. Correct.

Q. Thank you. You guys ended up getting the cake that you wanted ultimately for your wedding, right, ma'am?

A. Yes, sir.

Q. You mentioned that Cathy took you to the back of the bakery. That was just the design area where you go over wedding cake design; isn't that true?

A. I'm not sure. They didn't specify that.

Q. Tell us what the back of the bakery looked like.

A. I don't remember because --

Q. It wasn't some dark, scary place, right? It was just part of the bakery?

A. It was the back of the bakery.

Q. Okay. And there were tables there, and --

A. There was a top table, yes, but I don't pay attention to my surroundings. I go straight to where I need to be.

Q. Cake topper with two females, correct, for your wedding cake?

A. Yes, we did.

Q. And it got lost?

A. No.

Q. That's what you said at your deposition.

A. The -- the Etsy one got lost. There was two ordered.

Q. And after Cathy Miller said that she couldn't make the cake because of her religious beliefs, she offered for you guys -- that's when she offered for you guys to stay and continue with the tasting; isn't that correct?

A. She offered us to stay. Yes.

Q. And the cake that you wanted them to make it was a three-tier, round cake. I think we established that, right?

A. Correct.

Q. And the cake had significance to you. The wedding cake had significance to you as part of your wedding celebration; isn't that true?

A. To me personally?

Q. Yes.

A. Yes.

Q. After you left Tastries -- I think we talked about this -- you went to Starbucks, and then you posted on Facebook. And -- let's take a very quick look at your Facebook post. It's Exhibit 553A.

MR. JONNA: Greg, can we show that?

MR. MANN: It is just her posts?

MR. JONNA: Right now I'm going to go through her posts, yes.

MR. MANN: If it's just her posts, yes.

MR. JONNA: Okay. 553A, please.

MR. MANN: 001.

MR. JONNA: Blow up her post. Just her post.

BY MR. JONNA:

Q. This is August 26th, 2017. It says, "With Jessica Camacho and 42 others." When it says that, ma'am, that means that you're tagging those people so that they all see the post, correct?

A. Correct.

Q. Not just that they see it, but everyone on their page sees it. It's not just sharing it on your page, it's sharing it on their page, as well; isn't that true?

A. I do not know that.

Q. Okay. And then you wrote here, "So we go to this bakery a week ago to sign up for tasting" --

MR. LIMANDRI: Slow down.

BY MR. JONNA:

Q. -- "to choose our wedding cake. The owner

met with us today to set up the process. This rude ass person says I will make your order but I don't condone same-sex marriages and will have no part in the process. Oh, but you want to take my order and give it another bakery so that bakery can do it. The rude person is also the owner of the place. She don't condone same-sex marriages so refused to make our wedding cake and set up our order. She wanted all our information to send to another bakery so they could make it."

Do you recognize that, ma'am?

A. Yes, sir.

Q. Is that your post that you posted on Facebook on that day?

A. It is.

Q. Okay.

MR. JONNA: I would like to move that into evidence, Your Honor.

THE COURT: That's Exhibit 553A?

MR. JONNA: Yes.

THE COURT: Be received.

(Whereupon, Defendants' Exhibit 553A was admitted into evidence.)

BY MR. JONNA:

Q. And you wrote that hashtag at the bottom, #mustbeadonaldtrumpsupporter"?

A. Yes. I was mad at the time.

Q. And you don't actually know if President

Trump was in favor of same-sex marriage or not; isn't that true?

A. Again, I was mad at that time.

MR. JONNA: Is there a B as well? A 553B? Can we see that?

MR. MANN: Your Honor, have we settled that regarding the tag?

THE COURT: I just admitted the exhibit. I know I understand your prior comment.

There was a question earlier about redaction. Ms. Tanacea brought it up. And after what I -- after just considering all this testimony, I'm going let the document in. I'm not going to redact.

MS. TANACEA: Your Honor, we don't --

THE COURT: She's explained the comment, so --

MR. JONNA: I also would like Exhibit Part B to go in. Exhibit B shows the timestamp, the one that was made. Can we let that go in, as well, please.

THE COURT: That's part of Exhibit 553?

MR. JONNA: Yes. So A is the post; B is the post with the timestamp showing.

MR. MANN: Yes.

MR. JONNA: Okay? No objection?

MR. MANN: No objection.

THE COURT: So B is being offered. Exhibit 553 is the same post with the timestamp?

MR. JONNA: Yes, Your Honor.

THE COURT: That will be received.

(Whereupon, Defendants' Exhibit No. 553B was admitted into evidence.)

BY MR. JONNA:

Q. Okay. I'd also like to show you Exhibit 553D, and these are the comments on your Facebook post --

MR. MANN: I'm sorry?

MR. JONNA: Yes.

MR. MANN: Go ahead.

MR. JONNA: The Court allowed these already. What's the objection?

THE COURT: You guys -- let's ask questions of the witness. Let's not have any crosstalk.

MR. JONNA: Okay. I'd like to ask the witness questions about Exhibit 553D.

THE COURT: Okay. She has it.

BY MR. JONNA:

Q. If you could take a look at Page 3 of the exhibit, ma'am.

A. I'm looking for it.

Q. Okay.

A. 553D?

Q. D, as in David. Do you have it in front of you?

A. Yes.

Q. If you can go to Page 3, please. These are comments on your post. I'm only going to ask you about

the ones that you specifically liked. I think the one on Page 3 is from your friend that you said, Crystal Kennedy.

Do you see that one?

A. Yes.

Q. That's the one where she said she -- "Don't make me fly from Maryland and whip her ass, too."

Do you see that?

A. Yep.

Q. And you liked that comment, right?

A. I did.

Q. What does it mean, you like the comment? It means you actually have to go out of your way, not just to read the comment, but to press "like" on it; is that true?

A. You click a button.

Q. If you -- also on Page 3, there is also a comment from Whitney Weddell on the very top.

Do you see that?

A. "Bullshit"?

Q. Yes. You see that?

A. Yes.

Q. You liked that comment, as well, correct?

A. Again, I liked many comments but not because of the comment. It was because of the person that I know that was understanding that I was upset.

Q. If you go to Page 23. There is a comment from Sandy Estrada Flores that said, "They need a

blasting."

Do you see that?

A. Yes.

Q. You liked that comment, as well, correct?

A. Again, it's a cousin.

Q. You liked that comment, correct?

A. I did.

Q. If you go to Page 13?

A. So that's backwards?

Q. That's right.

A. Okay.

Q. There is a comment from Ana Zamora that says, "I hope they lose more business for not working with you."

Do you see that?

A. Yes.

Q. You liked that comment, as well, correct?

A. Yes. Again, a friend.

Q. On that same page there is another comment from Enedina Ramos Padilla. "Oh, but you will take my gay money? F you, Tastries Bakery."

Do you see that?

A. Yes.

Q. You liked that comment, as well, correct?

A. Yes.

Q. If you go to Page 38, there is a comment by Saindon John Paul. "I hate wacko ignorant Christians."

Do you see that?

A. Yep.
Q. You liked that one, as well, correct?
A. Yes.
Q. I just have two more. Page 19, please.
A. Which page?
Q. 19. You see there, where it says, "You know what Alex said about this, right?"
And there's a picture of an angry person. And below that it says, WTF. F this shit, s-h-i-t, he's pissed.
Do you see that?
A. With the monkey, yes.
Q. You liked that comment, as well?
A. I did.
Q. And there were a number of comments, that I'm not going to go through, where people are offering free services for you guys. And you recall comments like offers of free services, correct?
A. Yes.
Q. And you also -- Whitney Weddell, not only is your friend, but you also referred the media to talk to her when you got approached by the media. There was specific times where you told them to contact her as your representative.
Do you remember that?
A. I don't recall that, but it's a possibility.
Q. And Whitney Weddell told you to talk to someone from the DFEH; is that true?

A. Yes, it is.

Q. I think earlier today Mr. Mann was talking about how you guys produced documents to the DFEH.

Do you recall that?

A. Yes.

Q. In fact, we were just informed recently that there was a number of documents that you didn't produce to DFEH, that you just found out on the eve of trial, a number of messages on your Facebook that you just gave your lawyers; is that true?

A. They were not -- they were not where I could find them. I'm not completely tech savvy. So when I discussed it with him, and I did find them, I immediately told him so that I would not be accused of hiding stuff.

Q. You remember Whitney Weddell asking to make this -- these posts public and telling the whole world about this.

You recall that, don't you?

A. She didn't do it on my page --

Q. Right.

A. -- but I recall it.

Q. And you know she has lots of media contacts, right?

A. She's very well known, yes.

Q. Yeah. And you wanted her to get the word out, didn't you?

A. That was her choosing, not mine.

Q. But you wanted her to get the word out?
A. That was not my intention.
Q. Let's take a look at Exhibit 555A. 555A.
A. 555A?
THE COURT: Counsel, how much more do you have to go?
MR. JONNA: Probably like ten minutes, Your Honor, but I could try going through it fast.
THE COURT: No. We are going to go ahead and take our evening recess tonight. It's the end of the day.
All right. Let's plan resuming at 9:30 tomorrow. I should be ready to go at 9:30. Report back at 9:30 tomorrow.
THE WITNESS: Yes, sir.
THE COURT: And let's -- there is nothing else I need to talk about. Anything anybody needs to put on the record here?
MR. MANN: I don't think so.
MR. JONNA: The only thing is that there was -- I would like to move those pages into evidence from her own post. I could do that tomorrow morning if you want.
THE COURT: No. Let's do it tomorrow morning.
MR. JONNA: Okay.
THE COURT: Anything else anyone needs to take up before we go off the record?

MR. MANN: No, Your Honor.
MR. JONNA: No, Your Honor.
THE COURT: Okay. We are in recess.

(Whereupon, proceedings adjourned.)

(Volume 6 consists of pages 1201 through page 1372. There are no pages 1373 through page 1500. Volume 7 will start on page 1501.)

STATE OF CALIFORNIA)
) ss.
COUNTY OF KERN)

I, Cynthia R. Pola, hereby certify that I, as Official Reporter Pro Tempore of the Superior Court, County of Kern, do hereby certify that the foregoing transcript in the matter of DFEH vs. CATHY'S CREATIONS, LLC, ET AL.; Case No. BCV-18-102633, July 27, 2022, consisting of pages numbered 1201 through 1372, inclusive, is a complete, true, and correct transcription of the stenographic notes as taken by me in the above-entitled matter.

Dated this 23rd day of June, 2023.

Cynthia R. Pola, CSR No. 11204
Official Reporter Pro Tempore

IN THE COURT OF APPEAL IN THE STATE OF CALIFORNIA

IN AND FOR THE FIFTH APPELLATE DISTRICT

--o0o--

DEPARTMENT OF FAIR EMPLOYMENT, AND HOUSING, AN AGENCY OF THE STATE OF CALIFORNIA, PLAINTIFF/APPELLANT, vs. CATHY'S CREATIONS, INC. D/B/A/ TASTRIES, A CALIFORNIA CORPORATION; AND CATHARINE MILLER, AN INDIVIDUAL, DEFENDANTS/RESPONDENTS.	Volume 7 of 8 Page 1501 - 1688 Case No. BCV-18-102633 Court of Appeal No. F085800 Bakersfield, California July 28, 2022
EILEEN RODRIGUEZ-DEL RIO AND MIREYA RODRIGUEZ-DEL RIO, REAL PARTIES IN INTEREST	

APPEAL TO THE COURT OF APPEAL

FROM THE SUPERIOR COURT OF KERN COUNTY

HONORABLE J. ERIC BRADSHAW, JUDGE; DIVISION J

APPEARANCES:

For the Plaintiff/ Appellant:	Department of Fair Employment And Housing By: GREGORY J. MANN, ESQ. By: KENDRA TANACEA, ESQ. By: SOYEON C. MESINAS, ESQ. 320 West 4th Street, Suite 1000 Los Angeles, California 90013
For the Defendants/ Respondents:	LIMANDRI & JONNA LLP By: CHARLES LIMANDRI, ESQ. By: PAUL M. JONNA, ESQ. By: JEFFREY M. TRISSELL, ESQ. P.O. Box 9120 Rancho Santa Fe, California 92067
Reported By:	Cynthia R. Pola, CSR No. 11204 Official Reporter Pro Tempore

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF KERN

HON. J. ERIC BRADSHAW, JUDGE, DIVISION J

--o0o--

DEPARTMENT OF FAIR EMPLOYMENT, AND HOUSING, AN AGENCY OF THE STATE OF CALIFORNIA, PLAINTIFF, vs. CATHY'S CREATIONS, INC. D/B/A/ TASTRIES, A CALIFORNIA CORPORATION; AND CATHARINE MILLER, AN INDIVIDUAL, DEFENDANTS.	Case No. BCV-18-102633
EILEEN RODRIGUEZ-DEL RIO AND MIREYA RODRIGUEZ-DEL RIO, REAL PARTIES IN INTEREST	Bakersfield, California July 28, 2022

REPORTER'S TRANSCRIPT OF PROCEEDINGS

APPEARANCES:

For the Plaintiff: Department of Fair Employment and Housing
By: GREGORY J. MANN, ESQ.
By: KENDRA TANACEA, ESQ.
By: SOYEON C. MESINAS, ESQ.
320 West 4th Street, Suite 1000
Los Angeles, California 90013

For the Defendants: LIMANDRI & JONNA LLP
By: CHARLES LIMANDRI, ESQ.
By: PAUL M. JONNA, ESQ.
By: JEFFREY M. TRISSELL, ESQ.
P.O. Box 9120
Rancho Santa Fe, California 92067

Reported By: Cynthia R. Pola, CSR No. 11204
Official Reporter Pro Tempore

MASTER INDEX - VOLUME 7 - (Pages 1501 - 1688)

SESSIONS

PAGE

THURSDAY, JULY 28, 2022

MORNING SESSION 1505

AFTERNOON SESSION 1581

MASTER INDEX - VOLUME 7 - (Pages 1501 - 1688)

CHRONOLOGICAL INDEX OF WITNESSES

PLAINTIFF'S WITNESSES: PAGE

EILEEN RODRIGUEZ-DEL RIO (CONTINUED)

CROSS-EXAMINATION BY MR. JONNA 1506
REDIRECT EXAMINATION BY MR. MANN 1520

DEFENDANTS' WITNESSES:

MICHAEL MILLER

DIRECT EXAMINATION BY MR. LIMANDRI 1527
CROSS-EXAMINATION BY MS. TANACEA 1553
REDIRECT EXAMINATION BY MR. LIMANDRI 1577

CATHARINE MILLER

DIRECT EXAMINATION BY MR. LIMANDRI 1588
CROSS-EXAMINATION BY MR. MANN 1650

BAKERSFIELD, CALIFORNIA; THURSDAY, JULY 28, 2022

MORNING SESSION

HON. J. ERIC BRADSHAW, JUDGE; DIVISION J

--oOo--

(Whereupon, the following takes place in open court.

THE CLERK: Joint Exhibit 700A marked for identification. Joint Exhibit 700B marked for identification.

THE COURT: With respect to 700A and 700B, Counsel, these are the discovery -- looks like requests and responses submitted by the Plaintiff as part of this case in chief; is that correct?

MS. TANACEA: That's correct, Your Honor.

MR. JONNA: Your Honor, before we start the examination, can we also move into evidence Exhibit 553D, the pages I used. I can read them into the record.

THE COURT: Let's see. Why don't you go ahead and make your record, Mr. Jonna.

You're offering which exhibit?

MR. JONNA: Exhibit 553D, Pages 3, 13, 19, 23, and 29.

THE COURT: Those were the specific pages you referred to?

MR. JONNA: Yes, Your Honor, and 38.

Page 38, as well.

THE COURT: All right. Those will be received.

All right. Ms. Rodriguez-Del Rio appears to be seated and comfortable today.

Make sure you speak clearly into that microphone.

Mr. Jonna, your cross-examination.

MR. JONNA: Thank you, Your Honor.

CROSS-EXAMINATION

BY MR. JONNA:

Q. Good morning, Ms. Rodriguez-Del Rio.

A. Good morning.

Q. I want to take a look with you really quick at Exhibit 553D, Page 3.

MR. JONNA: If you could please publish that. Please start with the first one.

BY MR. JONNA:

Q. There at the top, Ms. Rodriguez-Del Rio, you said on your -- on a comment on your own Facebook post:

"We already picked everything out. All we had to do is taste. She took over the process and told us she does not support the gays in any way."

Do you see that, ma'am?

A. Yes.

Q. You wrote that, right?

A. Yes, I did.

Q. But, in fact, Cathy Miller never told you that she did not support the gays in any way; isn't that true?

A. That's the message I got from her.

Q. But she never said that to you; isn't that a fact?

A. Not her words. My words.

Q. Right. So you wrote something on there that is not true?

A. I wrote what I felt.

Q. Right. You also -- if you scroll down to the next few comments -- then in response to your post we have Whitney Weddell again.

You see that? I'm not going to read that into the record, but do you see that?

Do you see that, ma'am?

A. Yes, I see it.

Q. Underneath that you have another comment, another one that you liked that suggested she should run and that -- someone threatening, again, violence toward Cathy Miller.

Do you see that?

A. Again, I liked the comment -- I liked the person that did because it's a friend. I didn't like the comment.

Q. Right. Take a look, please, at Exhibit 555A.

MR. JONNA: Would you please blow up the text

there? Actually, I'm sorry. Can you go back to 553D, Page 7. If you'd blow up this one right here.

BY MR. JONNA:

Q. This is the same post that you made on Facebook. And, again, you have another comment here from Ms. Weddell telling you and everyone on that page, "Make sure you give them a rating on their Facebook page."

Do you see that?

A. Yes.

Q. Okay. And you liked that comment, too, right?

A. I liked most of my comments because they were from my friends. Not for what they said, but for what they were there to support me and understand what I was feeling.

Q. Right.

MR. JONNA: If you can pull up 55A-001. Blow up the text.

BY MR. JONNA:

Q. Now, Ms. Rodriguez-Del Rio, this is a review that you gave right after you left the bakery, and in this review on Facebook, posted for the whole world to see, "Because the owner is a bigot and hates lesbians and gays and refuses service to them. Apparently gay and lesbian money looks different and spends different. She must be a Trump supporter."

You agree, ma'am, that you actually have no

idea if what you wrote is true, that she hates lesbians and gays; isn't that true?

A. I wrote how I felt at the time.

Q. But you have no idea if what you wrote is, in fact, true; isn't that a fact?

A. No. That's what she made me feel.

Q. And you actually don't regret writing that, do you?

A. No, because I was angry, and she made me feel that way when I left that place.

Q. In fact, you continue to think she is a bigot, don't you?

A. Yes.

Q. After you made your post on social media, you remember seeing several posts -- we looked at a few -- that threatened violence against Cathy Miller; isn't that right?

A. Yes.

Q. And you don't remember seeing anyone post anything threatening violence against you or your wife, right?

A. I was threatened.

Q. With physical violence?

A. I didn't read all the comments. I had to turn off my social media and not be on it because of it. I had to take off my Facebook Messenger at times because I was attacked, as well.

Q. So I'm just asking for a --

A. I'm answering the question. I'm sorry.

Q. Just "yes" or "no." Do you remember seeing posts threatening physical violence against you or your wife?

A. Me, not my wife.

Q. You remember seeing posts that threatened physical violence against you?

A. Yes.

Q. We will just play a clip from your deposition, Page 99, 21 to 24.

THE COURT: What was the page again? Page 99, Lines 21 to 24.

Okay. Go ahead.

THE CLERK: Deposition as to Eileen Rodriguez-Del Rio being lodged, taken on July 29, 2021, at 9:00 a.m. -- at 9:08 a.m.

MR. JONNA: Do you have an objection to playing the clip?

MR. MANN: You are going to play that one? Yeah, we have an objection.

THE COURT: What's the objection?

MR. MANN: It's not impeachment.

THE COURT: Overruled.

Go ahead.

(Video played.)

MR. JONNA: Your Honor, I would like to move into evidence Exhibit 555A, Eileen Rodriguez-Del Rio's Facebook review of Tastries Bakery.

THE COURT: We've received Exhibit 555A as received.

(Whereupon, Defendants' Exhibit 555A was received into evidence.)

BY MR. JONNA:

Q. After seeing the hateful comments on social media, you don't, in fact, regret any of the posts you made after you left Tastries; isn't that true, ma'am?

A. I can't do anything about what other people post after the fact.

Q. Right. I'm asking a specific question.

You don't regret making any of the posts that you made on social media even after seeing all the hateful comments; isn't that true?

A. Repeat the question.

Q. You don't regret making any of the posts that you made on social media about Tastries Bakery, true?

A. True. I was angry at the time.

Q. Okay. But let's take a look at Exhibit 568.

MR. JONNA: Do you have any objection to publishing this?

(Sotto voce.)

BY MR. JONNA:

Q. I'd like to show you Exhibit 568. You can look at this in your binder for now.

Now, this is a post -- this is another post that you made on social media on August 31st, 2017 for the Bakersfield -- the Bakersfield newspaper shares a

story about the incident, and you posted on your Facebook, "Here's the story. Here's our side of the story." And you tagged -- you actually typed the names of 87 people that you tagged on this post.

Do you see that?

A. Yes.

Q. This is your post, correct?

A. Correct.

Q. And you tagged these people, right?

A. Yes. They are friends and family that wanted to know the story, and that was me letting them know.

Q. Right. I'd like to move Exhibit 568 into evidence, as well, Your Honor.

MR. MANN: Your Honor, he only showed and asked about the first page.

MR. JONNA: Well, the number of people that were tagged was on the second page.

THE COURT: So the whole exhibit, right? i mean --

MR. JONNA: Yes.

THE COURT: -- it's a two-page exhibit.

MR. JONNA: Again, this a post that Eileen Rodriguez-Del Rio wrote on her Facebook page.

MR. MANN: Your Honor, we have an objection to the foundation. We don't understand what that black box on the side, where that came from.

THE COURT: Foundation, Counsel.

MR. JONNA: The witness has explained that

she typed the names of those people and tagged them all on her Facebook.

THE COURT: I don't know how this works. Counsel, you are going to have to have the witness explain that because you're not testifying.

MR JONNA: Sure.

BY MR. JONNA:

Q. So Ms. Rodriguez-Del Rio, you shared this article on Facebook, correct?

A. I shared it. I didn't write the story. All I did was post what the Bakersfield Californian wrote, and I tagged my family and friends because people were reaching out to us, asking us. So when I tagged my family and friends, it was so they can click on the link and read the article because many people don't get the Bakersfield Californian.

Q. Can you please explain for the Court what it means to tag family and friends on a Facebook post? What does that mean?

A. It means that it goes to their Facebook, and they're able to click on the link and read the story.

Q. And you had to type the names of every single person here who are your friends on Facebook, and this box reflects the people that you typed in and tagged on this post; is that true?

A. Incorrect. I tagged -- I hit a button that will just tag everyone that's my friend, and then you just hit another button. I don't individually go, this

person, this person, this person. I just tagged.

Q. So you tagged everybody that is a friend of yours on Facebook?

A. I just clicked all my friends.

Q. And this box reflects who those people are?

A. Yes. Friends and family only.

MR. JONNA: Your Honor, I'd like to move this into evidence.

MR. MANN: No objection.

THE COURT: Be received.

(Whereupon, Defendants' Exhibit No. 568 was admitted into evidence.)

BY MR. JONNA:

Q. You did say, though, at your deposition that you regret not turning the comment feature off on your social media, correct?

A. At the time I didn't know how. I'm not tech savvy.

Q. Right. I just asking you if you regret not turning the comment feature off.

A. I'm answering, yes. I didn't know how.

Q. And you also believe, Ms. Rodriguez-Del Rio, that Cathy discriminated against you because of your sexual orientation. That's what you're saying in this case, right?

A. Yes.

Q. But, in fact, if you look at your Facebook post, you refer to the fact that you were allegedly

discriminated against because the owner doesn't condone same-sex marriage. You said that twice on your post.

Do you remember that?

A. Yes.

Q. You didn't say it had anything to do with sexual orientation, you said same-sex marriage.

A. To me, it is the same thing.

Q. Okay. You also testified that you wouldn't even have gone to Tastries if you knew that Cathy Miller was a devout Christian; isn't that true?

A. Yes.

Q. At your wedding -- we've heard testimony on this, but to confirm -- you had a cake bar where people had to pick different flavors, and you had the cake decorator, Jessica Criollo, actually there serving the cake so people can pick whatever they want; isn't that true?

A. True.

Q. That's exactly what you wanted Rosemary with Tastries to do, cut the cake for you at your wedding?

A. False. She offered.

Q. And you wanted her to do that, didn't you?

A. She wanted to crash our wedding. That was what she wanted.

Q. And you were happy to have her there, weren't you?

A. We -- because of the nice person that we thought she was, yes, we invited her to our wedding,

and she offered to cut it and stick around.

Q. So --

A. We didn't ask her.

Q. So it was just a coincidence that two different bakers just offer to show up at your wedding? That's a coincidence?

A. No. Jessica offered because of the cake bar, that there needed to be people there to hand it out.

Q. Okay. And the cake -- we talked about this, but just to confirm, the top layer was cake, the next two layers were not cake?

A. Correct.

Q. And you liked the cake. The cake was good. You were happy with the cake. It was the cake you wanted, right?

A. Yes.

Q. In fact, some ways it was even better; you had a dessert bar?

A. Yeah.

Q. I'm not going to show you pictures of all the elaborate cakes --

THE COURT REPORTER: I'm sorry. Can you please slow down.

BY MR. JONNA:

Q. You were here in court when we showed some pictures of those cakes?

Do you remember that?

A. Yes.

Q. And at your deposition, we looked at a lot of pictures of cakes and you thought that -- a lot of witnesses testified that those are artistic in nature, but you don't share that opinion; isn't that true?

A. That's true.

Q. You think you can make those elaborate cakes yourself if you tried hard enough, right?

A. I didn't say I can make them. I said I would take time to learn how to make them, but I didn't think that they were artistic.

Q. Right. Even that seven-layer cake we looked at, you think, with all the gold that Mr. Mann described, that's a cake you could -- if you practice hard enough, you can make that cake; isn't that true, ma'am?

A. Over time, I can do anything.

Q. Okay. But you do admit you are not a cake maker, which is why you ordered a cake, you didn't make your own cake for your wedding --

THE COURT REPORTER: I'm sorry, Mr. Jonna, can you please slow down?

MR. JONNA: Sure. I'm sorry about that.

BY MR. JONNA:

Q. You prefer to buy cakes from someone who knows how to make them; isn't that true, ma'am?

A. Yes.

Q. You also agree that you shouldn't be forced to be part of an event that you don't agree with,

correct?

It's a yes-or-no question.

A. Yes.

Q. And if you, Ms. Rodriguez-Del Rio, were an artist and you were asked to draw an inappropriate sexual body part, you said you'd find that unacceptable, didn't you?

A. I believe I said it depended, in my testimony, but I don't recall at this time how I responded.

Q. Well, what's your testimony today?

A. You're asking me if I was an artist?

Q. Yes.

MR. MANN: Objection. Irrelevant.

MR. JONNA: She answered the question at her deposition.

MR. MANN: Oh, I withdraw the objection, Your Honor.

THE COURT: Okay. You want to reask the question so we have a complete question and answer.

BY MR. JONNA:

Q. If you were an artist asked to draw an inappropriate sexual body part, you would find that unacceptable, true?

A. If I was a tattoo artist, not a problem.

Q. But any other type of artist?

A. Depends.

Q. Okay. Save everybody the hassle of hearing

you say that you find that unacceptable. You are perfectly fine making a Christian artist draw a Satanic picture, aren't you?

A. I'm perfectly fine with a business.

Q. It's a yes-or-no question, ma'am.

A. It's not a yes-or-no question.

Q. You think that a Christian artist should be forced to draw Satanic art, true?

A. I think if they're in business, they should provide the service.

Q. So they should be forced to draw Satanic art, correct?

A. They should be providing a service.

Q. And if that service included drawing Satanic art, they should do that, as well?

A. True.

Q. And even pornographic art. Cathy Miller should be forced to draw pornographic art if she is in business; isn't that true, ma'am?

MR. MANN: Objection. Argumentative, Your Honor.

THE COURT: Overruled.

THE WITNESS: Again, if she's in business and they're requesting -- I don't believe she is the one drawing it. I think she has employees that provide the service, so it is not necessarily her back there doing it. So it is not going against her Christian beliefs.

BY MR. JONNA:

Q. That was not my question, ma'am. Whether it is her or her employees, their bakery -- if someone wants pornographic art, your opinion is that their bakery should draw the pornographic art, as well, true?

A. True. I believe a business should provide services.

MR. JONNA: No further questions.

THE COURT: Mr. Mann. Further direct?

MR. MANN: Yes.

REDIRECT EXAMINATION

BY MR. MANN:

Q. Good morning, Eileen.

A. Good morning.

Q. Mr. Jonna just asked you, if you're an artist and whether you would want to draw a nude body part.

Do you remember that?

A. Yes.

Q. Would your decision of whether you'd want to do that be based on the sexual orientation of the person who wanted you to draw that?

A. No.

Q. Would you have the same rule regarding body parts for anybody who asked you to draw it?

A. Yes.

Q. And with this whole line of questions -- hypotheticals, if you were an artist, were any of your answers based on making a decision based on the sexual

orientation of the person asking for the service?

A. No, they were not.

Q. Would you expect that you would treat whoever asked the same with regards to what they asked?

A. Yes.

Q. Now, yesterday Mr. Jonna asked you -- let me just read it.

"If Cathy told you the recipes were similar to Gimme Some Sugar, would you have wanted them?" You would not have wanted a cake from Tastries.

Did Cathy tell you that?

A. I don't remember her telling us that, no.

Q. And what did -- did Rosemary tell you anything about that?

A. Rosemary did tell us that the cakes weren't as sweet.

Q. Mr. Jonna asked about a cake topper.

Did you and Mireya have a cake topper at home?

A. We did.

Q. And did you use it on the cake or the cake bar?

A. We did not.

Q. And were you planning to use that if you would have gotten a cake from Tastries?

A. If we were going to use it, it would have been when we were setting up at the reception, but we were still undecided. We weren't going to use it and

give it to them to place on the cake.

Q. What was your recollection of when the cake was going to be delivered, based on your Tastries order form?

A. It was going to be delivered a few hours before everything was taking place, and that's when we were getting everything set up, the tables, and dealing with the decor people that came in to get the tables ready and all that stuff.

Q. Now, Mr. Jonna just spent a lot of time going over social media comments that you liked.

Do you remember that?

A. Yes.

Q. Did those likes to other people's comments on social media occur before or after Tastries denied the -- to accept your wedding cake order?

A. Those comments that they made?

Q. The likes that you made on the comments, was that before or after Cathy declined to take your order?

A. Well, the post was after she declined us, so the likes came sometime after.

Q. So is it possible that if -- scratch that.

And Ms. Miller didn't tell you that she was denying your wedding cake because of your social media posts that had not occurred yet?

MR. JONNA: Objection. Leading.

THE COURT: Sustained.

BY MR. MANN:

Q. Did Ms. Miller tell you she was denying your wedding cake order because of your social media posts?

MR. JONNA: Objection. Leading.

THE COURT: Overruled.

THE WITNESS: No. No. She did not.

BY MR. MANN:

Q. Did Cathy Miller tell you she was sending your order to Stephanie at Gimme Some Sugar because the design and decoration of your cake violated Tastries' design standards?

A. No.

Q. Did any of the people in the comments that you liked tell you in advance that they were posting those?

A. They did not.

Q. Mr. Jonna kind of cut you off, but did you receive any social media hate and harassment after Tastries declined to take your wedding cake order?

A. I did.

Q. Please tell us about some of it.

A. They -- it was a lot of men mainly, but they were saying ugly things.

MR. JONNA: Objection. Hearsay, Your Honor.

THE COURT: Mr. Mann.

MR. MANN: Not offered for the truth, Your Honor. It is offered for affect on the witness.

THE COURT: How is the affect of the witness relevant?

MR. MANN: For the same reason that it's relevant for Ms. Miller and Tastries. Also emotional distress.

THE COURT: Can you articulate --

MR. JONNA: Emotional distress? That's not at issue.

MS. TANACEA: It --

THE COURT: Hold it.

MR. JONNA: Sorry.

THE COURT: Mr. Mann, I think you have the floor here. Nobody else does.

MR. MANN: Thank you, Your Honor.

THE COURT: So explain the relevance.

MR. MANN: It explains her state of mind when she was making her own social media posts and how the discrimination was affecting her emotions.

THE COURT: Okay. For that purpose, it will be received.

Overruled.

BY MR. MANN:

Q. You can continue answering that.

A. So I was getting threats that they were going to come and break into the house and violently rape the people inside, and do things to us, and show us what real men are, and stuff like that. I didn't go beyond some of them because my mom told me to -- like I said, to him -- somehow get away from it and stop looking at all the messages because it was affecting my rheumatoid

arthritis at the time. And when I get really stressed out, I can't get out of bed, if I get stressed out. So I literally had to stop looking at social media for a while.

Q. Can you take a look at 671, please.

MR. MANN: Zoom in on it.

BY MR. MANN:

Q. You see this article here?

A. Yes.

Q. Is this representative of some of the hate and defamatory statements that were made by people against you and Mireya?

A. Yes. And that's Christian news.

Q. Are you religious yourself?

A. I'm Catholic.

Q. Do you blame Cathy Miller for receiving harassment from the people you just explained?

A. No.

Q. Do you blame Cathy Miller for the defamatory articles that we just saw up there?

A. No. She can't control what other people do.

Q. Do you blame any of the attorneys in this case for making claims that you and Mireya were shopping for a lawsuit?

MR. JONNA: Objection. Relevance, Your Honor.

THE COURT: Sustained.

BY MR. MANN:

Q. There's a lot of talk about social media posts that happened after the denial, a lot of talk about Whitney Weddell --

THE COURT: Just a question, please, Counsel. Let's get right to a question.

BY MR. MANN:

Q. What was your understanding of why Tastries denied you the wedding cakes after inviting you back for a tasting?

MR. JONNA: Objection. Asked and answered, Your Honor.

THE COURT: Sustained.

MR. MANN: All right. That's it.

THE COURT: Recross?

MR. JONNA: No further questions, Your Honor.

THE COURT: All right. You can step down.

THE WITNESS: Thank you.

THE COURT: Mr. Mann, your next witness.

MR. MANN: We are done, Your Honor.

THE COURT: Plaintiff rests?

MR. MANN: Just want to make sure that we've done all the --

THE COURT: We can -- you can say rest subject to admitting whatever documents that you have laid foundation for. If you want to do that, I'm fine with that, but as far as witnesses, you're resting; is that right?

MR. MANN: Yes, Your Honor.

THE COURT: Okay. All right. Mr. LiMandri, your first witness, please. Actually, it would be your second witness.

MR. LIMANDRI: Correct, Your Honor. Thank you.

At this time the defense would like to call Michael Miller to the stand, please.

THE CLERK: Do you solemnly state that the testimony you shall give in this matter shall be the truth, the whole truth, and nothing but the truth, so help you God?

THE WITNESS: I do.

THE COURT: If you could pull yourself up to that microphone and speak clearly into the microphone.

Will you state and spell your first and last name for the record, please.

THE WITNESS: Michael Miller. M-i-c-h-a-e-l, M-i-l-l-e-r.

THE COURT: Mr. LiMandri, your witness.

MR. LIMANDRI: Thank you, Your Honor.

DIRECT EXAMINATION

BY MR. LIMANDRI:

Q. Good morning, Michael.

A. Good morning.

Q. Can you tell us where you grew up?

A. I grew up in Bakersfield. I first moved to Bakersfield when I was seven.

Q. Can you tell us how you met your wife, Cathy Miller?

A. I met her at church. I actually was a youth director at First Presbyterian Church, and she was a senior when she first came to the youth group. So I met her then, but we didn't date then. We dated a year later when I no longer was the youth director there.

Q. And so how long after you met were you married?

A. About two years.

Q. And how long have you been married?

A. 42 years.

Q. Can you tell us, please, a little bit about your educational background.

A. I have a bachelor's degree in accounting and a master's degree in finance, all at Cal State Bakersfield.

Q. Can you please tell us a little bit about your employment background.

A. So after working at the church, my first professional job was to work for a CPA here in town. I did that for about a year, and then I went to work for Occidental Petroleum, mostly and eventually involved in business development. And following that, I had worked for two renewable energy companies, one GE Renewable Energy and the other Clipper Wind Power.

Q. What type of works did you do for those renewable energy companies?

A. Also involved in business development, buying and selling projects in various communities, cities, states.

Q. Did you do any regulatory assessment-type work?

A. Yeah, it was an important part of the job, to understand the environment that each project was in. Its requirements were both obviously federal, but state and local.

Q. At some point did you retire from that work?

A. I did. And at the end of 2012, Clipper Wind Power disbanded, and so I didn't have any further opportunity there, and it seemed like a good time to make a change in life.

Q. How about your wife, Cathy Miller? What type of work had she been doing up to that time?

A. Mostly education. That's been her primary, kind of, W-2 income, but she's always had a lot of projects and event planning and artistic flower arrangements and other types of, kind of, self-employment.

Q. In 2012, did you know she decided to launch a new career?

A. Yes. Her time ended at Orangewood Elementary, and so we were both finding ourselves at a crossroads, an opportunity to move in a new direction, so we both started a new focus on our own business. I was going to do consulting for small businesses. She

was going to expand her event planning. That, though, shortly led to an opportunity to buy a bakery, which she thought would be a good supplement to the event planning business.

Q. Great. And what bakery was that that she bought?

A. She didn't buy the bakery, per se. She bought the assets of a bakery to take over.

Q. Did you help her set up her new business in terms of the corporation documents and such?

A. I did. It kind of fit with what I was going to be doing as a small business consultant, so I took over those kinds of responsibilities.

Q. Did you help her with the investments that needed to be made to start the new business?

A. Yes. The full investment for the business came from our own resources. We didn't have any outside financing.

Q. Was the business organized in such a way as -- well, who was the owner of the business?

A. Cathy was, and always has been, 100 percent owner of the business. It was an S corp, as is my consulting business.

Q. What was the growth like in the early years, starting around 2013, at Cathy's bakery business?

A. Yeah, the growth was very fast. I think the former business had around 85,000 a year in revenue. Two years later we were close to a half a million

coming off that same base, so it grew very quickly.

Q. What was your official title, if you had one, with the company at the time?

A. Well, for the first number of years I worked as an independent contractor for the business, but then later, as a W-2 employee, in both aspects I called myself the business advisor.

Q. What type of work did that involve as a business advisor for Tastries Bakery?

A. I kept the books. I did all the filing for permits. I did the tax returns. You know, all the -- most of the HR assessments. The handbook, I did the drafting; Cathy ultimately approved it. But we were both involved together in that. I did a lot of HR kind of oversight. Aside from the business aspects, I helped with gathering inventory and some deliveries.

Q. Did you do any employee training?

A. I did, yes, that's right. I also set up point-of-sale system. Actually, we did that a couple of times over the years, and so I set it up and did the training on that.

Q. Did you do any work in those early years with actual customer interactions, such as tastings of bakery products?

A. Yes. In the beginning, I helped with the cake tastings, which typically were on a weekend. And they were pretty large, so we would have anywhere from 15 to 20, and sometimes even more, participating, and

it was a lot of activity, so I helped out. I didn't really do any design work or help them perfect the order, but I would get them ready so when they met with Cathy they were prepared, they knew what they were looking for, they knew what to talk to Cathy about.

Q. Did you help Cathy with any of the regulatory assessment-type work that you had done with prior employers?

A. Can you repeat the question?

Q. Sure. Did you do any regulatory assessment work for Tastries?

A. Well, yes. We looked at all the regulations that we could think of that would apply to us, health and other business applications that we had to. But we also looked at the Unruh Act. Really, at the very beginning we looked at the Unruh Act to understand how she could run her business then, and then over time we actually looked at it a few other times.

Q. Did you have conversations with your wife Cathy about various regulatory issues from the very beginning of Tastries?

A. I did. So whatever permits she required, we went over those. And as I said, with Unruh we talked about how she would be needing to respond to that.

Q. Okay. Before the issue of same-sex marriage became an issue around 2000 -- I guess, '15, did you talk to Cathy Miller about the Unruh Act in other respects?

A. Yeah. From the very beginning, we had standards. Those evolved as we got to know the business and what customers would be asking us for, but from the beginning we were -- she was not prepared to do orders that had sexual content or promoted intoxication or drug use, or Satanic symbols, so we always had certain standards that we knew we would not do. And in those cases they wouldn't be done for anyone. And in reading Unruh, that seemed to be consistent, that we could offer or set those standards in place.

Q. What was your understanding in reading Unruh and advising Cathy in terms of setting those types of standards?

A. That under 51(c), if we have a common -- if we have a product that we just don't provide or a service that we don't provide to anyone, then we would be allowed to not provide it for anyone.

Q. Okay. Did you have any understanding as to whether or not there were other laws that you could look at that that would allow you to provide services or not provide services?

A. I'm sorry. Can you repeat that?

Q. Did you look at any part of the Unruh Act that said other laws could possibly affect how you would offer or not offer a service?

A. Well, in 2015, when the same-sex marriage was allowed, we took another look at Unruh because Cathy

knew that that was a service that she did not want to have to provide. She only wanted to provide for marriage between a man and a woman.

And so we took another look at Unruh to see if that, you know, was going to create an issue, and it was my determination that she didn't give up her First Amendment rights by going into business, so those were still applicable. They were still superior, in my view, to Unruh, and Unruh itself in 51(c) does allow for other laws to conform Unruh, and I felt that the First Amendment, these constitutional rights, would certainly be part of that.

Q. And --

MS. TANACEA: I just want to object to the extent that it's expert witnesses' lay opinion --

THE COURT: Yeah, this is -- I'm sorry. Go ahead.

MS. TANACEA: Yes. I'm -- the testimony will stand, but not in an expert capacity.

THE COURT: Right. I am taking this as his understanding. That's all.

MR. LIMANDRI: Thank you, Your Honor.

BY MR. LIMANDRI:

Q. Did you express your understanding to Cathy Miller?

A. Yes, I did. We had a conversation about it.

Q. Okay. What was her response?

A. So I was telling her that I felt that she

would be able to operate in the way that she intended with regard to providing for marriage between a man and a woman but not for same-sex marriage requests. I did -- we did talk about one other aspect and that it would be important that the couple seeking a same-sex marriage cake or product would still have to be able to have access to service that's full and equal. But our understanding, our assessment of the market, is that there was plenty of options for that, as well.

Q. Okay. Around that time, did you experience a situation where there -- you became aware that a same-sex couple had purchased a wedding cake at Tastries Bakery?

A. Yes, that was in 2016. I delivered the cake. We had no knowledge that it was for a same-sex wedding until I delivered it. It was for two men. It was a square, I think, three-tier cake.

Q. All right. And what happened after that? Did you talk to Cathy about the situation?

A. Yes. I told her that it happened, and you know, she -- so she felt like we are going to need to do something to be prepared, you know, because this is going to continue to come, and she -- we began to think about how we could manage this going forward.

Q. Okay. And did the situation occur again shortly thereafter?

A. It did. A couple came in and wanted to order a same-sex -- another male couple came in and wanted to

order a same-sex wedding cake, and Cathy worked with them. You know, we were still in the informative stages of determining our policy on this, and so she ended up taking the order, not sure just how she was yet going to deal with this issue fully. And once she took the order, she really felt conflicted in her spirit regarding having to do this, so that led her to go talk to Stephanie and that led ultimately to our accomodation policy that we had.

Q. Okay. This second same-sex couple that came in, do you know how it is they learned about Tastries?

A. It's my understanding that they had heard about us through the previous wedding that I talked about before, the surprise one.

Q. In your experience with Tastries, is that common that you get wedding business from people that attended prior weddings and had an opportunity to eat Tastries products?

A. Yes, that is. That's correct.

Q. Okay. Do you know if Cathy did, in fact, get a system in place for referrals for same-sex couples?

A. Yes. She talked to Stephanie, and Stephanie agreed to take those referrals.

MS. TANACEA: Objection. Hearsay with respect to Stephanie.

THE COURT: Mr. LiMandri.

BY MR. LIMANDRI:

Q. Sure. After --

THE COURT: I'm going to sustain that objection.

MR. LIMANDRI: That's fine. Thank you, Your Honor.

BY MR. LIMANDRI:

Q. After Cathy spoke to Stephanie, do you know if the system was put in place for Tastries to make referrals of same-sex couples to Stephanie's company, which was called Gimme Some Sugar?

A. Yes. That referral system was in place. After that she accepted this first order, and it was a transfer of the order, but Cathy, before we transferred it, called the couple and confirmed that they would agree to take the transfer. So they were kind enough to understand Cathy's position and allow us to transfer that order, and then after that, we would transfer the referral before the order was taken.

Q. Okay. Up until this time of this unfortunate incident in August of 2017, had that system been working pretty smooth?

A. Yes.

Q. Let's talk about your participation in making deliveries for Tastries. How early on in your work for Tastries were you involved in making deliveries?

A. From the beginning.

Q. Okay. About -- can you estimate what percentage of the deliveries of Tastries' products are made to weddings, wedding cakes being --

A. Of the delivered products?

Q. Right.

A. Two thirds to 75 percent, I would say.

Q. Okay. And what percentage of people that actually buy wedding cakes at Tastries want to have them delivered?

A. I'm going to say 95 percent. It's pretty high.

Q. Okay. Can you estimate about how many deliveries of wedding cakes you would make in a typical week?

A. Typical, four to six. Busy season, which just happens to be wedding season, spring and fall, we can get 10 to 12 in a single week, in a single Saturday, and then we may have others on Friday and Sunday, as well.

Q. Would you use a company truck to make those deliveries?

A. I would.

Q. Does it have any Tastries markings on it?

A. Yes. One -- we use two vehicles for deliveries as needed, but the primary one does have the Tastries logo on it.

Q. Would you wear any clothing that indicated you were with Tastries when you made the deliveries?

A. Yes. I would wear a polo shirt with our logo on it.

Q. Would you sometimes have helpers from

Tastries if it was a larger order, required, maybe, a bigger cake and other bakery products?

A. Yes. And staff usually wear their Tastries shirts at work anyway, so even on a surprise, when I call them to help me unexpectedly, they are prepared to already be wearing a Tastries shirt.

Q. Can you estimate about what percentage of time when you are delivering wedding cakes at events that there are actually people present there when you are setting up the cake?

A. Vast majority, I will say 75 percent of the time. Somebody is there from -- not just from the venue or from other vendors but actually from the guests or the wedding party themselves.

Q. Would you sometimes interact with the people?

A. I like to do that. I enjoy the -- getting to know people, talking. A lot of times people are very interested, especially if I'm there for a while stacking the cake or adding flowers. It is a great opportunity to have a conversation.

Q. Do people sometimes indicate to you, even when you are bringing the cake to the event, that they know what type of event you must be going to?

A. Well, in context, I think the cakes are always understood what they are there for. If you're a guest at a wedding, you see a cake, you know it is a wedding cake.

MS. TANACEA: Objection. Speculation.

THE COURT: Sustained.

MS. TANACEA: I would like to strike the answer.

THE COURT: Stricken.

BY MR. LIMANDRI:

Q. In your experience interacting with people, have you learned from those interactions that people pretty much know why you are there and what you're doing?

A. Yes.

MS. TANACEA: Calls for speculation.

THE COURT: It's sustained.

BY MR. LIMANDRI:

Q. Are you able to form an understanding, based on your experience, of whether or not people that are present seem to know what you are doing and why you are there when you are stacking a wedding cake at a wedding reception?

MS. TANACEA: Lacks foundation.

THE COURT: Sustained.

BY MR. LIMANDRI:

Q. Have you stacked wedding cakes at wedding receptions?

A. Yes.

Q. How many times?

A. Probably 25 to 50 times. I generally do that with a decorator with me.

Q. Okay. And there -- have there been people

present, as you indicated, when you've been doing that?

A. Yes, often.

Q. And have you at times engaged in conversation?

A. Yes.

Q. And does it seem to you that these people know that they are at a wedding reception as opposed to a bar mitzvah or some other event?

MS. TANACEA: Objection. Speculation.

MR. LIMANDRI: Your Honor, this is ridiculous.

MS. TANACEA: It's not ridiculous.

THE COURT: Okay. You guys, please. I'm going to sustain. I'm going to sustain.

BY MR. LIMANDRI:

Q. Okay. Have you ever gotten from direct contact with people at the event while you are stacking a wedding cake, the impression, your understanding, that they knew why you were there?

MS. TANACEA: Objection. Speculation. Their impression of why it -- it's speculation.

THE COURT: This question is a little different. It's asking for his understanding and -- Counsel, hold on -- his understanding, as we're talking about the policies of Tastries, is what is important here. What did they think is being communicated, not what's actually being communicated, but what do they think is being communicated. His understanding becomes

important.

MS. TANACEA: May I have the question read back, please.

THE COURT: Yeah.

(Record read.)

MS. TANACEA: "That they knew why you were there."

THE COURT: His understanding of whether they knew. So I'm going to overrule the objection for that limited purpose, his understanding.

THE WITNESS: So, yes, people readily understand why they are at any event where we have delivered a cake. I even had an occasion, taking the cake out of context, where I got somebody that directly recognized a wedding cake was a wedding cake.

I once was delivering a cake to an outdoor event. It was a hot day. I needed to place the cake in a refrigerator. I couldn't find anybody that would help me find that -- get access to the refrigerator. It was next door to a bar, so I brought the cake into the bar to try to find some help. And as soon as I walked into the bar -- and I've got this three-tier, all white, wedding cake, and a gentleman at the bar turns around and says, "Where's the wedding?"

MS. TANACEA: Objection. Hearsay. Nonresponsive. Calls for speculation.

THE COURT: Sustained. A portion of it was nonresponsive.

MS. TANACEA: I move to strike, Your Honor.
THE COURT: What do you move to strike, the entire answer?
MS. TANACEA: The entire answer.
THE COURT: Denied.
BY MR. LIMANDRI:
Q. How long are you typically --
MS. TANACEA: Then I move to strike the part that --
THE COURT: About the conversation with --
MS. TANACEA: Yes.
THE COURT: Stricken. That portion of the response where it's a volunteered -- about a conversation with somebody, that portion only is stricken.
MR. LIMANDRI: Thank you, Your Honor.
BY MR. LIMANDRI:
Q. How long are you at a wedding reception when you deliver a cake?
A. It various. 15 minutes to an hour. 15 minutes when the cake is fully stacked and simply needs to be placed. I still need to locate the cake table and sometimes relocate it slightly. So I would say 15 minutes, in that case. But if we are adding flowers, if we are stacking, if there is a dessert bar, it's an hour.
Q. Do you try to stage the cake in any particular way?

A. Well, the event is usually set up, and it's always in a prominent location. Occasionally, that location happens to have a backdrop that isn't favorable for a picture, and the -- you know, the family didn't think about that, so I will try to help them find a better spot. But it's usually in a very prominent central location for the event, and often it's located right adjacent to the head table.

Q. Do you sometimes set up a dessert bar, as well?

A. I do.

Q. And do you try to stage the cake in some way that it is complemented by the dessert bar?

A. Yes. Sometimes it is designed that way where the cake will be the center of the dessert bar and part of it, but the cake and the dessert bar always go together in terms of a wedding.

Q. Do you sometimes put a topper on the cake?

A. I do.

Q. About how often?

A. I would say two thirds of the time.

Q. Do you take pictures of the cake sometimes before you leave the wedding reception?

A. I always take a picture. We look to have a record of how we left it. But if it is a good picture, I'll pass it on to our social media team, and they may post it.

Q. Do you have understanding of whether or not

the wedding cake is conveying any type of message?

A. I do.

Q. What is that understanding?

A. That -- for a wedding cake, yes. So for a wedding cake, it's declaring that this is a marriage and that it should be celebrated.

Q. The pictures that you take, are they sometimes posted for promotional purposes on Tastries' website?

A. Yes.

Q. Would you sometimes leave business cards or anything else behind that people know who it is made the cake?

A. In the early years I left business cards on request. And Cathy developed a kind of business thank you card. One side said, "Thank you for allowing us to participate in your sweet event," and the other side was essentially a business card. And I have been leaving those since 2018.

Q. Okay. Now, the subject incident. It is my understanding that you were not actually present at Tastries at the time; is that correct?

A. That's correct.

THE COURT: Counsel, we are going to take our morning recess at this time. We are going to recess for 15 minutes.

MR. LIMANDRI: Thank you, Your Honor.

THE COURT: We are in recess.

(Recess taken.)

THE COURT: Okay. We're are back on the record. The witness is on the stand. Appearances as were previously indicated.

Mr. LiMandri, you may resume your direct examination.

MR. LIMANDRI: Thank you, Your Honor.

BY MR. LIMANDRI:

Q. Mr. Miller, before the break I was asking you if you were present at the time of the subject incident in August 2017. I believe you said you were not.

A. I was not.

Q. And it is also true you had no personal interactions with either of the real parties in this case?

A. No, I have not.

Q. Okay. You were at Tastries shortly afterwards. Were you aware of what was going on in the aftermath of the incident at Tastries?

A. Yes. There was a tremendous amount of media attention, social media, e-mail. The public media were showing up out front.

Q. What was the -- we've heard testimony, but what was your impression of the social media attention that Tastries was getting in the immediate aftermath of the incident?

A. There was a lot of hate-filled posts and e-mails. There were threats of violence, totally

detestable content, pornographic, and many other awful kinds of portrayals. Pictures were e-mailed. It was pretty horrific. And it was an avalanche of material. We had to shut down our social media. For a while, I think Cathy had to close the store because of the activity, so it was very disruptive.

Q. What was the impact on the staff?

A. We lost six employees. Several of those were a result of -- the direct result of what they were confronted with in the social media and on the phone calls. They were afraid. They were exposed to content that they've never heard or thought about before.

Q. What was the impact on the ratings that Tastries had had on the Internet, Yelp and those types of ratings?

A. We were being attacked with fake reviews and one-star ratings, and so our high rating that Cathy spent years building up -- we had a great reputation in the community and a lot of five-star, four-star good strong reviews were crashed.

Q. Did you ever -- were you able to regain your prior standing on Yelp and other reviews?

A. No. I don't believe we've been able to fully regain it. We tried to countermand it now with more advertising, so it costs us something to kind of regain our public image that way, but not in terms of the reviews. Every time this case hits the -- every time this case comes up, you know, and as it is now, again,

we are going to have -- those attacks will start again.

Q. Have you had to divert time away from Tastries' business interests in dealing with these various issues, and in terms of you've been able to do any other type of consulting work?

A. No. The early years, the demand, we were growing so fast I kind of devoted myself to Tastries, but by 2017 I was getting to a place that I was going to try and resume doing some other consulting, but with this case that hasn't been possible.

Q. Has Cathy been able to continue doing event planning in the face of all this?

A. No. She's pretty much discontinued that almost entirely.

Q. What was the impact on wedding sales for Tastries in the aftermath of this incident?

A. We lost wedding sales, probably, I would say for -- we declined -- not lost all of them obviously, but we declined in our wedding sales probably for a period of six months, and then we started to recover that side of the business.

Q. What percentage of Tastries' revenues would you say come from wedding sales and related services?

MS. TANACEA: Objection. Vague as to time.

THE COURT: Sustained.

BY MR. LIMANDRI:

Q. Over the time that you've been doing this work for Tastries, which has been what, like ten years

now?

A. Yes.

Q. Let's say with the first five years before this incident, what were wedding sales services like from 2012 through 2017?

MS. TANACEA: Objection. Tastries wasn't open in 2012.

THE COURT: Sustained.

BY MR. LIMANDRI:

Q. 2013, then, to August 26, 2017, what were, would you say, average revenues for wedding cake sales and related services?

A. Revenues, probably in the order of 10 to 12,000 a month in wedding services. Percentage-wise, I would say it's about 20 percent, a little more, in that time. Right now, it's probably in the neighborhood of 20 percent. But that only reflects the wedding services. It doesn't reflect the full impact of wedding on our -- on Cathy's business. So we get a lot of referrals from weddings. You know, guests at a wedding, our vendors that we have relationships are primarily wedding vendors, so they bring a lot of referrals. And the clients themselves, we hopefully build a lifetime relationship with them, so there's baby showers and birthdays and graduations.

So I think that the full effect of having the wedding business is easily 25 to 30 percent.

Q. Based on your experience with Tastries, if

they had to stop making wedding cakes and related sales now, could they keep their doors open?

MS. TANACEA: Objection, Your Honor. This is future calculations.

THE COURT: Overruled.

MS. TANACEA: Expert testimony.

THE COURT: Overruled.

THE WITNESS: If we hadn't had the wedding services, we couldn't have succeeded and survived. And I'm sure going forward if we didn't have wedding service, we would not be able to survive.

BY MR. LIMANDRI:

Q. Okay. The last thing I wanted to ask you about is impact that would -- this has had on Cathy since this incident of what occurred. But first, let, me ask, do you support her in the position that she has taken --

A. Oh, yes.

Q. -- on this issue?

A. Sorry. Fully.

Q. Why?

A. Well, I believe the same as she does, that marriage is one of the most important sacraments. And in our faith, you know, marriage came into the picture even before sin came into the picture. It's the very earliest foundation of our Christian beliefs. And God established marriage as between a man and a woman, and that relationship is the basis of a family, and the

family is the basis of society. That's the structure that God designed his creation to be. So it's fundamental to our beliefs. Ultimately, scripture teaches us that our relationship in marriage reflects our relationship with Christ. And in many places in scripture, Christ is referred to as the bridegroom and his followers are referred to as the bride.

Q. Thank you.

Has Cathy ever shown, in your mind, any unjust discrimination or bias against people based on their sexual orientation?

A. No, never. It is just not Cathy's character; her compassion for others. The standards that we have for our service is all about being uplifting, and that's what she likes to focus on in everyone.

Q. How has Cathy borne up in the face of the type of attacks that you reference and criticism that she has experienced?

A. Cathy is strong, and she is handling it. We are figuring out how to manage all this. This keeps coming up in ways, as I said, as this case comes back into the forefront every time. So we are learning how to manage it. Cathy, now, for herself, does require more time, but she and our most experienced staff will sort out the hate-filled, kind of, social media and e-mails, so that's not as disruptive to the whole staff as it was four, five years ago.

Q. Has this situation made it more difficult for

Cathy to handle other stressful situations that have been going on in her life?

A. Yes. You know, Cathy -- Cathy would tell you the biggest loss in all of this is her time with her kids and her grandkids, but I'm going to say that I'm concerned with her health, too. It's a lot of stress. Cathy, over this five-year period, in 2019 had a bout with cancer, radiation treatment. She had to recover from that. The recovery, obviously, I believe was affected in part by the stress of this case.

Her father, all throughout the five years, had various health issues, several surgeries, hospitalizations, and Cathy was his primary caregiver. So I'm not saying this case had any affect on him or that, but her time was being stretched between dealing with this issue and her love and concern and care for her father who passed away just one month ago.

Q. Have you two got support from the church?

A. Very big support from the church, yeah.

MR. LIMANDRI: Your Honor, that's all the questions I have at this time. Thank you.

THE COURT: Cross-examination, Ms. Tanacea?

MS. TANACEA: I just want to make sure the deposition of -- the 2018 deposition and the 2022 deposition has been lodged.

THE CLERK: Deposition transcript for Michael Alan Miller dated February 23rd, 2022, being lodged.

CROSS-EXAMINATION

BY MS. TANACEA:

Q. Good morning, Mr. Miller.

A. Good morning.

Q. As you know, my name is Kendra Tanacea, and I'm an employee of the DFEH.

A. Yes.

Q. I wanted to just go over your testimony very briefly.

You had testified that you were involved in creating the human resources handbooks for Tastries' employees?

A. Right.

Q. Okay. And did you consult with anyone in doing those handbooks?

A. We have had -- at a time -- I'm trying to think when, but there was a period we had ADP as our payroll provider, and they provided human resource services that went with that and that was very helpful in formulating our handbook. It wasn't at the beginning with them. I recall that probably came in maybe 2014, 2015 time frame, so we expanded our handbook through their help. We are not using them now, so we are back to managing it pretty much ourselves. So I will do Internet research to find out all the policy changes that we need to keep up with.

Q. Okay. If you could just estimate the time period that the ADP was involved and then when that

stopped and then you picked up solely?

A. I'm not sure, but I'm going to say it was in 2014 and 2015. It may have been in 2016, as well.

Q. When you were responsible for the employee handbook?

A. No. I would contribute to the employee handbook throughout our existence.

Q. Okay.

A. I'm saying ADPs outside resources were available to us in that '14, '15, '16 time frame.

Q. I understand. Sorry.

Did you ever consult with an attorney on the handbook?

A. I did not.

Q. Did Tastries ever consult with an attorney?

A. No, we did not.

Q. And Tastries' employee handbooks have anti-discrimination sections in it?

A. Yes, they do.

Q. And then you testified that you and Cathy looked at the Unruh Act and were analyzing it and trying to figure out where it fit in with what your goals were in providing goods and services, right?

A. Yes.

Q. Did you consult with anyone else in that analysis?

A. I don't believe that we did.

Q. So you didn't consult with a private attorney

to go over those issues?

A. We have an attorney. I don't believe that we consulted him on that.

Q. Did you ever go to the DFEH and ask them their interpretation?

A. Might have been a good idea, I guess. I did not.

Q. Now, just turning to where you were talking about the deposit referral that was made to Gimme Some Sugar.

A. Yes.

Q. How many documented referrals does Tastries have from Tastries to Gimme Some Sugar, from 2013 to the -- until she went out of business?

A. Well, we can document that first referral because we actually transferred a document and a check. I don't believe the other referrals that I know of -- Cathy may have a different understanding -- were documented, but there were two or three other referrals, is my understanding.

Q. In addition to the one you had talked about?

A. Yes.

Q. So total of three?

A. I don't know the total.

Q. Okay.

A. That would be handled by Cathy.

Q. You were responsible for the accounting, where, if the deposit was taken, it was then

transferred to an outside bakery such as Gimme Some Sugar, right?

A. Right. We never took deposits on any of the other referrals.

Q. Okay.

A. They were never formal orders. We took information and then made the arrangements to pass that information on.

Q. So the only documented taking in the deposit and then transferring it to Gimme Some Sugar, was that one occasion?

A. That's correct. And I'm the one that took the deposit to Stephanie.

Q. And then you stated you have two vehicles available for delivery. One has a logo, one doesn't, right?

A. Yes.

Q. And I think you said the one without a logo doesn't have as smooth of a ride. But isn't it true that you could deliver wedding cakes in the other vehicle without a logo?

A. Yes.

Q. There was some testimony that there was a wedding cake that was ordered, made, and delivered by Tastries that had shamrocks on it.

Do you remember that?

A. I don't remember that.

Q. Okay. You weren't the person who delivered

it?

A. Well, maybe I did or didn't. I don't know. I just don't remember that order.

Q. Okay. So you don't remember ever seeing that cake?

A. I don't.

Q. Okay. And I'm going to ask you a few questions, and this is -- they all assume it is a straight couple requesting the cake. Okay? Not a same-sex couple.

A. Okay.

Q. If a straight couple came to Tastries and requested a square, one-tier chocolate frosting cake for their wedding, would Tastries bake and deliver that?

MR. LIMANDRI: Objection, Your Honor. Lacks foundation. Calls for speculation. Incomplete hypothetical and irrelevant.

THE COURT: Sustained.

MS. TANACEA: This is actually highly relevant to how the policy is applied and the artistry at issue -- put in issue by the Defendants.

THE COURT: How is a hypothetical relevant to how the policy is applied?

MS. TANACEA: Because that is what guides what cakes get made and delivered to weddings. Correct? And if it does, then what they will or will not do bears directly on the issue of the case under

the policy. Under the policy.

THE COURT: Mr. LiMandri?

MR. LIMANDRI: Your Honor, this case was brought on behalf of the Real Parties and their situation. Posing hypotheticals that have never happened and will never happen are unfair, irrelevant, and also add 352.

THE COURT: Sustained.

BY MS. TANACEA:

Q. Tell me the most unusual wedding cake that you ever delivered in design.

A. I will tell you my favorite one, and it is unique, and that is a -- I think it even was maybe entered here -- is a wedding cake that has a bride veil on one side and a military uniform on the other side. It was very impressive.

Q. Right. Anything else that somebody requested, some drawing or something on a cake, that sticks in your mind as being unusual that you delivered?

A. Well, we have a lot of unique designs. And you said "cake." I don't know if you mean only weddings.

Q. Only cakes that you -- that Tastries made and delivered to a wedding that had maybe a depiction of Romeo and Juliet or some other loves -- you know, couple on it, or anything that stands out in your mind that you saw, oh, that's interesting.

A. I guess there's a -- one from the Phantom of the Opera. It has a chandelier on top and various tiers that represent that musical opera.

Q. Okay.

A. It was very unique.

Q. Anything else?

A. Well, there are a lot of unique cakes that we do, but none that are that surprising because we do very creative work at Tastries.

Q. Any other example other than the Phantom of the Opera?

MR. LIMANDRI: Your Honor, 352 and relevance. I'm not sure where this is going.

THE COURT: I'm not sure, either, but I'm not prepared to say it is a 352.

Overruled.

THE WITNESS: I would welcome you to look at our website. You will see lots of interesting designs. We have Disney themes that come up all the time. Of course, there is many of the traditional-looking, white, multi-tiered cake.

You know, I often am responsible for placing flower arrangements on cakes, and I never thought of myself as a floral designer, but I feel like I've become pretty proficient in doing that. I am a little bit surprised myself. So there has probably been a few of those floral arrangements that I might be particularly proud of.

BY MS. TANACEA:

Q. Let's just talk -- one more question about the Phantom of the Opera cake.

That was requested by the couple, correct?

A. Yes.

Q. And Tastries made it and delivered it, right?

A. Yes.

Q. So you testified that when you were in business as an S corp, it was Miller Enterprises, Incorporated, right?

A. I think it was Miller Enterprise Management, Inc.

Q. How long were you in business as Miller Enterprise Management, Inc.?

A. I don't remember when I discontinued it. I want to -- think it was in '15 or 16. 2015 or 2016. Because I was devoting myself -- I found myself devoting myself to Cathy's business, as it was growing so quickly, and I decided I can always reincorporate and do that over, so I decided to suspend that.

Q. And Cathy's business, you are referring to Cathy's Creations --

A. Inc.

Q. -- Inc., right?

A. Right.

Q. And that's also an S corp?

A. It is.

Q. And whether you were working under the Miller

Enterprise Management, Inc., or later, when you became a W-2 employee of Tastries, you were, at all those times, working on behalf of Tastries; is that right? I mean, not solely but --

A. Yes.

Q. And currently you're operating as a W-2 employee of Tastries?

A. Yes. I changed when the California laws changed on independent contractors.

Q. And Cathy's Creations, Inc., is a separate entity from Cathy as an individual, right?

A. Yes.

Q. And you do Cathy's Creations, Inc.'s taxes, correct?

A. Yes.

Q. And they're separate from Cathy the individual's taxes?

A. They are separate as an S corp. The results flow through on a Schedule K-1 and to our joint tax return.

Q. And Cathy's Creations holds insurance policies for the business, right?

A. Yes.

Q. Not Cathy individually?

A. Correct.

Q. And those policies cover the bakery operations, right?

A. They are.

MR. LIMANDRI: Your Honor, relevance.
THE COURT: Overruled.
THE WITNESS: They are both liability and property, and, of course, we have workers' comp, as well.
BY MS. TANACEA:
Q. And the -- Tastries is a dba of Cathy's Creations, Inc., right?
A. Yes.
Q. Okay. And the business license for the bakery is in Cathy's Creations, Inc.'s name?
A. Yes.
Q. And the same with the health permits?
A. Yes.
Q. And Cathy's Creations, Inc., also is the lessee on the lease for the store space, right?
A. Correct.
Q. And Cathy's Creations, Inc., has separate bank accounts, right?
A. Yes.
Q. And Cathy is also a W-2 employee of Cathy's Creations, Inc.?
A. Yes.
Q. And you're responsible for maintaining all the business licensing for Cathy's Creations, Inc., dba Tastries?
A. Yes.
Q. Now, you talked about sales information from

Tastries just a moment ago. Strike that.

Do you recall in your 2018 deposition testifying that there were brands of box cake mix you purchase as supplies for Tastries?

MR. LIMANDRI: I'm going to object. Asking if he recalls what he testified in a deposition is not a proper question.

THE COURT: Well, it might be a shorthand way. Let me just -- let's cover this a little bit.

So I'm assuming that because -- I'm assuming that for purposes of deposition testimony, Mr. Miller is being treated as a party representative here. That was what was represented to me at the outset, and his ability to stay in the courtroom.

Mr. LiMandri, are you changing your position on that?

MR. LIMANDRI: No, I'm not.

THE COURT: Okay.

MS. TANACEA: Your Honor, I can read the deposition testimony as substantive.

THE COURT: That's the traditional way to do it.

MR. LIMANDRI: If this is quicker, that's fine. I'm also going to object on relevance if she is going to get into cake mixes with this witness.

THE COURT: We'll take it one at a time.

You need to reference line and page so there is an opportunity to object.

MS. TANACEA: Of course. Page 52 of the 2018 deposition, 13 through 25.

THE COURT: So 52, 13 through 25.

MS. TANACEA: And 53, 7 through 19.

MR. LIMANDRI: I'm going to have an objection to these questions about cake mixes. They're irrelevant and unduly prejudicial to my client. And if Your Honor wants me to explain at sidebar, maybe I should do that.

THE COURT: All right. Let me see Mr. LiMandri and Ms. Tanacea only, please.

(Sidebar held off the record.)

THE COURT: Ms. Tanacea, I'm going to -- there was an objection. I'm overruling.

You may proceed.

MS. TANACEA: Thank you, Your Honor.

BY MS. TANACEA:

Q. Page 52, Lines 13 through 25.

(Read as follows:)

"QUESTION: Are there particular brands of box cake mixes that you buy?

"ANSWER: Yes.

"QUESTION: What are those brands?

"ANSWER: For the white we use Pillsbury, and for other flavors we use Betty Crocker.

"QUESTION: Do you know what those other flavors are that you -- for which you buy Betty Crocker cake mix?

"ANSWER: French vanilla, chocolate, German chocolate, lemon, strawberry, and then spice.

"QUESTION: And any other flavors for which you buy box cake mixes?

"ANSWER: Not that we are currently buying."

And then on Page 53, Lines 7 to 19:

"QUESTION: You buy buttercream for Tastries Bakery to use?

"ANSWER: Yes.

"QUESTION: Where do you find buttercream for Tastries Bakery to use?"

I'm sorry. Strike that.

"QUESTION: Where do you find buttercream for Tastries' bakers to use?

"ANSWER: At Sam's Club.

"QUESTION: Any particular brand of buttercream that you buy?

"ANSWER: I don't think it is a brand. It's just the buttercream they offer. It is a Walmart brand, I guess.

"QUESTION: What flavors of buttercream do you buy at Sam's Club?

"ANSWER. It's labeled as white and chocolate."

BY MS. TANACEA:

Q. And you testified from the time Tastries opened until the day of your deposition, which -- you -- strike that.

From the time Tastries opened in 2013 to the day of your deposition, which was September 26, 2018, it was not your practice to leave a business card at the venue when you delivered the cake; isn't that right?

A. Yes. I would leave a business card on request.

Q. But it wasn't a practice to always leave one with the cake?

A. That is correct.

Q. And you never trained any employee to leave a business card when they delivered a cake?

A. I have since then trained them to leave the thank you business card.

Q. But that was after your deposition, right?

A. Correct.

Q. Okay. Which, again, was in September of 2018?

A. Yes.

Q. And when you deliver cakes that are in boxes -- I understand some wedding cakes are not in a box because of their size, but when you do deliver cakes in boxes, you leave it either in the kitchen or under the table; isn't that right?

A. Leave the box?

Q. Yes.

A. Well, no. If I deliver it in a box, I usually leave it in the box. It's very rare to deliver

in the box for deliveries, but if I'm bringing the cake in a box, I usually leave it in the box. If I take it out of the box, yes, I will place the box under the -- that's the most common place, would be under the table, so they can use it later.

MS. TANACEA: I am going to read from Page 35, Lines 4 through 12.

MR. LIMANDRI: Relevance, Your Honor.

MS. TANACEA: It's substantive.

MR. LIMANDRI: It also exceeds the scope of direct. I didn't ask about boxes. I didn't see any relevance.

THE COURT: Proceed.

Overruled.

MS. TANACEA: Thank you, Your Honor.

BY MS. TANACEA:

Q. Page 35, Line 4:

"QUESTION: And where do you leave them at the venue?

"ANSWER: Well, if they -- if the guests -- not the guest, if the customer is setting up, which does happen, especially if they didn't buy the package, they just bought itemized desserts, it is not uncommon that they would be on a refrigerator or stacked on a table and left for them to set up. So if we set it all up, then I would leave the boxes either in the kitchen or under the table where it was convenient for them

to get to them."

A. May I comment on that?

THE COURT: No. You have to wait for another question.

THE WITNESS: Okay.

BY MS. TANACEA:

Q. And just to be clear, the policy that we've been talking about that involves not making cakes that violate fundamental Christian beliefs, semicolon, same-sex -- cakes for same-sex weddings -- that's the policy I'm referring to when I'm asking you these questions.

A. There is no policy that's directed at same-sex weddings.

Q. I'm sorry. Why don't you state the policy for me as you understand it.

A. I think it is written. I'd rather just have it referred to off the actual exhibit.

MS. TANACEA: Sure. Can we pull up Exhibit 88.

BY MS. TANACEA:

Q. So directing your attention to the last bullet point.

A. Yes.

Q. "Designs that violate fundamental Christian principles; weddings cakes must not contradict God's sacrament of marriage between a man and a woman."

That's the policy we are discussing.

A. Okay.

Q. And that policy was in effect from the date Tastries opened to the present, correct?

A. I believe that policy was added in the 2015 time frame when same-sex marriage was -- the Obergefell ruling led us to recognize that we needed to have a policy that established our principle of God's sacrament of marriage being between a man and a woman.

Q. And when you say -- you are referring to this written policy, correct, that we're looking at?

A. Yes.

Q. This regarding the written policy, was that the general policy still of Tastries from 2013 to 2015 when this document was created?

A. Yes. We've always run the bakery with the principle that marriage is between a man and a woman.

Q. And who makes the determination under the policy as to which cake will be made under that principle?

A. I don't understand your question.

Q. So there is that design standard that says it will not contradict fundamental Christian beliefs --

A. Right.

Q. -- the one we just looked at.

A. Right.

Q. Who is the person who decides whether or not a cake complies with that standard?

A. You mean a request?

Q. Yes. A request for a cake.

A. Well, that would be Cathy.

Q. Do you have any involvement in that decision?

A. Not direct. She -- she's the one who is meeting with the customers. So, no, I don't.

We have talked as a couple in regard to the development of her policy, and so I have given her my input over the years, but it's her decision.

Q. So when it comes to an order coming into the bakery and an assessment, does this order violate that last standard, it's Cathy that makes that decision?

A. Yes.

Q. Okay. And that design standard does not apply to case cakes; is that right?

A. Case cakes are not made for any purpose, so they're not subject to those design standards.

MS. TANACEA: At this point, I would like to read Page 41 -- this is the 2022 deposition of Michael Miller, Page 41, Line 22 --

THE COURT: I'm sorry. Which page?

MS. TANACEA: Page 41, Line 22, to Page 42, Line 5.

MR. LIMANDRI: No objection.

THE COURT: All right. Go ahead.

BY MS. TANACEA:

Q. Page 41, Line 22:

"So I'm really curious about your thoughts of whether by doing this delivery Tastries was

sending a message of endorsement of that same-sex wedding."

"Objection --

THE COURT: You don't have to read the objections.

MS. TANACEA: Okay.

"ANSWER: If you ask me how I feel, I feel that we don't endorse those kinds of weddings, but that's not what would come across to the public if we were to participate by delivering cakes to those kinds of events."

MR. LIMANDRI: Continue reading for completeness, Your Honor, until Line 23.

THE COURT: Let me take a look.

Yes.

MS. TANACEA: What page?

MR. LIMANDRI: Same. Just continue on to Line 23 of the same page.

MS. TANACEA: I was on Line 5.

MR. LIMANDRI: Right.

THE COURT: You are going to continue to read through Line 23.

MR. LIMANDRI: Yes, Your Honor. Oh, I guess for a complete answer, it goes to 43, Line 6.

THE COURT: 43, Line 6 would complete the answer.

You need the transcript?

MR. LIMANDRI: You can have mine.

MS. TANACEA: So we're talking 42, 6 to 43 --

MR. LIMANDRI: Yes. The next question and answer, please.

THE COURT: You don't have to read the objections.

BY MS. TANACEA:

Q. "Do you believe that Tastries sends a message of endorsement for every event where it fulfills an order and makes a delivery of a custom product?

"ANSWER: I do feel we are sending a message with a cake. A custom cake is designed for a particular message, celebrating whatever the event might be. And so we're allowing our product, our platform to be a tool for that celebration. Yeah, as I'm talking this through, I do feel it would be viewed as an endorsement.

We frequently get opinions from people who want to comment on us about our case or our situation, and they say, 'Well, you just -- you know, you just say you don't serve.' That's the common view of a lot of the people. That if you don't agree with it, then don't participate.

So I think most people consider businesses have the freedom to choose what services they are going to provide service to. That's a common view of the majority of people. And so when we provide that service, there is going to be a

number of people, maybe even a majority, that feel Tastries' participation means that Tastries supports this event, whatever the message or purpose of that event might be."

MR. LIMANDRI: Thank you.

MS. TANACEA: And then I'll read from Page 86 --

THE COURT: Same deposition?

MS. TANACEA: I'm sorry. Page 49, Line 23, to 50, Line 3, same deposition.

THE COURT: I'm sorry. And the Page 50 to line what?

MS. TANACEA: 3.

MR. LIMANDRI: I'm sorry. 49 what?

MS. TANACEA: 49, 23, 53.

THE COURT: That's -- if you're talking about the -- the --

MR. LIMANDRI: February --

THE COURT: -- talking about the '22 deposition, that doesn't start at a question. Page 49, Line 23, is not a question.

MS. TANACEA: Then I will start at 7.

MR. LIMANDRI: You have to back up to 4, then.

THE COURT: And that question wouldn't really help us.

MS. TANACEA: That's why I picked from the answer.

THE COURT: I think as a matter of understanding the context, we need to go back a little farther. Why don't you suggest a place, Ms. Tanacea, that you feel would give some context.

MS. TANACEA: 15 -- Line 15.

THE COURT: Of?

MS. TANACEA: Page 49.

MR. LIMANDRI: No, no. Your Honor, they have to start with a question.

THE COURT: We do have to start with a question, Ms. Tanacea, so we know what he's answering.

BY MS. TANACEA:

Q. Let me ask you this: --

THE COURT: That might be another way to do it.

MS. TANACEA: Yeah.

BY MS. TANACEA:

Q. Do you believe that when a customer orders a cake from Tastries, that Tastries is contributing to their dream?

A. Yes.

Q. And that Tastries is contributing to the statement they want to make?

A. Yes.

MS. TANACEA: That's all I have. Thank you.

THE WITNESS: Thank you.

THE COURT: Redirect?

MR. LIMANDRI: Very brief, Your Honor.

MS. TANACEA: I'm sorry.
THE COURT: Go ahead, Ms. Tanacea. You haven't sat down yet.
MS. TANACEA: I was quick enough.
MR. LIMANDRI: But I was standing.
MS. TANACEA: I'm so sorry. My apologies.
The last piece I want to read is from the 2022 deposition, Page 50, Line 10, through 51, Line 7.
MR. LIMANDRI: Page 50, Line -- what line?
THE COURT: Line 10.
MS. TANACEA: I can start at 4 if you -- that's the question.
THE COURT: Let me -- I'm sorry. So you are talking about 50, Line 4.
MS. TANACEA: Through 51, Line 7.
MR. LIMANDRI: No objection.
THE COURT: Go ahead, Ms. Tanacea.
MS. TANACEA: This is my final reading for the day.
Page 50, Line 4:
"QUESTION: You mentioned in the last answer, quote, supporting their statement, end quote. Do you think that the host of a private event is the person or people that are making the statement?
"ANSWER: Yes. I think the host is the principal person who is making a statement. But the cake is the centerpiece of the event, so it is the vehicle that allows everybody to share in

that statement by participating in the celebration of the cutting of the cake and the pictures around the cake and everything that goes with it.

"Oh, yeah. I'm sorry. I was going to -- the event is selected by the host. I mean, they choose to have the event, whatever it is, and they choose the theme. And while we assist in helping them achieve their design and their vision within certain budgets, they are choosing what elements are going to go into the design of the cake, the way they want it to look. And so it's a collaborative process, but it's directed at what they're wanting, not what Cathy wants, or any of our designers think is best. It's about what do they want? What's the image? What's the message? What's the theme? What's the purpose? All of these are factored into the selection of the ultimate design, and that's finally agreed on and set by the person who is the host or who is ordering the cake, which is usually the same."

THE COURT: All right. And that's it, Ms. Tanacea?

MS. TANACEA: Yes.

THE COURT: All right. We'll -- it's --

MR. LIMANDRI: Your Honor, maybe two minutes.

THE COURT: Okay. I will give it to you. Redirect, Mr. LiMandri.

MR. LIMANDRI: Thank you.

REDIRECT EXAMINATION

BY MR. LIMANDRI:

Q. Mr. Miller, you were asked if Tastries has insurance policies. I just want to be clear, as far as you know, there is no insurance covering this loss, correct?

A. Correct.

Q. And no insurance is paying our attorneys' fees, right?

A. Correct.

Q. Okay. And Cathy will answer these questions in detail, but before lunch I wanted to have you just touch on it. As far as the purchasing of cake mixes and such, do you have an understanding as to whether or not Tastries makes a large number of cakes from scratch, meaning no mixes?

MS. TANACEA: Vague as to time.

BY MR. LIMANDRI:

Q. At any time.

THE COURT: Let's ask a complete question.

Sustained on the objection.

Ask a complete question.

BY MR. LIMANDRI:

Q. Do you know if Tastries makes cakes from scratch, even in the time frame of August 2017 up to the present?

A. Yes.

Q. Okay. And when they use -- were you here for the testimony of Rosemary Perez as well as for Melinda Massey?

A. Yes.

Q. Okay. As far as you know, was their testimony correct that cake mixes are generally used for a base to provide stability and foundation, and then Tastries adds a number of ingredients to those mixes?

A. Yes. It is a very intricate recipe.

Q. And it's standard practice to use cake mixes on occasion particularly and frostings when there is temperature issues in Bakersfield?

A. There are many factors.

MS. TANACEA: Objection. Lacks personal knowledge.

THE COURT: That's not the one I would pick, Ms. Tanacea.

Do you have a different objection?

MR. LIMANDRI: Leading? Redirect?

THE COURT: I'm going to sustain on that one. What I'm concerned about is the foundation.

MR. LIMANDRI: Okay. That's fine, Your Honor. I'll go through this with Cathy Miller.

BY MR. LIMANDRI:

Q. The last question, then. Deposition -- a portion of your last deposition was read whereby it

indicated that the person asking you to make a wedding cake is sending a message.

Do you know what I'm referring to?

A. Yes.

Q. Okay. Do you feel that by collaborating the making of that cake that Tastries is being asked to participate in making that message?

A. Yes, we are.

MR. LIMANDRI: No further questions. Thank you, Your Honor.

THE COURT: Any recross?

MS. TANACEA: No, Your Honor.

THE COURT: You may step down.

Ladies and gentlemen, we are going to go ahead and take our lunch recess at this time. We will report back at 1:30.

Mr. LiMandri, what do we have left for 1:30?

MR. LIMANDRI: Cathy Miller will be on, Your Honor.

THE COURT: Okay. Do you have any witnesses other than Cathy Miller today?

MR. LIMANDRI: We hope to get through one other very quick witness, an employee. And I will say to the cooperation of the Plaintiffs, although we have a number of -- quite a number of exhibits with Cathy Miller, we've exchanged those and there will be no objections, so we will be moving rather rapidly.

THE COURT: I like rapidly.

MR. LIMANDRI: And then at the end I will move those into evidence. And I think we agreed the ones they had a question about, we're not going to be moving them into evidence. I think we won't have to do a lot of heavy lifting, hopefully.

THE COURT: Okay. So if you folks want to -- I would say take that up at the outset, and get that -- get the mechanics of that worked out, maybe that will help us move through it.

MR. LIMANDRI: Okay. Great. I will do that.

THE COURT: We'll see you at 1:30. Have a nice lunch.

(Recess taken.)

//

//

BAKERSFIELD, CALIFORNIA; THURSDAY, JULY 28, 2022

AFTERNOON SESSION

HON. J. ERIC BRADSHAW, JUDGE; DIVISION J

--oOo--

(Whereupon, the following takes place in open court:)

THE COURT: Let's go on the record on DFEH versus Cathy's Creations. Counsel present. Appearances as previously indicated.

Just a couple of housekeeping matters.

Madam Clerk, do you have a deposition transcript lodged?

THE CLERK: I do, yes.

THE COURT: You wish to announce that?

THE CLERK: We have Catharine Miller's deposition dated September 26, 2018, and we also have another deposition transcript for Catharine Miller dated February 24, '22.

THE COURT: I have both of those. Was there another exhibit that was marked for identification?

THE CLERK: Yes.

THE COURT: What was marked for identification?

THE CLERK: Joint Exhibit 134 marked for identification.

THE COURT: 134?

THE CLERK: 134.
THE COURT: Okay. Thank you.
All right. Mr. LiMandri, did you wish to comment?
MR. LIMANDRI: Yes, Your Honor. If I may expedite matters, I propose to read into the record the exhibits that I will be using in the direct examination of party Defendant Cathy Miller. I will read them in the order in which I intend to use them. I've given this list to opposing counsel and we are in agreement. There is a couple of the exhibits which are short videos which will not be admitted, but they've agreed they can be shown. And then on my list there is also several that have already been admitted.
Do you want me to not read those or just read them and note they've been admitted already?
THE COURT: Yeah, you could read them and note that they have been admitted.
But let me go back to the video. Is there audio on that?
MR. LIMANDRI: No, Your Honor.
THE COURT: No audio. Okay. Because any time we play a video with audio, I like to relieve our court reporter, but we don't need to do that on this?
MR. LIMANDRI: No. The witness provides some short narration, but no audio on the tape.
THE COURT: All right. Then, Mr. LiMandri, go ahead and read your list of exhibits.

MR. LIMANDRI: Thank you. The exhibit that the defense seeks to have admitted, I'll read the exhibit number, then each successive page within that exhibit. Beginning with Exhibit 1, Pages 001, 003, 004, 005, 006, 010, 013, 014.

The next exhibit is 231 with the Pages 001, 002, 004, 005, 006, 008, 009, 010, 012, and 013.

The next exhibit is Number 5. The pages are 001, 002, 004.

The next exhibit is Exhibit 4. The page is 036.

The next exhibit is 8.

004 has already been admitted.

The next exhibit is 7A. It will be 001 through 011. Eleven exhibits.

Do you want me read them individually?

THE COURT: No. You said Exhibit -- that's all Exhibit 7A. You are just saying it is 11 pages.

MR. LIMANDRI: Exactly, Your Honor.

THE COURT: All right.

MR. LIMANDRI: The next exhibit is 7B, as in boy, 003, 013, 014, 015, 017, 024, 025, 030, 031, 059, and 134.

The next exhibit is Number 5 again. This is -- it looks like it repeats -- I'm sorry. This is a repeat of the prior Exhibit 5.

THE COURT: On Exhibit -- the page numbers you gave me, they were 1, 2, and 4.

MR. LIMANDRI: Exactly, Your Honor. Somehow that's on my list twice. I'm sorry.

The next one is 7B, as in boy, again, but these are different numbers, I believe. Well --

THE COURT: You have 7A and you have 7, but I don't have 7B.

MR. LIMANDRI: I should have read off a long series of 7B, as in boy.

THE COURT: All right. So I -- the Exhibit 7 you read off -- well, 7A was 1 through 11. 7 was 3, 13, 14, 15, 17, 24, 25, 30, 41, 59, and 134.

MR. LIMANDRI: Yes, Your Honor. Those were all 7B, as in boy.

THE COURT: Those are 7B?

MR. LIMANDRI: Correct, Your Honor.

THE COURT: Okay.

MR. LIMANDRI: And then in addition to that, on 7B, we will have 11 and 52.

THE COURT: That's 011 and 052?

MR. LIMANDRI: Exactly, Your Honor. Thank you.

The next one is Exhibit 3. It's already been admitted. 001 to 010. The next one is Exhibit 4-001, 015, 022.

The next one has been marked for identification, but will not be admitted. It's marked for identification as Exhibit 13A, 13D, 13E, as in Edward, 13F, and 13G, as in George. Those are short

video clips. And the only other video clips will be Exhibit 14. Again, marked for identification, but not admitted will be Exhibits 14A and 14B.

The next three exhibits have already been admitted. Exhibit 123-010, Exhibit 10, 001 to 003, already admitted. And Exhibit 11-001, already admitted.

THE COURT: I'm sorry. Which was that last one?

MR. LIMANDRI: Exhibit 11-001.

THE COURT: All right.

MR. LIMANDRI: And, finally, Exhibit -- a new exhibit to be admitted is Exhibit 231-14. And that's all of them that I will be using with Ms. Miller.

THE COURT: So Exhibit 231-14 has been marked for identification?

MR. LIMANDRI: No. That one -- 231-014, Your Honor, should be admitted.

THE COURT: 231-014. That's a premarked exhibit or that's being marked now?

MR. LIMANDRI: It's -- they're all -- unless they have been admitted, they've all been premarked and they are all asked to be admitted at this time, Your Honor.

THE COURT: Okay. Comments, Mr. Mann?

MR. MANN: My colleague.

THE COURT: Okay. Who am I talking to? Ms. Mesinas?

MS. MESINAS: Yes, Your Honor.
We have no objections.
THE COURT: Okay. That's concise.
MR. LIMANDRI: Then I should object to your lack of objection, I guess.
THE COURT: So Exhibits 1, 231, 5, 4, 7, 7A, 7B -- and I'm referring to the pages that have been listed here -- 7B, 3, 4, 13A, 13D, 13E, 13F, and 13G. The 13 series exhibits were marked for identification only, are not going to be received in evidence. They're short video clips I assume for demonstrative purposes. Not going to be received in evidence and not being offered into evidence.
Exhibit -- Exhibit 14A and 14B, I guess that's 14 for identification. It's 14A and 14B, 123, 10, and 11, and new Exhibit 231-014, all those exhibits are received in evidence, with the exception of 13A, 13D, 13E, 13F, and 13G. And one or two of those have already been previously received for the sake of -- for example, Exhibit 3 he mentioned had previously been received in evidence.
MR. LIMANDRI: Correct, Your Honor.
THE COURT: And -- but, regardless, it's being offered and received now just in case it wasn't covered.
So is that a sufficient record for you folks?
MR. LIMANDRI: Yes, Your Honor. Thank you.
MS. MESINAS: Yes, Your Honor.

MR. TRISSELL: Your Honor, there was one more matter. During the Eileen Rodriguez-Del Rio testimony, one page of 553-D was not admitted. That's Page 7.

THE COURT: 553-D?

MR. TRISSELL: Yes.

THE COURT: All right. When you say it was not admitted, what do you mean by that?

MR. TRISSELL: It was shown and discussed, but it was not one of the pages read and admitted -- accepted as evidence, but I think the parties agree it should be.

THE COURT: Exhibit 553-D, Ms. Mesinas. I'm putting you in charge of the Plaintiff's exhibits.

MS. MESINAS: No objections, Your Honor.

THE COURT: Exhibit 553D is received in evidence.

(Whereupon, Defendants' Exhibit No. 553D was admitted into evidence.)

THE COURT: Anything else? Any other housekeeping items at this point?

MR. LIMANDRI: I don't believe so, Your Honor.

THE COURT: All right. Mr. LiMandri, your next witness, please.

MR. LIMANDRI: Thank you. At this time, Your Honor, the defense would like to call to the stand Cathy Miller.

THE COURT: You can raise your right hand and face my courtroom assistant.

THE CLERK: Do you solemnly swear that the testimony you shall give in this matter will be the truth, the whole truth, and nothing but the truth, so help you God?

THE WITNESS: Yes, I do.

THE COURT: Have a seat right here. If you pull the microphone forward to make sure you speak clearly into the microphone.

Would you state and spell your first and last name for the record, please.

THE WITNESS: Catharine Miller. C-a-t-h-a-r-i-n-e, Miller, M-i-l-l-e-r.

THE COURT: I've been misspelling that all along.

THE WITNESS: You can go by Cathy. That's fine.

THE COURT: All right. Your witness, Mr. LiMandri.

MR. LIMANDRI: Thank you, Your Honor.

DIRECT EXAMINATION

BY MR. LIMANDRI:

Q. Good afternoon, Cathy.

A. Good afternoon.

Q. Where did you grow up?

A. In Bakersfield.

Q. Okay. We heard your husband testify before lunch you've been married 42 years.

Did he get that right?

A. Yes.

Q. Good for him. Do you have any children?

A. Yes. We have three children.

Q. Adults?

A. Yes.

Q. Do you have any grandchildren?

A. Five grandchildren.

Q. Where did you do your educational work?

A. I graduated from Highland High School. Then went to BC for my AA, and then to Cal State for my teaching credential. Then went to Cal State in Bakersfield for part of my credential.

Q. Great. Thank you. You are doing great, just not too fast. Don't talk as fast as me.

THE COURT: Mr. LiMandri, I was about to say that you're doing fine, but you're -- so I'm going to ask you to slow down just a little bit. I appreciate the fact that we want to get through this, but I think we want to make sure we have a good record, too, so let's try to manage that a little bit.

MR. LIMANDRI: I will do my best. Thank you, Your Honor.

BY MR. LIMANDRI:

Q. Did you have any classes in teaching?

A. In teaching, yes.

Q. How about art classes?

A. Yes.

Q. How about work experience in teaching?

A. Yes.

Q. From what period of time?

A. I began tutoring in high school, and then I taught for almost 30 years.

Q. What classes did you teach?

A. I began in elementary school, and then I taught at Bakersfield Christian High School, and I was a team leader. I trained the team leaders and the worship team in drama and choreography, and developed their ESS program.

I worked at several schools. At Heritage, I taught third grade, and I became a mentor teacher, and I put on several musicals where I did the choreography and the background, things like that. And then at Orangewood, I did the same thing with musicals and repertoire for the children.

Q. Thank you. Over what years did you work in teaching?

A. From 1980 to 19- --

Q. 2000?

A. Probably 2000. Right. 2000. 2003.

Q. All right. Did you also work in event planning?

A. Yes, I did.

Q. What years did you do that?

A. I began that shortly after we were married. Some of my coworkers asked me to do floral and then to coordinate their events and then to help be the day-of coordinator for weddings. So it began in 1980 and went all the way up to this event.

Q. Have you had classes in decorating?

A. Yes, sir.

Q. You talked about some of your prior artwork, the experience. How about baking experience? When did you first start with your baking?

A. I began baking with my grandma and my mother, and we started -- we baked from scratch. And then over the years I took classes, and I would bake for events, always putting together really fun birthdays for the kids and the kids in the neighborhood, and then that kind of grew into adult events. So it's just been a part of my life.

Q. When did you open up Tastries Bakery?

A. January 1st, 2013.

Q. And are you 100 percent owner?

A. Yes, I am.

Q. Can you tell us what your job duties are.

A. I run the bakery; I manage the bakery. Our bakery works as a family unit. It is not like a normal business. So when we opened the bakery, then there were only four of us, and so I did a little bit of everything, did the baking, that type of things.

As the years have progressed, we have been --

added other employees. Many have children, so now I'm kind of like the substitute teacher. When someone is out, I bake. When a decorator's missing, I decorate.

My favorite thing to do is to do design work. So I do as much of the design and cake tastings as possible.

Q. Great. Thank you.

What's your work schedule typically like?

A. The bakery consumes most of my life, except when I am taking care of my father and --

Q. What's your daily schedule? How many days a week do you typically work?

A. I typically work six days a week, sometimes seven. And I'm there as much as I can possibly be, and I usually come in after the girls get the morning shift going, and I typically work the later hours.

Q. So about how many hours a day on a typical day?

A. Probably, anywheres between seven and 12 hours a day.

Q. What's the -- first of all, how many employees do you currently have at Tastries?

A. I think we have 18 right now. That would include Mike and I.

Q. What was the employee count in the August 2017 time frame, if you know?

A. Probably right around that same amount.

Q. Okay. Can you tell us a little bit about the

organizational structure, in terms of command structure, if you have one at Tastries?

A. So we work as team leaders, and I oversee everything. And then I have a morning team leader for the front and then a morning -- an afternoon team leader for the front. And then we have other younger people, typically, that work, like, after school to come in in the front.

Then in the back, I have a team leader for the cookie decorating, team leader for cake decorating, and a team leader for baking. And then I work with each of those when we have our team leader meetings, and then for staff, I work with everyone.

Q. Okay. We heard from Mike Miller, but basically, how would you -- you describe briefly what his role is at Tastries?

A. Support me. He handles all of the financials, the payroll, the paper-type work. And then he also does my deliveries. I tried to use other people, but he's -- he does an excellent job with the deliveries.

Q. He mentioned regulatory work. Has he discussed that with you?

A. Yes, we discuss it. He puts it in language I can understand.

Q. Okay. We'll talk more about that later, I expect.

Talking about the layout of the bakery.

Let's go ahead and start with some of these exhibits since we have a number of them, beginning with Exhibit 1-001, referring to the screen. What's depicted here with regard to the layout for Tastries Bakery?

A. Okay. That's the front of the bakery. To your left is the cold case, which you'll see a closer picture. Straight ahead and the white bookshelf on the left are what I call my display cakes.

The purpose of the display cake is so that clients can say, oh, I like that on that cake, or that color on that cake. It makes it easier for them to picture what they want.

Q. Okay. Let's go to 003.

A. Okay. That is the case cake which everybody keeps talking about. That's my case cake, my cold case. It is not possible to have more than a single tier in that case, and those cakes are made as needed so people can come purchase a cake last minute.

Q. Can people buy -- anyone buy those cakes and use them for any purpose at any time?

A. Yes. Anybody can buy anything that's out in the front of the bakery at any time for any purpose.

Q. Okay. 004, please. What do we have here?

A. That's our cupcake case with macarons, and then at the bottom are morning pastries.

Q. Okay. How often do you have to bake cakes for the case -- for cold counter cases we see here to

keep them fresh?

A. We bake daily.

Q. You have to rotate them out daily?

A. Yeah. Anything we have left over, we give to the homeless.

Q. Okay. Let's go to 005. What do we have here?

A. That's my cross wall.

Q. Okay.

A. It's part of our boutique.

Q. All of those are for sale?

A. Oh, everything is for sale, yes, except my display case.

Q. Okay. 006. And what is this?

A. That's our design center. We made it look kind of like a little wedding. Just past the arch, on the back wall, look very carefully at the back wall, there is a white shelf. And you will see sixteen glass domes. Each glass dome has a flavor of cupcakes. There you go. And then right below that is a shelf with our 16 flavors of fillings and frostings.

Q. Okay. Great. When we talk about tastings, are they talking about tasting those various flavors and fillings?

A. Yes.

Q. All right. Good. We will get to that, I expect, more in a moment.

013, please. What do we have here?

A. So the back wall is, again, a display of our display cakes. Everything on the outside is real, what we would use on a cake, but the inside is Styrofoam. Down below is our decorated cookies, our gourmet cookies, and our brownies.

Q. Out of curiosity, I didn't ask you this before, but how long can you keep one of those display cases with real frostings and no real insides?

A. Once they're on the shelf, they can stay there for probably six months to a year, if I keep them clean. If I put them down low, people try to eat them.

Q. Okay. 014. Let's move on from there.

THE COURT: All the exhibits you've talked about up to this point was part of the Exhibit --

MR. LIMANDRI: Exhibit 1, Your Honor. Correct.

THE COURT: Thank you.

MR. LIMANDRI: Thank you.

THE WITNESS: That is a picture. I'm sorry.

BY MR. LIMANDRI:

Q. We didn't go to that one yet. We are going to go to the 231 series next. How do -- let's go to 231-001. All right.

Do you sell various items there at your bakery besides bakery goods?

A. Yes. We have boutique items, and we have things to accentuate the cakes, such as cake toppers. These are some of the cake toppers I have. I typically

have about 20 to 30 at a time.

Q. Okay. 002 -- 231-002.

A. This is a -- just part of our boutique. You can see I carry Christian products, as well as secular products, for gift items.

Q. 004.

A. Again, crosses and little sayings for gift items to go with their cake.

Q. 005.

A. These are mugs, Christian mugs, and the back is a tray that says, "Be Happy."

Q. 006?

A. Again, more boutique items, along with bride and groom mugs.

Q. 008.

A. Now, this is our picture from our Chris- -- during the Christmas season. I love -- and you can ask my husband this -- I love to redecorate constantly, and so I will change the boutique up with various boutique items depending on the season.

Q. Okay. 009.

A. Again, more of our boutique items. We carry a lot of mugs. Those are popular.

Q. 010.

A. There, again, we have our Christmas items, and some are Christian based and others are secular based.

Q. 012.

A. So we try to coordinate some of the cakes that we design with some of the boutique items that we have.

Q. And finally in this series, 013.

A. This is important. This is my business card. And from the day I opened my bakery we have had four to six Bible verses that I rotate, and each business card that I have has a Bible verse so that I can share God's love with others.

Q. What's the purpose of having all the Christian items and symbols in your bakery?

A. From day one I told my -- my employees, and Mike and I have agreed, that this is God's business. I manage it, and we work for Him. So we pray before our meetings. We work as a family. We don't work as a corporate unit. We are always helping each other and working together. This is just an extension of that so that others will know this is what their --

Q. You play music in the shop?

A. Yes.

Q. What kind?

A. Christian music. It's 88.3.

Q. Do you have a mission statement?

A. We have a mission statement, to honor God in all that we do. That -- and if you look at the design standards --

Q. We'll pull that up. Exhibit 4036.

A. So if you look at the design center

standards --

Can you make that a little bigger, hon?

So my mission statement is: Is it lovely, praiseworthy, of good report? And is it based on Godly things? We should be thinking about peace and freedom and giving -- not about gory things, not about scary things, and that has been from day one. And --

Can you move down just a little bit? The bullet points -- okay.

"Look as good as it tastes. Tastes as good as it looks. Beautiful and balanced. Sizes proportional to design."

I get people who come in and say, oh, I want this cake, and they only want to serve ten people, and so I have to take this five-tier cake and bring it down. These are the things that are important, that -- and our focus, our mission at Tastries, is to greet our customers with a smile and bring to Tastries the good and the joyful things. So that's what you should be focusing on.

Q. All right. Let's look at these second bullet points.

What's the purpose of these design standards that are part of the same Exhibit 4036 but further down on the page?

A. So as we have progressed from when I purchased the bakery, it became evident that some people would require or request cakes that were not in

line with what I was able to make. I'm not going to do gory, and I'm not going to do -- I'm going to say something a little bit bad. We would get e-mails for penis cookies or breast cookies and cakes, and we don't do that. And so I had to put some kind of standard out there to show what I was able to offer at my business.

And then it progressed, like when marijuana became a law, then I had to address the marijuana issue. And then there's some cartoon-type adult cartoons. I had to address that. So I took several just do PG or G-rated.

And then when marriage -- homosexual marriage came into being, I had to address that, and I never even thought of that being an issue, and so I added that. So this is a work in progress, and I address the issues that I'm faced with.

Q. Okay. Why is it you believe it's appropriate for your design standards, or at least for you, to have that last bullet point that says, "Wedding cakes must not contradict God's sacrament of marriage between a man and a woman"?

A. So I was raised as a Catholic, and then my husband and I met at First Presbyterian Church and were married, and I've been intricately involved in church, but that's a religion. As far as my faith, my faith is founded on God's word. And God's word says in Genesis that God created man and woman in his likeness, and marriage was between a man and a woman. Then you go to

Leviticus; then you go to 1 Corinthians and 1 Thessalonians, 1 Timothy, Jude. You can look all throughout the Bible. Marriage is between a man and a woman and is very, very sacred, and it's a sacrament. And I can't be a part of something that is contrary to God, and it states in the Bible that I can't be a part of that.

Q. Okay. Thank you.

Let's go to the bottom part of that same Exhibit 8- -- 4036. Okay. So do you have this quote at the bottom of your design standards?

A. Yes, I do. And the reason I put that is because when somebody brings me something that they want me to create, that I can't do, I work with my customers and I create something that they like and that I can do and that we both like. And it's all -- it works out. In fact, they come back and say, I like that even better, many times.

"Philippians 4:8: Whatsoever things are true, whatever is honest, whatever is just, whatsoever things are pure, whatever things are lovely, of good report, if there is any virtue, if there be any praise, think on these things."

And that's where we need to be and that's where my business is.

Q. Thank you. Let's go to Exhibit 8004. Okay. Is this the same -- basically the same document that evolved over time? I think I already asked you.

A. Yes. Yes.

Q. That's fine.

A. And that one has the marijuana, casual drug use, drunkenness. I'm not going to be a part of any of that.

Q. Okay. All right. I'm going to go to the Exhibit 7 series, 7A-001. And we are going to go through these kind of quick. If you can describe what's depicted in these photographs beginning with 001.

A. That is one wall, about half my cookie cutters. Everything is custom, so I have over three thousand cookie cutters in various sizes, shapes, and we can make almost any cookie that you would like.

Q. Great. Next slide, 002.

A. Those are decorating tools that help us to give a little bit of a unique design to some of the buttercream cakes.

Q. 003.

A. Those are a few of the piping tips that we use with our buttercream.

Q. 004.

A. Those are the small tips for usually doing the intricate work.

Q. 005.

A. Those are just a few of the spatulas that we use when creating your cake.

Q. 006.

A. This is fun. So up on your right-hand side are the gel colors. And we have -- I keep in stock over 36 different colors, and then I have a chart with over two hundred colors that the customer can choose from so that we can create a color that would match whatever they are wanting us to match to go along with their theme.

Q. So in other words, you actually create colors; you don't just take colors out of a bottle that somebody else prepared?

A. Every once in a while, but not usually. There are a variety of tips on there you can see. There are all kinds of -- that is showing --

Q. What number are we on, 008? 008. Go ahead.

A. That is showing you can use the most basic rudimentary tools. That was a ruler on that there. And then that's our cake stick that we use for marking because we are trying to look like a wooden base for that cake, and that's a really fun cake.

In the next picture --

Q. That was 7. Now let's go to 8.

A. Okay. That picture, that girl is a replica of this woman's daughter, and she -- we took her picture, and we are making her to go on top of the cake.

Q. Is that edible?

A. Yes, the whole thing is edible. It is Rice Krispies and fondant. That probably took about three,

three and a half hours to make.

Q. Okay. 9?

A. And there you can see her sitting to the side, and Caroline is doing the final coat on the top tier.

Q. 10?

A. This is a work of art. This is where we mix probably around twelve different colors. It's -- we use it just like you would use paint on a canvas. We do the same thing on cakes. This is my favorite to do.

Q. Number 11, please. The same?

A. You can see how she is mixing and putting the colors on the cake.

Q. Okay. We've seen a number of wedding cakes, but I'm going to ask you to bear with us and look at ten more samples. And we'll go through these kind of quickly, as well. Beginning with the 7B, as in boy, series, 003.

A. That was one of the creations that we -- to show the different -- so each size difference, as you are going vertically, you have a 6-inch, 8-inch, 10-inch, 12-inch, 14-inch, 16-inch cake there, but the top tier has three layers; the second tier has one; the third has one; the fifth tier has three layers. So there is a lot of design work that goes into creating these cakes. That's fondant with stencil work and with floral placement.

Q. I meant to ask as we got into this, about how

many years total would you say you've been involved in baking?

A. Since I was twelve.

Q. You said twelve?

A. 50 years.

Q. Okay. I guess I shouldn't have asked it that way, but that's fine.

Next, 7B-013.

A. That is a very typical wedding cake from about three years ago, four years ago, about when this took place. Quilting on top, our piping. This is our swirly piping design, and then quilting. And then, again, we are mixing the round with the square with a round with a square with a large fondant bow. There is a lot of work that goes into designing that to meet all the different needs.

Q. Again, is everything we see there edible?

A. Yes. That's a real cake.

Q. Right. But for my labors and eyes, I don't know if that green is like ribbon or that bow is is meant -- might be edible or what.

A. Those are fondant ribbons. The entire cake is edible.

Q. Okay. Great. Thank you. 015 -- -14. I'm sorry. What's this?

A. Okay. That is a buttercream lateral cake with silk -- I can't tell from this distance -- either silk or real flowers, with a Mr. and Mrs. topper.

Q. Okay. So everything, I take it, is edible except flowers and topper, correct?

A. Correct.

Q. 015.

A. Again, we are mixing the shape. We are mixing the flavors. The bling going around is not edible. The flowers are edible. They are made out of fondant.

Q. Now, are these cakes -- presumably, if the customer wants it, although they look like they all have the same all kind of frosting, are they inside different flavors?

A. Yes.

Q. Okay.

A. Inside you can have different flavors and fillings. We can use different shapes. We've done this exact same cake plain with just a ribbon going around, and it's stunning.

Q. Okay. 017.

A. Now, that's our fondant work with more stenciling work, so we are showing you different types of artistry that goes into these cakes.

Q. 024.

A. That is a wispy cake which is similar to Eileen and Mireya's. It's a buttercream cake with a silk flower.

Q. Thank you. 025.

A. That's my favorite. I designed that year

two, and I just love it. We sell that all the time. It is all fondant.

Q. 030.

A. That's another one. Again, fondant with gold work. The bottom is a labor of love. Just the bottom two tiers can take an entire day to do.

Q. 031.

A. That is our geode cake. That cake is three layers in each tier, except for the bottom tier. We carve out the center of the cake -- and keep that in mind because we will come back to that -- you have to carve out parts of the cake and hand place each of those sugar crystals after we hand paint each crystal.

Q. 059.

A. That is the cake Mike was alluding to. We were so pleased that they chose to work with us. It was a young man. He came back to his bride. And one side is her wedding dress and the other side is his uniform. And they were married. That was really a special occasion.

Q. 059.

By the way, when you have the writing like the name there, I think it says "Morales." That would be his military name badge. Is that edible, as well?

A. Yes. Everything on that cake is edible, except for the topper that we added for them.

Q. Okay. 059.

And then finally 134?

A. Oh, that is our marbling. So you can see the two -- again, this is a -- pay attention to this picture. That is a center cake with two side cakes. The two side cakes and the third tier are marbling where we take the color and we mix it into the fondant, and we put it through our sheeter. And then we -- you have to work it to create this marble effect, and we hand paint the accents on it.

Q. That goes to the side cakes, as well, you said?

A. Yes, all the marbling effect there. I want you to notice the single cake with the two side cakes.

Q. Okay. Let's talk about your wedding packet. I'll pull up Exhibit 5-001.

Now, if can you explain to us what the wedding packet is.

A. So I love to do events. I love to do weddings. As -- once I bought the bakery, the bakery kind of took a life of its own and I had to back off from that. I only did a few a year. So in about -- I started sharing with my brides and grooms about weddings and the meaning of weddings, and I found that they didn't know the traditions. So I put it in my wedding packet.

And when a bride and groom come in, I say, Welcome to Tastries. This is your cupcake date. This is my wedding packet to you. And it talks about marriage between a man and a woman. And I tell them

that these are the Bible verses that I've used in weddings, the many weddings that I've coordinated before.

And then I'll ask them, do you know the meaning behind why you cut the cake and you feed each other the cake? Because everybody does that. They will even order a little six-inch cake with a whole dessert bar just so that they can cut the cake.

Q. What do you tell them about the meaning of feeding each other?

A. When you feed each other the cake, it is your first act of marriage, and the wife is saying I am going to provide for you in our relationship. I'm going to feed you. I'm going to provide for you. I will be there for you. The man is saying I am going to be able to provide for you in providing -- whatever it is in their relationship.

So it's the first act of the two coming together as one, and then they share the rest of the cake with their guests as their gift to their guests, saying thank you for coming to celebrate our union.

Q. What's the message of the cake -- wedding cakes that you mean to convey?

A. That this is a marriage ordained by God between a man and a woman and we are here to celebrate that with you.

And as a coordinator for years in weddings, there's three times that everyone looks at the bride

and groom. When they come down the -- I'm talking about the reception, not the wedding. The reception. When they walk through that door, when they cut the cake, and when they're sitting together at the table.

But when they are cutting the cake, everybody is watching to see. That is a big part of the wedding celebration.

Q. I know for me it's the time after a long wedding getting to eat the cake and leave. Is that normally the culmination of a lot of weddings, the cake cutting?

A. When I coordinate, it is always right after they finish dinner. We will do the toast and then we do the cake cutting. Because a lot of older people will go home, and then people can snack on.

Q. I didn't mean to suggest I was old when I said I would go home, but that's okay.

Let's go to Exhibit 004. Same page. Exhibit 5-004.

What's the significance of this page?

A. So the groom's cake -- oftentimes the bride is a little bit picky about her cake, so we will do a special cake for the groom. But the second part down there underneath that is about the gift of hospitality. You have had all of your guests spend the day with you, celebrating your marriage, and so you usually have a gift of hospitality for your guests. So what we do is we personalize it and we do a little cookie and we'll

make it the color of their wedding colors, and we wrap it and we put it at each place setting, or they will put it in a basket.

Q. You want to tell us about the stacking of the cake and the significance of that from Page 001 again?

A. So many -- many, many years ago, there would be a -- people would ask, well, why are you stacking the cake? And that was a representation of the fertility. So if they had three tiers, it was telling everybody at the celebration you want to have three children. Or if you wanted seven tiers. So things like that would come into being.

So this -- the stacking of your cake is representative of God creating man in his own image, for male and female, so that they could be blessed by God and they could have children.

Q. That's the second part of the command in Genesis, right? Be fruitful and multiply --

A. Right. 1:27.

Q. We talked about the case cakes. These custom cakes, can you describe the process how one goes about buying one of those?

A. Okay. So for -- a wedding cake is a custom cake and the -- and as is -- we also do party cakes, but we will focus on the wedding cake. A couple will call and say they are interested in coming to us for their wedding cake. We will sign them up on a form. Right now it is in a binder. And we put the bride's

name, groom's name, and their phone numbers. They will come in at the appropriate time, and I welcome them with my packet and they sit down. If I'm unavailable, my fellow employees in the front will sit them in the back of the bakery, which we have talked about, and they will sit down and have -- I'm sorry. I got distracted. They will sit down and start to take -- taste the cake, the little cupcakes and the fillings, and then I will come up. So it just kind of depends where I am at.

Now, the -- when I come to sit with the couple, they will talk about their wedding, and that's where I start. I start with the packet. We talk about their colors. We talk about the flowers. Because all of that comes into play when I'm designing their cake.

Q. Okay. Now, there's been testimony I know you want to address regarding recipes that are used for your custom cakes. And there was some testimony I believe by Mary Johnson about widespread alleged use of box mixes exclusively on some cakes.

Can you please tell us what your policy is regarding use of box mixes or store-bought icings?

A. Okay. When I purchased the bakery, the person that I purchased it from only used box mixes and tubs of frosting. That's it. I was dumbfounded. So I brought my recipes in. And within the first year, we started ramping up my recipes. It was very difficult, because she already had orders based on those recipes.

So it took me about a year, year and a half to transition it.

As you saw in the geode cake, we carve out parts of the cake. So I have to have something that's really, really stable. So there are certain cakes that I use as a base for my cakes, but there are a myriad of other ingredients that go into that box base. It is not just the box.

Q. How about --

A. Then I have -- I'm sorry.

Q. Go ahead.

A. Then I have my other recipes that are all from scratch. But right now it seems to be the issue of this, and I was so hurt and have been hurt by the innuendo that we just bake out of a box.

Q. Okay. That's --

A. But I brought -- yesterday, I brought seven binders.

Q. Okay. That's okay.

So you have lots of your own recipes?

A. Yes.

Q. And it's taken you how long to develop those?

A. Since I bought the bakery. But the frosting -- you asked both?

Q. Right.

A. The frostings I have been working on and we have used from year two on. And the box -- the tub one that they keep talking about from Sam's Club is

lactose-free. I can't make buttercream without butter. And my own daughter is lactose intolerant. So I use that during the summer. When it is 105 out, I will use that. But I tell them at the cake tasting, I buy this buttercream -- icing and I will have to use it if it's 105 outside if you want your cake outside. Okay? And they're okay with it. Nobody has an issue. But this has been so hurtful for me to spend nine and a half years developing this, and then it gets thrown to the media that I bake out of a box.

Q. Okay. Fair enough. I understand.

Let's look at a few more photos regarding your bakery products with 7B, as in boy, series.

When they do setup for weddings, besides staging a wedding cake, do they oftentimes stage to augment the wedding cake, other bakery items?

A. Yes.

Q. Okay. So 7B-11, and what does it depict?

THE COURT: You said 7B, as in boy?

MR. LIMANDRI: Yes, Your Honor.

THE COURT: Thank you.

MR. LIMANDRI: You're welcome.

THE WITNESS: Okay. That's at the Noriega House, and we always put the cake under the -- under the gazebo. In this case, we had to put the dessert bar out from it. Typically, your dessert bar surrounds or is on either side of your cake.

BY MR. LIMANDRI:

Q. Let's go look at 7B-23. Is this more typical?

A. Yes. That was a very rustic wedding. And you can see the cake in the center and then with the dessert bar, a myriad of different desserts. But every time I do a dessert bar, the desserts replicate the theme, the colors, and things that go in -- to go along with their wedding.

Q. Okay. 7B-52.

A. That is a -- that's cupcakes on the side of the cake that's in a barn in San Luis.

Q. Okay. Do people ever just order bakery products for a wedding without a wedding cake?

A. No.

Q. Now, let's look at some of your custom forms beginning with Exhibit 3001. We'll go through these a little quickly. It is a 10-page exhibit. And you can tell us if these are the forms that you typically use when people order custom cakes?

A. That is our front form. And the -- Mireya and Eileen -- we tried for just two or three months to try -- turn it landscape-wise, and it didn't work. That is why the forms look different. Our forms evolve each year. In January, I go through and see how we can better -- be more organized. This is a typical form for the front form.

Q. Second page?

A. That's the typical cake order form. And you

can see the detail that goes into it. You need -- for each layer, each -- so you have a three-tier, it is one, two, and three. You need the cake, the filling. I need to know if it is a gourmet filling or not, the size, the shape. I have 19 different size shapes of pans. And I need to know if it is buttercream or fondant. Down below, it's any fondant work that we are working on. We have the flavor price, the edible image, if it's necessary. There is just a lot of detail that is on that page.

Q. Number 3?

A. That is our cookie order form. Many times we are doing decorated cookies to go along with the cake, either for the bridal party or for the guests.

Q. 4?

A. These are -- this is our pie form. We do little tiny miniature pies for weddings, for dessert bar.

Q. 5?

A. Our macarons are made from scratch, and we have 18 different flavors and a myriad of colors. So this is for weddings to tell us whether they want the mini size, regular size, the color, the flavor, and the decorations.

Q. 6?

A. This is our cheesecake and cake roll and pastries. We do mini -- and when I say mini, m-i-n-i, in all of this, like a tasting size. Mini cheesecakes.

We have I think 15 now -- 15 flavors of cheesecake. We make cake rolls that are mini. We can do mini eclairs, mini cream puffs, and mini cannolis, and mini tarts.

Q. 7?

A. Our dipped treat order is very popular for weddings. We will do dipped strawberries and drizzle them in the color of the wedding in white chocolate or bittersweet chocolate. And then there's -- I'm not going to go through every item, but there are -- all of these are also included in dessert bars.

Q. 8?

A. These are pastries and breads. We've had people have us do mini cinnamon roll stacks for weddings.

Q. 9?

A. The mini cupcake and cake pops and cake bites are very popular for a dessert bar. And, again, those are all decorated to match the cake and theme and color of the wedding.

Q. And, finally, 10?

A. Brownies and bars. Very popular with the brownies. We have to cut them differently. Depending on if it is going out front in our case or being made for a dessert bar, all of these items are decorated or cut and packaged differently if it is going to a dessert bar versus our front case.

Q. These forms that we've been looking at, are those forms that you developed in your business?

A. Yes.

Q. Are they considered proprietary in your view, they are not to be released to the public?

A. They never leave my bakery. Never.

Q. Okay.

A. I have had people from other bakeries come in.

Q. Okay. Let's look at Exhibit 4-001, talking about the flavors and the fillings.

A. Okay. This is -- goes on the front of a binder that we give our clients, and it has the flavors that we are going to use for that year. And then our gourmet flavors, our fillings, and our frostings for that year. And I try my best to update that every January.

Q. How many flavors are we talking about that are available to customers?

A. 16 usually. It is right around 16 of each.

Q. 015. What do we have depicted here?

A. That -- those are stands that I offer for rental.

Q. 022?

A. These are -- this is the first page of many pages of shapes of pans that I use for cakes, and we can mix and match them. When I sit down with a bride or groom, we have to determine not only the flavor and the filling and the outside, the fondant or buttercream, but we also need to decide the sizes for

the number of people they want to serve, but also the shapes. And as you can see in some of the samples, we mix and match those. It's really fun.

Q. Okay. We have a couple of short video clips that have been marked for identification, not to be admitted, beginning with 13A. And then we'll look at D and G.

Let's look at the first short video clip, A, 13A, and if you could tell us what this is?

A. Okay. This is a picture of a video of the top tier of a three-tier cake. It looks like it might be champagne cake. And she's putting a dam frosting to go around so that any of -- if we use a fruit flavor or any other flavor, it won't bleed out into the other -- the outside of your cake. It looks like she's putting strawberry on the center with our homemade buttercream. And we puree strawberries. I don't even use flavorings. We use all fresh fruit.

Q. Is this at normal speed or is this accelerated?

A. It looks like it is at normal speed.

Q. Okay.

A. This is Carolina. She is very, very good.

Q. What is she doing?

A. She is putting the dirty coat or crumb coat on the cake, and you will see that she will take this on and then she'll scrape it down to what they call a naked cake, which means it just has a dirty coat on it,

which is just a -- it is just a very thin coat. After this, she will put it in -- so she will scrape it down now, and then she will put that in the refrigerator or the freezer for, like, five to ten minutes, just to get a crust on it, and then we put the final coat on. This way you don't get little pieces of cake inside your -- on the outside of your final product.

Q. Okay. Are we still on --

A. And I'm going to assume that nobody is going to take this and run with it, right?

Q. This is not in evidence.

A. Okay.

Q. Exhibit D -- 13D, as in David?

A. Okay. So this is your bottom layer. This is probably the -- or the middle layer -- the eight-inch layer. This the final coat she is putting on. You can see underneath is the crumb coat. And all of this is done before we can begin to decorate.

Some of our clients will ask us to put extra buttercream. Others will say we want a thin coat of buttercream. There's a lot that goes into each tier, even though this looks pretty simple to do.

Q. Okay. Let's go to G, as in George, the last clip, 13G.

A. There's your finished product. So you saw the six-inch completed, the eight-inch --

Q. Oh, I was supposed to go D, E, F, G. That's fine.

Did you need see anything in between or is this sufficient?

A. It just showed making each tier, how you stack each tier, and the intricacy of that, and then putting the piping on.

Q. Okay. Let's go to 14, then. Also not in evidence, but for illustration purposes, 14-8.

A. You can see her color palette over there. You see the colors and how we mix the colors, and then we start the artwork. So it is just like an artist with a canvas, but our canvas is cake.

This is a very -- this is becoming so popular. Before we would use a piping bag to do a lot of this work and now we are using different tools and turning it into a canvas.

Q. How long does it take to make a cake like this from start to finish, including all this decorative artwork?

A. I know the finish design here, so you are probably looking at five to six hours.

Q. Okay.

A. Something like that.

Q. All right. You want to go to 14B. This is a final video.

A. The cake turned out very similar to that, yes. A little bit different color, yes. But we have been making these all in white for weddings. We will use different shades of white.

Q. That's fine. Thank you. That will conclude the videos.

You are -- not you, but Mary Johnson was asked about a cake that showed a Jack Daniel's alcohol bottle on it.

Do you recall that?

A. Yes.

Q. Let's look at Exhibit 123-010.

How did this come about? Do you know?

A. I don't know. We are not supposed to do hard alcohol. We do wine and champagne.

Q. Was there a time when you were not at Tastries Bakery, the main location?

A. Yes. In 2016, I was asked to remodel a venue, and I was out like from 2016 to the beginning of 2017, I think, right in there.

Q. Okay. And was it more difficult for you to supervise and see what was going on when you were out of the office?

A. When I was -- when I -- during that time period, the -- a gentleman asked me to remodel an iconic building here in Bakersfield, and I would open a second location next door.

Q. Okay. Did you rely on your professional staff to basically follow the design standards in your absence?

A. Yes.

Q. Did you find out that did not always happen?

A. I found out when this situation happened, within the next week, that a lot had been going on that I was not aware of, even though I trusted my employees.

Q. Michael Miller talked a little bit how the written policy came about, the design standards. What's your recollection in that regard?

A. The design standards you see today?

Q. Right.

A. So when I opened the bakery, I didn't think I needed to put anything in print. I really, I guess, was naive. And by probably 2014, 2015, right in there, I realized I needed to set guidelines and boundaries, and that's when I stopped working the front as much. I was baking more. And so then I -- Mike and I talked, and I prayed about it, and I created a design standard. And then as -- just as with attorneys, these new laws come into effect and you use those, with us as they -- this is just easy to explain. When they made marijuana legal, everybody wanted me to make -- they would bring me the marijuana and I'd make marijuana brownies or something. Well, I can't do that. So I had to add that to my list. And then -- so it's a work in progress. Each year I have to update it.

Q. Okay. Fair enough.

Besides consulting with your husband, Michael Miller, on these issues involving the design standards, did you also consult with your pastor?

A. Yes.

Q. Who is that?

A. Pastor Roger Spradlin.

Q. Okay. Did he provide the guidance you needed to come up with your present design standard?

A. Yes.

Q. And Mike Miller talked about the delivery of a wedding cake to a same-sex couple in 2016.

Was this the first time you became aware that this could be a potential issue you had to deal with?

A. Yes. I hadn't -- it hadn't even entered my mind that this was going to be a situation.

Q. Okay. And as to the making of wedding cakes before you became aware of it, how did that -- wedding cakes for same-sex couples, how did that happen?

A. Would you say that one time?

Q. Yeah, sure. There was testimony that there was, like, an underground or something along those lines. How did that happen? Do you know?

A. Well, so Mireya -- Mireya and Eileen came in and we had that situation happen at that following week. Justin Salinas posted this video that went viral saying about this underground in my bakery. I had no clue. And then come to find out I had four employees who were working together. Natalie and Nicole were working in the front, and Mary and Justin were working in the back. And they were coordinating these cakes and they would deliver them.

Then after this happened, one of my new

employees came up to me and said, "Cathy, I feel so bad. I had to deliver one of those cakes, and I delivered it the 1st of July." And they had gone behind my back.

Q. You consider it a breach of trust?

A. Totally.

Q. And Mary Johnson testified -- let me ask you about a couple of aspects of her testimony. She said that one of the cakes they made was a green shamrock cake for a same-sex couple.

Are you familiar with that cake?

A. Yes.

Q. What do you know about it?

A. That was for an adorable couple. She was from Ireland, and he wanted her to have her cake. And we made matching cookies with a love knot in gold on the cookies that is an Irish symbol.

Q. Who designed the cake?

A. I did.

Q. Okay. So she was incorrect when she testified that was a cake that was made for a same-sex couple without your involvement?

A. Yes.

Q. Okay. She also talked about a situation where you made a cake for free for an employee, a female who had been living in -- outside of marriage with a boyfriend and had a baby she said out of wedlock, and that somehow you were violating your

Christian design principles by doing that.

Would you consider that a violation, if you made a wedding cake for a couple getting married in that circumstance?

A. No.

Q. Why?

A. And the reason is if they -- if someone comes to me and they are trying to make their relationship right before the Lord, just as a pastor would do, I welcome them to join together in marriage to make it right, to -- we are all sinners. We all sin. That's a given. And when we try to make it right, that's what we need to be focused on.

Q. So you consider yourself better than anyone else, including people of same-sex attraction?

A. No.

Q. Do you feel you discriminate against them or treat them differently when they come in to buy, say, for example, case cake items or order anything other than a wedding cake?

A. No. I have several LGBTQ customers and they are repeated customers. And the couple that I referred to Stephanie at Gimme Some Sugar came back and told us thank you so much. The cake was wonderful. And they frequented our bakery many times after that.

Q. There was testimony about Mary Johnson, that her husband stole the Baby Jesus at a nativity scene at a Christmas party you had at your home when you

welcomed her and her husband into your home.

Do you remember that testimony?

A. I do.

Q. Why was that significant, that Baby Jesus in that nativity scene, to you?

A. That was in the center of my dining room table. I invited my entire staff and their significant other to our Christmas party. I gifted them a beautiful gift. And when they left, the Baby Jesus that belonged to my mother's nativity set was missing. And I looked. I thought, oh, my goodness. What's happened? I realized that somebody had left with it, so I went back to work the following week, and I said, Did somebody take my Baby Jesus? Nobody responded.

So at the next staff meeting, I said, Look, I'm walking out the door. Tomorrow -- I will not walk in tomorrow until after lunch. Whoever took it, please just leave it on my desk. I just wanted my Baby Jesus back.

Q. How long had that been in the family?

A. Since 1945.

Q. Okay. Did she -- Mary Johnson, her husband return it?

A. No. And that was in December and she didn't leave the bakery until May.

Q. Okay. Have you had more than one gay employee work for you over the years?

A. Yes.

Q. Have you had some that worked for you, left, and came back, even after you knew they were gay, and you rehired them?

A. Yes. Justin Salinas worked for us. His mother came in and asked if -- we got to talking. Justin came in and worked over Christmas, loved it. By the end of those two and a half weeks, I knew that he was part of the LGBTQ community, but I'm not going to share that with other people. That's his private information. And he asked if he could come back that summer, and I said sure. He's an amazing decorator. He was fun to be around, very happy. And I think it was for three times he came back and I hired him back.

Q. If someone were to tell you they considered your views on same-sex marriage equivalent to racism, what would be your response?

A. Pardon?

Q. If someone said, you know, Christians who believe marriage should be between a man and a woman are bigots or racists, equivalent of racists, what would be your response to that?

A. That's ridiculous. This is white. This is black. Everyone in this room is one shade of brown.

Q. Okay.

A. God created all of us in all different colors. I'm not going -- that's --

Q. You don't distinguish people based upon those types of attributes?

A. No.

Q. Okay. What has been your intent when you are operating with the design policy that you'll only make wedding cakes for male and female customers? Is it your intent to discriminate against gay people or do you have a different intent?

A. No. I just -- I don't discriminate. I just follow my conscience and what the Bible says. If I was discriminating, then I wouldn't allow them to -- anybody to buy anything. It would go across the board.

Q. Okay. But you will sell other products to gay people, right? Just not wedding cakes?

A. Yes.

Q. Would you sell a wedding cake to polyamorous couple, say a man who wants to marry two women?

A. That's not acceptable in the Bible.

Q. How about have you ever had a situation where someone wanted to buy a divorce cake?

A. Yes.

Q. And what did you say?

A. I had a gentleman come in, and it was like either a five- or a seven-tiered cake he wanted, and it was going to have yellow accents. And he was African-American, and he came in with his daughter who is about twelve, and his little one that was right around one and a half. And he said, I need to order a wedding cake for a reception.

And I said okay. And so we started talking

about it. And then I said, what would your -- what flavors would you -- it was an anniversary celebration, not a wedding. It was for their anniversary.

And then when I started talking to him, he said it doesn't matter about the flavor.

I said, What would your wife like? And it didn't matter. So I invited him for a cake tasting.

He said, no, it's going to be a surprise.

Come to find out he told me that he was going to go up there in front of everybody, and when they renew their vows in front of 300 and something people, he was going to say, I divorce you.

Q. Would --

A. I looked at him, and I said, I'm sorry. I can't do your cake.

He says, you're discriminating against me. And I said, no. My cameras are right there. I'm not discriminating. I am not going to be a part of something like that.

Q. Okay. Thank you. Does Tastries offer a service where the people want to have one of your employees go to their reception and cut -- and help cut and serve to the attendees the cake that you will provide?

A. Yes. So o there's a page in my book, right after this, different shapes that they can -- it's offered.

Q. Does Tastries provide services for major

events here in Bakersfield?

A. Yes.

Q. Such as?

A. The symphony is the fun one. We do their opening night every year. We've been a part of -- goodness. The nut festival, the Relay For Life, the -- there's a myriad of things we are involved in and there's things I've said I won't be a part of.

Q. Does Tastries have a brand or a reputation that you feel is important in the community?

A. Yes. We do.

Q. What is it?

A. We are known for our kind of a fun atmosphere at the bakery. People walk in and say, wow, it's different in here. We are known for being a Christian boutique and Christian bakery. We are known for cakes looking as good as it tastes and tasting as good as it looks.

Q. Do you get much business from repeat customers?

A. That's most of our business, I would say.

Q. What other forms of business promotion do you use to get customers?

A. We have a -- up until this incident, we used our social media. Since this incident, I've had to go out a little bit further and we advertise on 88.3, which is what we play in our bakery all the time. And KUZZ a little bit.

Q. Is that Christian radio?

A. No. It's a country-western. But I'm also in all the bridal shows and we market that way also.

Q. The first radio station you mentioned, is that a Christian station?

A. Yes.

Q. Do you agree with your husband that you could not continue to operate without your wedding cake sales and services?

A. Yes. And let me qualify that. I don't do well with numbers, and so -- but I am a hands-on, and I feel my -- I feel the business out. And when we had COVID and the majority of the venues and things, you know, closed down, you couldn't have big events, we really, really felt it. And we barely scraped through, and that was only because he was able to do that PPP loan, that kind of thing.

Q. Okay. Let's talk about when you developed these design standards. Mr. Miller explained how that came about in 2016.

Can you tell us what arrangements you made to be able to make referrals to someone else if a same-sex couple came to Tastries to buy a wedding cake? What did you do in that regard?

A. The first time I was aware was Mike -- we had taken an order for a same-sex wedding, but we didn't know we had. And he delivered it and he came home and said, Cathy, we need to pray about this. And so then

we were trying to figure out, okay, what we are going to do? And we came up with some ideas.

But right after that is when this other couple, that I referred to Stephanie, they came in and they wanted this -- I call it the Disney cake. It really isn't. It's a five-tiered cake, and it just says, "Happily Ever After" in silver and they picked out a topper. But I sat down with them, and I took it. They were very, very kind, very sweet men, and I worked with them. And I actually left early that day, and I went home, and I told Mike, I said, I can't do this. This is -- and I went to scriptures. I knew I couldn't do it.

But I have developed a relationship with Stephanie because -- from a previous venue that I used to run, and so I went to her and I told her -- I asked her, I said, look, I can't do this. I know that -- I know that you love the Lord. I know you are Christian; and I'm a Christian. We interpret it differently. And she said, you're just like your mom.

Q. Never mind what she said. Just -- were you able to make the arrangements with her?

A. Yes. She was very happy to take the cake order, and so I gave the check to Mike, and he took the order and took the money, gave it to Stephanie. And then after that, I would just call her and say, hey, this is the couple. This is their phone number.

Q. Let's look at Exhibit 10-001. Is this the

check that you wrote to Gimme Some Sugar, which was transferring the payment from the same-sex couple that came to you in this time frame of September 2016?

A. Mike wrote the check, yes.

Q. Exhibit 10-002. I guess that's the back of the check.

How about 003? Okay. I guess that just shows it went through.

After that additional referral to Gimme Some Sugar, how many referrals would you say you've made to Gimme Some Sugar of same-sex couples that first came to Tastries?

A. Between two and three. There haven't been that many.

Q. Have you received any complaints about those referrals from the people you referred?

A. No.

Q. Now, what's the kind of revenue you lose per wedding cake when you don't -- when you refer a cake out instead of making it? What's a range of cost of a wedding cake at Tastries?

A. Today, it's probably somewhere between 300 and $2,000, depending on the cake.

Q. Could it be up to 5,000?

A. It could. With a dessert bar and everything else, yes, easily.

Q. So when you make these referrals, you are actually losing money?

A. Definitely. And not only that, but as we know, when people come to a wedding, they see your product, and then they say, who made your cake, and then we get referrals from that, also.

Q. Are there other bakeries that you personally know of, other than Gimme Some Sugar, which I understand has since been sold. Now Cornerstone. Are there other bakeries in Bakersfield that will make wedding cakes for same-sex couples?

A. Yes.

Q. What are some of the names?

A. The one that I refer to now is Jennifer at Cornerstone. She bought Stephanie's business. But there's Sugar Twist, Smiths, Sweet Surrender. And there's others out there since COVID that I haven't had time to even investigate.

Q. In August 2017, if someone you referred to Stephanie for some reason didn't want to go there, would there be other bakeries at that time that you could refer someone to?

A. Sure. Sugar Twist is doing an amazing job on cakes.

Q. What was your knowledge of Stephanie's, qualifications to make wedding cakes when you started referring customers to her?

A. I was working another venue and right after I bought the bakery, she delivered a cake there, and she was commissioned by the bride and groom. And we

were talking, and I offered her a job. I said, if you ever want, you know, to close down your shop -- because she was in downtown area. I would love to have her work with me.

Q. It's been suggested that one of the ways you could have addressed this situation is to have an employee with your knowledge and consent make the wedding cakes for Tastries without your involvement in the process at all.

In your view, would that be a workable solution?

A. No.

Q. Why?

A. There's a myriad of reasons, but the most important to me is, this is my business. This is the Lord's business that he put in my hands, and I'm a steward of it, and I cannot participate in something that would hurt him and not abide by his precepts in the Bible.

Q. Is it the case now that all the employees that you have working at Tastries are aware of your policy to your knowledge?

A. To my knowledge, yes.

Q. The four that was operating the underground, did they leave after this subject incident, things kind of blew up, and it became known what they were doing?

A. They left of their own accord.

Q. Do you feel it would, in any way, affect the

stability or harmony of the Tastries operation if you had employees not following the policies the same way the rest are following it?

A. Absolutely. There is no way I can do that.

Q. We are going to switch talking about this subject incident, and I'm happy to take a break whenever the Court prefers, but happy to proceed.

THE COURT: Where are we time-wise?

MR. LIMANDRI: I only have two more exhibits, so that won't take long. I usually move pretty fast. I would think 30 to 45 minutes, Your Honor.

THE COURT: Okay. Let's go ahead and take about a -- let's take a ten-minute recess.

(Recess taken.)

THE COURT: Let's go back on the record. Counsel is present. Appearances as previously indicated.

Mr. LiMandri, you may resume your direct examination.

MR. LIMANDRI: Thank you, Your Honor.

BY MR. LIMANDRI:

Q. Before lunch, I meant to ask before I get to the next section, how many people are usually involved in a wedding cake from the front end taking the order until the finishing up the cake and then of course delivering it?

A. Between five and seven or eight.

Q. Okay. Between five and eight employees be

involved in an entire process of taking the order and making the cake and delivering the cake; is that correct?

A. At least, yes.

Q. Do you, as the owner operator, feel you need to be involved in that process?

A. Yes. Because I direct my front staff. I do most of the cake orders. I do all of the wedding cake orders unless I'm sick.

Q. Okay. So if it came to this option of having someone make the cake for same-sex couples without your involvement, would that again be workable from that standpoint?

A. No.

Q. Okay. Let's talk about the subject incident. Rosemary Perez said she'd only been there on a part-time basis before it happened; is that correct?

A. Correct.

Q. Was it Natalie Boatwright who was the manager at the time?

A. She was the team leader for the front, yes.

Q. Okay. And she was part of this underground?

A. Yes.

Q. Now, when Rosemary brought you out, had you offered that the Rodriguez-Del Rios couple could taste the cupcakes at some point?

A. Yes. The protocol should have been -- they would -- the cupcakes were uncovered. There is a

picture, you can see, they were uncovered. They were right next -- right alongside of them within three feet or less.

Q. Did you expect that before you came out that they would have already had the opportunity to do the tasting?

A. Yes. They should have begun their tasting.

Q. Were they actually sitting by the cupcakes?

A. Yes, they were.

Q. Okay. And then at some point in that process you learned there were a same-sex couple?

A. Yes.

Q. Okay. The custom cake order form is one of the last two exhibits we will look at, 11-001.

Is this a form that you saw on that day?

A. Yes. I need to clarify some misunderstandings. Rosemary took their order and they -- they did fill it out with Rosemary, but Natalie told Rosemary, give me the order form, because she saw that it was for a same-sex wedding. When I was given the clipboard, it was a blank document. It was this, but it was not filled out, so I handed it to them. That's when I handed it to Mireya, and I asked her to fill it out, thinking that I was talking to the bride. And then she said, oh, I think she would be better to fill it out, which was Eileen, and I'm thinking, oh, her maid of honor is going to help her. That was my mentality here. I had no clue what was really going

on.

Q. Okay. And you asked them about the venue?

A. Yes.

Q. What did they say?

A. So they -- so the venue happened after -- so they asked me -- I asked them, I said, what is the venue? And they said the Metro. The Metro is very difficult to work with. They have a very strict policy, and for cake delivery we are only allowed to bring it at the very end. So I asked, is it the morning setup or the afternoon setup? When I asked them the time of the wedding, they were kind of joking around. And I was like, well, they should have this down. You know, I mean, this is just what I was thinking. And so when they were joking around like that I thought they should know this if they really have a venue booked. That's what was going through my head.

Q. At some point did you ask who was the groom?

A. Yes.

Q. What were you told?

A. So -- can I use that board and draw a diagram?

Q. No. I'd rather --

A. Okay. So I'm standing here --

Q. I could show you the exhibit -- last exhibit, 231-014.

A. Okay. So there's two high-top tables. Okay.

There you go. They were -- Mireya had that one chair kind of up against the wall, and Eileen was over to the half wall. I was standing about where I am there talking to them, but I was up a little closer. In back of me were Patrick and Sam. And you can see on the -- my case there, I had the cupcakes all up on the top of the case, and I've never had anybody not try the cupcakes. I'm usually saying, please don't eat the cupcakes. They didn't try them. The fillings were there; they're all labeled. And they should have been trying the cupcakes.

Now, when I found out that this was a same-sex union, I thought, oh, I need a minute. I need to pray. I need a minute. Go ahead and try the cupcakes. And I went around the side to get more order forms. I came back. A lot of times I need a minute. I came back over, and we talked about the -- and I said -- can I continue?

Q. Go ahead.

A. I said, I'm sorry, but I can't do your wedding cake, but I have someone that I refer to and it's Stephanie at Gimme Some Sugar. And Eileen said, why won't you do my wedding cake? And I said, I can't do the wedding cake, but I can refer you to Stephanie. She's really good. I offered her a job at one point. It was joking, but we were in the same -- and she asked a third time, why won't you do my wedding cake? And that's when I looked at the two girls and I said,

I can't be a part of a same-sex wedding because of my deeply held religious convictions, and I can't hurt my Lord and Savior. Those were my exact words. They resonate in my brain to this day.

Q. Did you use the word I don't condone same-sex --

A. I don't use that vernacular. That's not -- that's not in my language.

Q. What happened next?

A. And I had the clipboard, and I was -- I had the clipboard which they filled out, and I don't know who it was. The two boys were in back of me. One put his hand on my back and reached over and grabbed the clipboard. There was a lot going on. The girls were feelings were hurt. I was shocked. The boys were saying things. And there was just a lot going on. And I just stood there, and they grabbed -- and they said, we will take care of this. And they just walked out. And there was a lot of -- I am not saying anybody was yelling or any of that. I'm just saying there was a lot of commotion. Okay. That's a very small area. If you look at that, each of those squares are one foot. So you've got two feet to three feet between those chairs and tables, and there were five of us -- no, there were six because your mom came.

Q. Don't talk to the parties.

A. I'm sorry. I'm sorry. So there was six of us back there dealing with this, and it was -- it was a

lot.

Q. Okay. Understood. How did you know it was one of the men and not Eileen --

A. Eileen was to my --

THE COURT: Let him ask the question.

THE WITNESS: I'm sorry.

BY MR. LIMANDRI:

Q. How do know it was one of the men that reached over and took the clipboard and not Eileen Rodriguez-Del Rio?

A. Eileen was right here. Right to my left. Mireya was on this side of the high-top, and the mother was right next to her, and the two boys were in back of me.

Q. Okay. Indicating with your hand, the two women and Eileen's mother were in front of you?

A. Yes.

Q. Okay. And did they take the custom form out of Tastries Bakery?

A. Yes, because I didn't see it until Mr. Mann showed it to me at my deposition.

Q. Okay. Again, is that one proprietary form that you don't ordinarily let leave the bakery?

A. Yes.

Q. Are you sure that he put his -- actually put his -- one of the men put his hand on your back when he reached over and grabbed the clipboard out of your hand?

A. He put his hand on my back because that's the thing that startled me, and then I saw him come up and go like this and take it and say you won't be needing this. I will take care of it.

Q. What was your sense at the time?

A. I was just in shock. I just -- it never happened before.

Q. Did you have any fear?

A. I was scared and -- I mean, I was scared.

Q. Okay. How tall are you?

A. I'm five feet tall.

Q. There is nothing wrong with that, but the indication was that the others -- people were short, but they are taller than you?

A. Yes.

Q. Okay.

A. It's not hard.

Q. There was testimony that two other men, a same-sex couple, were there earlier in the day; is that correct?

A. Yes, Ken and Adam.

Q. Would that have been unusual, to have two gay couples seeking wedding cakes on the same day?

A. For Tastries Bakery that was very unusual. I only in -- from 2000 -- I've only had, maybe, one or two gay couples, maybe, in a year.

Q. Okay. So over the course of the last nine years, would you say you had more than half a dozen?

A. Maybe, yes.

Q. Okay.

A. I've had one since this whole thing happened.

Q. But never two on the same day?

A. No.

Q. But have you ever had a couple come in for a cake tasting and never actually taste the cakes?

A. No.

Q. What have you done differently, if anything, to avoid this type of situation ever happening again, because, obviously, it was unpleasant for everybody?

A. We implemented a lot -- many different standard operating procedures, SOPs. First, when someone calls for a wedding cake consultation, we make sure that we have the bride and groom's name. If it is not a bride and a groom, a man and a woman, they immediately turn it over to me. I, from that point, make sure that I check the list every single week for our cake tastings.

The second thing is, I always had -- before Natalie and Justin and Mary, I had already -- I had always assigned the orders. On our order form now, it says two names, bride and groom, so they know if they are doing a wedding cake it has to be a bride and a groom, just so I can be alerted and I can handle the situation, because when I have handled the situation in the past, there was never a problem.

Q. Do you think if Nicole had not got behind

your back, that you could have handled the situation better than it was handled?

A. Yes. Rosemary was being directed by Natalie.

Q. Okay. There's been a lot of testimony, so I don't want to spend a lot of time on this, but what happened in the immediate aftermath, in terms of the social media focus on Tastries?

A. It was horrible. I -- they left. I went to the bathroom to calm down, and then I just thought, I'm going to have to deal -- I'm going to have figure something out because I don't want that to happen again. And I went to start my class of 18 students for a cupcake decorating class.

The phone started ringing crazy, and the girls -- I looked up and one of my girls was crying, and then -- at that same time, one of my employees came over and said, Cathy, we need you in the back immediately. They know never to do that when I'm teaching a class, so I went to the back. I had another girl take over the class. And they told me that the media was calling nonstop, and they said they are getting horrible pornographic e-mails. I told them don't open the e-mails anymore. They were getting horrible phone calls. I said don't answer the phone anymore. And I had one older woman that I had her answer the phones.

And then the media showed up, and they would not -- they were out interviewing all of our customers

coming in and out of the bakery, so I locked the door and I finished -- I went over to the young lady who was having her birthday -- it was a group of teachers that were there for the cupcake class. It was one of the teacher's birthday. I told them I couldn't finish the class, but to have fun decorating and then I escorted them out.

Natalie got very volatile in the back, so I told her to go home and to come back on Monday, that she needed to calm down. And I didn't know what to do. So we got everything calmed down. The cakes were dispersed, and I opened the door to the media and they asked -- started asking me all kinds of questions.

Q. Did you ever seek out media attention?

A. One time.

Q. Why?

A. I turned down a multitude of media requests. But what they were doing is, they were coming in -- they would do -- take the interviews like -- that you and I had or -- I was told to do, and they would twist my words. And they did that that first day. They took it, and they would cut and slice and say things that I did not -- they took it way out of context.

So when we were in court the February 4th, I think it was, I invited all media to my bakery, and I said, I have a statement for you. And I looked at all of them and I said, if you've ever take anything I've said out of context again, I will never do an

interview with you. And since then, it's been good.

Q. Okay. Glad to hear it.

How many employees left?

A. Six.

Q. Okay. What happened to your rating?

A. They were horrible. And it's happening right now. We are getting one-star ratings from people who've never come into our bakery.

Q. All right. Mike already testified it affected your profits.

You agree with that?

A. Oh, yes.

Q. Did you have to shorten Tastries' hours?

A. Yes.

Q. Restrict your movement?

A. Yes. For three months I could only go to the bakery, the church, and my house.

Q. Why?

A. I had so many death threats, rape threats. I would drive my car, and I'd get flipped off or a thumbs up, and you never knew which. I was walking in Walmart, in the Walmart parking lot, two years ago, and I wasn't even -- I was in the truck. It doesn't even have it. I wasn't wearing Tastries. And a lady stopped me in the middle of the parking lot. She said, you're the Tastries woman, and I said, yes. I had no idea what she was going to say.

Q. Okay. Did you lose clients?

A. Yes, we did.
Q. Corporate clients?
A. Most of our corporate clients left.
Q. Including big accounts?
A. Huge accounts.
Q. But at the same time, were you getting support from your church?
A. Yes. The churches were very supportive, and the community was very supportive. There is a big difference between a cupcake and a --
Q. Before the DFEH sought a temporary restraining order against you, did they ever attempt to interview you?
A. No, they did not.
Q. Would you have been willing to speak with them?
A. I wanted to speak with them.
Q. Did you feel their investigation in that part of the -- the litigation was neutral and fair?
A. There was no investigation.
Q. Getting close to the end, fortunately.
Did you give a couple of depositions in this case?
A. Yes, I did.
Q. Did you feel all the questions asked were fair and reasonable?
A. I feel that Mr. Mann was being kind, on the one hand, but many of the questions that he asked were

not being respectful of my religious beliefs.

Q. To your knowledge, did the real parties or the DFEH do anything to try to stop all of the threats and harassment that were being aimed at you?

A. No.

Q. Did you see any statements issued that these are legal issues needing to be resolved by the Court and everybody should just calm down? Anything like that?

MR. MANN: Objection. Leading, Your Honor.

THE COURT: Sustained.

THE WITNESS: No.

MR. LIMANDRI: I believe that's all the questions I have for Ms. Miller. Thank you, Your Honor.

THE COURT: Thank you. Cross-examination.

CROSS-EXAMINATION

BY MR. MANN:

Q. Good afternoon, Cathy. How is it going?

A. Good afternoon. Great.

Q. Is it okay if I call you Cathy?

A. Yes.

Q. Please call me Greg.

A. Okay.

Q. Chuck suggested that the culmination of the wedding reception was the cake cutting. In my younger days, I thought that that is when the party actually

started.

Do young people kind of agree with that, in your experience?

MR. LIMANDRI: I object to the age discrimination being leveled at me.

I withdraw that.

THE WITNESS: Most weddings, unless --

BY MR. MANN:

Q. I'm just --

A. Okay. Sorry.

Q. I might need your help on pronunciation, but when Tastries started you purchased Cookies Couture?

A. Couture.

Q. Correct?

A. Yes.

Q. And when you bought it, it just had one storefront?

A. Yes.

Q. And it came with three employees, as well?

A. Correct.

Q. And by the end the first year, you had nine employees?

A. Probably.

Q. I'm just going to ask you questions that you told me --

A. Okay, okay.

Q. And at some point -- I'm sorry. And at some point, you doubled to two storefronts at Tastries?

A. Are you talking about enlarging the bakery we have now or the other bakery downtown?

Q. The storefront that you have now.

A. Right. We did enlarge due to health code reasons.

Q. And based on the last employee list that we received as of March 1st of this year, Tastries has had over 130 employees since you purchased it and started it?

A. Yes. For a variety of reasons.

Q. And now you have 18 employees?

A. Correct.

Q. Including you and Mike?

A. Correct.

Q. And you and Mike became employees within the last few years during the pandemic, right?

A. I believe so.

Q. Now, when you obtained Cathy's Creations, Inc.'s business license, you learned generally about the Unruh Act and that as a business open to the public, you are to provide full and equal services to your customers, correct?

A. Correct.

Q. More specifically, Unruh says that businesses should provide full and equal services regardless of a customer's sexual orientation.

You understand that, right?

A. Yes.

Q. And you understand that when the Unruh Act says, provide full and equal services regardless of sexual orientation, it's talking about not discriminating against gay people?

A. Right. I did not, yes.

Q. Now, your repeat customers love Tastries, right?

A. Yes.

Q. They like the employees, they like the atmosphere, but mostly they love your products?

A. Yes, or they wouldn't return.

Q. Now, Tastries offers some custom products -- let's set the record straight. On custom, the main -- the main aspect that determines whether baked goods in a cake is custom at Tastries is when it is ordered, right?

A. A custom -- so anyone can come in and buy anything in the case.

Q. I don't want to stop you, but we've got to get going. A custom item is any baked good that is preordered?

A. Correct.

Q. Thank you.

So with that understanding, I'm going to go ahead and use custom.

Does that make you more comfortable?

Now, Tastries offers some custom products that do not have any decoration, like gourmet cookies,

right?

A. Yes.

Q. And for baked goods with no decoration, like the gourmet cookie, there is no decoration, so there is no art in decorating it?

A. There is no art in decorating it.

Q. Now, in your testimony today, you talked about that you participated in every part of the custom cake design process; is that true?

A. I participate in every aspect of the custom cake design process.

Q. Right. That's the question.

A. I created it, yes.

Q. But you're not trying to mean that you are preparing all these custom cakes just by yourself, correct?

A. Correct.

Q. You set it up. You design the process, and at some point, you are usually touching base and working with your team on whatever needs to be done, right?

A. Correct.

Q. And it is a team effort. You are very fluid. You help out where you can best help the team?

A. Correct.

Q. Now, a lot of the time I'm going to be focused on the relevant time period, August of 2017. We took our first deposition in September of 2018.

Do you remember that?

A. Correct. Yes.

Q. And September of 2018 was closer in time to the incident in this case?

A. Yes.

Q. The second deposition in '22?

A. Yes.

Q. Now, back when I asked you, you said that Tastries was baking out hundreds of cakes per week in 2018; is that correct?

A. Yes.

Q. And can you be more specific? Was that like hundreds, like a 110, or like hundreds like three, four, five hundred?

A. So we have our case cakes which are single tier. Each -- when you are talking about baking, we are talking about two layers of cake for each tier. So we might have 25 orders for three-tier cakes or -- it just depends on the month and the season, but -- so you can say I have three-tiered cakes, and we got six this week. So you do the math. That's, you know, six cakes per week that are going towards those cakes.

Do you understand what I'm saying? I don't know whether you're asking --

Q. I'm going to get back to closing them out otherwise. But Tastries was baking a lot of cakes every week back then?

A. Yes.

Q. Who was the person that was doing the cake?

A. Carolina.

Q. She's fast. Can you give me an estimate without an explanation of how many custom cakes Tastries prepared on a weekly basis back in, like, the summer of 2017?

A. Summer is very slow, so probably around 30 cakes. During wedding season or graduation, something like that, we average probably around 75 orders a week.

Q. And that's just of the custom cakes?

A. Yes.

Q. And on top of that, there's lots of case cakes?

A. Yes.

Q. Can you tell me when wedding season is?

A. Whenever it is not hot. October to, like, the first of December, and then from, maybe, like right around Valentine's until maybe the first -- middle of May.

Q. Okay. Thank you.

I want to kind of walk with you through the skinny analysis of cake preparation. Let's do it quickly. I think it would be helpful.

So for a custom cake, one person takes the order?

A. Yes.

Q. And then you or somebody would take the orders and assign the task to the bakers and the

decorators?

A. Yes. I assign the orders, and then I assign the tasks.

Q. And back in this time period, there were four bakers, during the busy season. It could be as little as one during the slow season?

A. We have one main baker, but there's three or four of us that will go in part time to assist.

Q. And the bakers work together to bake the cake?

A. Yes.

Q. And there is always a filling?

A. Yes.

Q. And that's made by a different person in the back?

A. Yes.

Q. And another person goes to fill the cake, pull the filling, they'll put the filling on the cake stack, crumb coat it, right?

A. Yes. Somebody makes the buttercream for the filling and for crumb coating.

Q. And then it's assigned to a decorator to be decorated?

A. She will -- it depends on the season. There's different procedures.

Q. And depending on the expertise of the decorator, and the details of the cake, there could be one or more decorators?

A. Finished product decorating, I try to keep it to one person if possible.

Q. Back then you had a triple check system, where another decorator would initial that all the details of the cake were met, right?

A. Correct. And then they would take a picture and send it to me or -- if I'm in like a cake tasting or something.

Q. And the front person or delivery person would double-check, and then hand the cake out or deliver the cake?

A. Yes. As you said, this is a skinny analysis.

Q. Hopefully it's helpful.

A. Okay.

Q. I think with Chuck you said that that process could be anywhere from three to seven people. At your depo I think you told me eight people.

A. Three would be like if we are super, super slow. Carolina would just do the whole thing.

Q. So --

A. It just depends.

Q. It is going to be more than that; somewhere closer to five or six maybe?

A. It could be, yes.

Q. And the preparation process of case cakes is totally different?

A. Yes, it is.

Q. For case cakes, you tell your baker, bake out

what you have left of the batter, and you tell them go get some case cakes?

A. In the middle of the week, yes. The beginning of the week I assign exactly what I want.

Q. And you expect any of your bakers or decorators to be able to do case cakes all by themselves, at least the experienced ones?

A. Yes.

Q. Let's talk a little bit about the order process. You refer to it as design consult? Or what's the language you want to use?

A. For wedding, it's their cupcake date that is in my design center. For parties and quinceañeras, I call it a design consultation.

Q. To help me, can I refer to it as design consultation --

A. Yes.

Q. -- for both weddings and any other custom cakes?

A. Yes.

Q. Now, back in August of 2017, it will be a Tastries employee meeting with, sometimes, just one member of a couple. Usually it is two, both members of the couple for a wedding, but sometimes it is just one, right?

A. It is supposed to both unless one is in the military or away at college. But the majority are always both.

Q. And back in 2017, it was more often where it could be one person, right?

A. It should not have been.

Q. But it did happen sometimes?

A. Sometimes it does happen. I gave you the parameters for that.

Q. And back in that time period, it was not out of the ordinary that the bride and groom wouldn't come, but maybe the bride would come with her mom or with her maid of honor, and they would order the cake together and work with the Tastries employee, right?

A. Every once in a while that will happen, and it can happen. But we encourage the groom to come now because of the case. I require that the groom be there unless it is a mitigating circumstances.

Q. I think you told me about instances -- I can't remember exactly, but certain cultures it would be, I think, the father coming or -- tell me what that was?

A. In the Indian culture, a brother will come with the groom, and they will show me a picture of the bride and her dress, and they will -- it's fun because they let me design the whole cake, so I love it.

Q. And during that design consult, you create a relationship with the couple, if it is the couple, when they're ordering their wedding cake, right?

A. Yes, I do.

Q. And during a design consultation a customer

can bring in a picture of what they like and say, I like that cake. No changes. Just make it like that, right?

A. That's what they say.

Q. And if they stuck to it, you would do it to satisfy the customer, right?

A. If -- I have told brides and grooms that that cake is not attractive, so I -- that's a big question. So if the cake is beautiful, and if it is something they really like, I will work with them to change it up to meet what they like. And if they come in and say, I really like this cake, and it's a pretty cake, a lot of times it's right off of our website, but if they bring me a picture, I will work with them to match that to how many people they're having at their wedding and the color theme that they've picked. And I will make the necessary changes to make it work for them. But I've had people bring in -- say, I want that Jack Skeleton -- The Nightmare Before Christmas.

Q. I'm sorry. I appreciate the explanation.

During the design consultation, a customer can bring in a picture that they like and say, I would like the cake like this. No changes. Make it just like that, right?

A. They have said that, yes.

Q. And Tastries has made those cakes as best as they can to please the customer?

A. Yes.

Q. Now, Tastries has several customers that come in and they want to order a case cake in advance, and that becomes a custom order?

A. Correct.

Q. And for 40 to 50 percent of wedding cake orders, a customer came in -- come in with -- excuse me.

This question is back when I asked you in 2018, so kind of before things have changed.

A. Okay.

Q. And for 40 to 50 percent of wedding cake orders, a customer came in with a photo of the Tastries cake that they had seen in the past at a wedding and wanted you to do the same one for their wedding. So you made only minor changes to it, correct?

A. We can do that.

Q. And Tastries did that 40 to 50 percent of the time back then, right?

A. Maybe. Possibly. Yes. I don't know the exact percentages. It could be.

Q. If I told you that that was the percentage you told me in your deposition testimony --

A. That's fine.

Q. -- you would agree with that?

A. Sure.

Q. There are times when a wedding cake is ordered -- I'm sorry.

A. Can I clarify that?

Q. I'm sorry.

A. Okay.

THE COURT: Clarify what?

THE WITNESS: He's saying exactly like the cake they saw at the wedding. They would pick out their own flavors, their own fillings, and possibly their own colors, but it would have the same outward look if it was a ruffle or design.

THE COURT: Have you completed your answer?

THE WITNESS: Yes.

THE COURT: Go ahead, Mr. Mann.

BY MR. MANN:

Q. Tastries' clients choose the details of the cake, like filling and flavors, with Tastries' help, right?

A. With our help.

Q. And back in the previous period up through September of 2018, there were design consultations for custom cakes where you were not involved at all, right?

A. In the design consultation, correct.

Q. And when you have good front staff, you didn't need to be as involved in the design consultations, right?

A. In the design part of it, I could turn that over, yes.

Q. Natalie and -- I can't remember the other one.

A. Nicole.

Q. Nicole. They handled a lot of design consultations on their own, right?

A. Not a lot. They handled some. I was still there on Saturdays.

Q. And there were wedding cake orders where you did not participate in the design consultation, right?

A. A few, yes.

Q. With Chuck you talked about the message that Tastries sends with each wedding cake, and that part of the reason for not wanting to do wedding cakes for gay couples is that it sends a message of endorsement for the wedding, Tastries becomes part of the wedding, part of the centerpiece and celebration. Tastries is part of the whole thing, right?

A. Correct. Whole thing meaning the dessert -- you know, the whole dessert and the cake, whatever they choose.

Q. But not the whole wedding celebration, correct?

A. The reception, the marriage --

Q. Yeah --

A. The reception part, yes.

Q. And you believe that providing a wedding cake, Tastries is putting a stamp of approval on the wedding?

A. Yes.

Q. And that's the same for any event where Tastries provides a custom cake, right?

A. I feel that -- yes.

Q. And you believe that when Tastries makes a custom cake for a wedding, Tastries is sending a message that the wedding should be celebrated?

A. Yes.

Q. And that's the same for other custom baked goods in other events, that they should be celebrated?

A. Celebrate that person.

Q. And whatever the event is, right?

A. Correct.

Q. And for wedding cake orders is because of Tastries' interactions with the customers during the design consult that makes you feel comfortable that Tastries can send a message of celebration?

A. Would you state that again, please.

Q. Yeah. For wedding cake orders it's because of Tastries' interactions with customers during the design consult that makes you feel comfortable that Tastries can send a message of celebration?

A. So my interaction with the couple? That's what you're talking about?

Q. (Nods head.)

A. Yes. We are designing a cake for that celebration.

Q. And because of your interaction, that's how you feel comfortable to sell them the cake and celebrate their event with them?

A. Yes.

Q. And you can't think of an event for which Tastries provided a custom product where Tastries was not comfortable celebrating the event, right?

A. We are talking about weddings, right?

Q. Yes. Well, we're --

A. Right.

Q. Sometimes weddings, sometimes just events associated --

A. I feel like you've made a big box. I'm trying to understand what you're trying to ask.

THE COURT: If you don't understand the question, you need to tell him you don't understand the question.

Go ahead and ask your question, Mr. Mann.

BY MR. MANN:

Q. Okay. This one -- let's stick to weddings on this one.

A. Okay. Thank you.

Q. And you cannot think of a wedding for which Tastries provided a wedding cake where you were uncomfortable celebrating the event?

A. Yes, I can. I told you that we delivered that cake that we shouldn't have.

Q. Aside from -- for all the events where you were knowledgeable about what the event was?

A. Okay. Yes.

Q. I'm sorry for not making that clear.

A. Okay.

Q. So for when you've known about it, you've been comfortable providing wedding cakes for every wedding Tastries has ever provided a cake for?

A. To my knowledge, with the knowledge base that I have, yes.

Q. Now, for those times when Tastries, without your knowledge, provided wedding cakes for same-sex couples, you did not know that those were for same-sex weddings, right?

A. Correct. And that was hurtful, deceitful, and not only for me, but for our reputation, for our bakery, and for my Lord.

Q. And for those orders, you did not know what message was received by the customers, right?

A. Oh, yes, I do.

Q. Now, when a customer hosts an event, it is fair to say it's their event, right?

A. Yes.

Q. And even though Tastries might be participating, it is not Tastries' event?

A. It's not -- it's not -- we are participating in the event by providing the wedding cake.

You said you were talking about weddings.

Q. So if Tastries is providing a wedding cake, it is not Tastries' wedding, correct?

A. It is not Tastries' wedding, but it's the bride and groom that we've worked with.

Q. Now, since this has all happened and --

Bakersfield folks around town recognize you and know you, right?

A. Yes.

Q. And you talked to me about how you get thumbs up, thumbs down, other gestures when you are driving around, right?

A. Yes.

Q. And that's because people in Bakersfield understand what your beliefs are regarding same-sex marriage, right?

A. Yes. Or maybe they just like the bakery.

Can you repeat the question about the message that I'm sending?

THE COURT: Just wait for him to ask a question.

THE WITNESS: Okay.

THE COURT: Mr. LiMandri will be able to ask more questions.

THE WITNESS: Okay.

BY MR. MANN:

Q. All right. Let's -- nowadays do the majority of the design consultation for Tastries?

A. Yes.

Q. And do you remember at your last depo we did some math, and figured out that, since it's started, Tastries has probably provided over 2500 wedding cakes?

A. Yes.

Q. And you feel comfortable with that number?

A. Yes.

Q. Would it be safe to say that you've done well over a thousand design consultations, probably more?

A. By far more.

Q. And in the last decade or so, the colors and styles of wedding cakes has really changed, right?

A. Yes.

Q. There used to be more consistency in the past compared to now?

A. No.

Q. There used to be more consistency with white kind of traditional cakes than there is nowadays, right?

A. It's come back to that again. We went through a few years of colored wedding cake.

Q. And the design standards -- we are going to take a look at them in just a second -- they apply to all of Tastries' baked goods, including cakes and wedding cakes?

A. They should.

Q. And let's go ahead and take a look. Can you look at 8-2, please.

THE COURT: Is that Exhibit 8?

MR. MANN: Yes. Page 2.

THE COURT: Thank you.

BY MR. MANN:

Q. Before we get there, obviously, Tastries makes wedding cakes?

A. Yes.

Q. And same-sex wedding cakes are also wedding cakes, right?

A. Yes.

Q. Now, when you talked about the underground situation, where the employees were making cakes for same-sex weddings without your knowledge, did any of those customers come back and complain about the cakes they received?

A. I didn't know about the underground until this happened.

Q. So -- but none of the customers came back and complained, right?

A. I wouldn't know that. If it's being kept from me, I'm sure that Natalie and Nicole and Justin and Mary made sure that I didn't know there were complaints also. They were very deceitful.

Q. I'm not going to dispute that.

Could we take a look at the bottom bullet points, please.

Now, those first five bullet points promoting marijuana, featuring alcohol, presenting explicit, portraying, depicting, those are all very specifically about the design, the imagery, the decoration of a custom cake, right?

A. Yes. But the Satanic one also goes to the spiritual basis, a faith basis.

Q. And if we look at the sixth bullet point,

there is no reference to design, decoration, featuring, presenting, portraying -- it doesn't have any of those words regarding design or decoration, correct?

A. It doesn't need it, no.

Q. And it doesn't have it, right?

A. No.

Q. No, it doesn't have it?

A. No, it does not have those words.

Q. Okay. We just to make the record clear. Remember when --

A. Okay.

Q. And that was about whether the couple getting married consists of one man and one woman?

A. It says that up there, yes.

Q. And when gay couples get married, those couples do not consist of one man and one woman, right?

A. That is correct.

Q. When that happens, it's a woman marrying a woman or a man marrying a man, correct?

A. Correct.

Q. And it is gay people that are involved in same-sex marriages, right?

A. The LGBTQ community, that's about the choices they made. I'm talking about a marriage. I'm talking about a sacrament. I'm talking about a wedding cake. Okay. And a wedding -- a sacrament of marriage is between a man and a woman. It has nothing to do with the LGBTQ or what they -- the sexual orientation they

want. I'm talking about the marriage. So don't confuse the two.

Q. And it is gay people that are involved in same-sex marriages, correct?

MR. LIMANDRI: Objection, Your Honor. She answered the question according to how she understands what a marriage is.

THE WITNESS: Marriage --

THE COURT: Hold on.

THE WITNESS: I'm sorry.

THE COURT: I'm going to sustain it. She's answered.

BY MR. MANN:

Q. And you agree that it is fair to say when somebody is talking about same-sex marriage, they are talking about gay people, right?

MR. LIMANDRI: Same objection, Your Honor.

THE COURT: Overruled.

THE WITNESS: When you use the word "marriage" --

THE COURT: Listen to the question. Would you like the question reread?

THE WITNESS: Okay. Read me the question.

THE COURT: Go ahead, Madam Reporter.

(Record read.)

THE WITNESS: Marriage is between a man and a woman.

MR. MANN: I'd like to read 150 through 9

through 15. I'm sorry. In the 2022 depo.

MR. LIMANDRI: No objection.

THE COURT: Go ahead.

BY MR. MANN:

Q. "So it is fair to say that when somebody is talking about same-sex marriage, they are talking about gay people?

"ANSWER: Yes. Clarifying, 'gay' meaning LGBTQ, the whole group?

"QUESTION: Exactly.

"ANSWER: Okay."

And you agree it's fair to say that when we are talking about same-sex marriage, we are talking about sexual orientation?

MR. LIMANDRI: Are you asking a question or reading the depo?

MR. MANN: Okay.

THE WITNESS: I don't know how to answer your questions because --

MR. MANN: Your Honor, I would like to read the deposition.

THE COURT: Okay.

THE WITNESS: Can I finish?

THE COURT: You just said you don't know how to answer his questions. Is that not a complete answer?

THE WITNESS: It's not a complete answer.

THE COURT: Okay. Go ahead and finish your

answer.

THE WITNESS: Please read the question back.

(Record read.)

THE WITNESS: Same-sex marriage is when two men and two women want to be married. Marriage as defined by my religious beliefs is between a man and a woman. The choices that people make are of their own accord. I can't do a wedding cake for people of the same sex. I don't know how to answer your question because I know you are putting me in a box.

THE COURT: Just answer the question.

Go ahead, Mr. Mann.

MR. MANN: I would like to read same depo, Page 150, Lines 16 to 19.

MR. LIMANDRI: No objection.

THE COURT: Go ahead.

MR. MANN: "QUESTION: So it is fair to say that when we are talking about same-sex marriage, we are talking about sexual orientation?

"ANSWER: Yes."

BY MR. MANN:

Q. Now, based on the policy we saw in the sixth bullet point, Tastries will not sell cakes for gay couples' same-sex weddings, correct?

A. I will not sell a wedding cake to a same-sex wedding for a marriage.

Q. And that was based on that sixth bullet point in Tastries' design standards, right?

A. It is based on my Bible and my Biblical belief, and I put that standard up there.

Q. When you say you put that standard up there, you are referring to the sixth bullet point?

A. Yes.

MR. MANN: Do you want me to take some time, Your Honor, or do you want me to go forward?

THE COURT: Do you need a minute?

THE WITNESS: They want to get done today. Let's just finish.

THE COURT: We'll take -- let's take a -- let's see. Take about a five-minute recess. Five-minute recess.

(Recess taken.)

THE COURT: Let's go back on the record.

Ms. Miller is on the stand. Mr. Mann is at the ready.

Mr. Mann, you may resume your cross-examination.

BY MR. MANN:

Q. You told us about the divorce cake that Tastries refused?

A. Yes.

Q. You said that was for an anniversary?

A. Yes.

Q. Tastries' design standards apply to the anniversary and other events?

A. Yes, they do.

Q. And Tastries will not sell gay couple -- Tastries will not sell gay couples custom cakes for any event related to their marriage, including anniversaries, engagements, bridal showers, bachelorette and bachelor parties, right?

MR. LIMANDRI: Object to that as being beyond the scope of the issues in this case as not what occurred on the facts, so it is irrelevant. 352. And I think it was subject to a motion in limine.

THE COURT: Let me see counsel over here.

(Sidebar held off the record.)

MR. LIMANDRI: My objection again is calls for speculation, lacks foundation, irrelevant, and 352, more prejudicial than probative.

THE COURT: Overruled.

THE WITNESS: No. I will not provide cakes for the same-sex wedding or for their anniversary or engagement because that's part of the marriage.

BY MR. MANN:

Q. So the answer to my question was yes?

THE COURT: The answer to your question is the answer she just gave.

MR. MANN: Okay.

BY MR. MANN:

Q. In those situations, Tastries refers couples to different bakeries?

A. If that were to happen, yes, I would.

Q. And you could remember at least three gay

couples that Tastries has referred to other bakeries when they were wanting wedding cakes, correct?

A. That is correct.

Q. And there have been other gay couples that Tastries wanted to refer, but the couples did not take them up on the offer to refer?

A. I think there was one that -- correct.

Q. Those four employees that you mentioned previously that were part of the underground cake process, you remember them?

A. Yes.

Q. I think you said that they quit?

A. That is correct.

Q. Did you have an understanding that part of the reason they quit was because they disagreed with the policy, the sixth bullet point?

A. Mary quit because she was staying home -- she decided she wanted to stay home with her new baby. Justin had given me his letter of resignation just before that to pursue an acting career. Nicole was humiliated by her involvement and apologized, and Natalie chose to leave.

Q. Thank you.

A. I had two other employees who left because of the threats.

Q. And as of September 2018, no employee had ever pushed back against that sixth bullet point to not make wedding cakes for same-sex marriages?

A. No. And they have opportunity to discuss it many times.

Q. We can take a look again at 8.2. And you see there in the sixth bullet point, designs that violate fundamental Christian principles?

A. Yes.

Q. These design standards are based on your religious beliefs?

A. They're based on the Bible, which my beliefs are based on, yes.

Q. And at your February 2022 depo, you agreed with me that the phrase "fundamental Christian principles" could mean lots of different things to different people?

A. It's the fundamental basis of the Bible, yes.

MR. MANN: I'd like to read the depo, Your Honor.

THE COURT: All right.

MR. MANN: 121, 24 through 26, I believe. 2022.

THE COURT: Page 121, 24 to 26. I mean -- you better give me those pages again.

MR. MANN: 121 -- I think I got the page wrong, Your Honor.

I'm sorry, Your Honor. 122, 4 through 6.

THE COURT: This is the 2022 depo?

MR. MANN: Yes.

You know what? I'm sorry. Start at 121,

Line 24, and going through 122, Line 6.

THE COURT: All right. Mr. LiMandri?

MR. LIMANDRI: No objection.

MR. MANN: "QUESTION: Okay. I didn't ask about that. I'm trying to figure out -- I want to -- that part of the design standards would you agree is kind of vague, fundamental Christian principles?

"ANSWER: Explain that. What?

"QUESTION: Like it could mean lots of different things to lots of different people.

"ANSWER: The phrase? Okay. Yes, it possibly could."

BY MR. MANN:

Q. Now, the sixth bullet point has one example of a fundamental Christian principle, and that deals with God's sacrament of marriage between a man and a woman, right?

A. Yes.

Q. But that's not the only fundamental Christian principle that you have or that applies to these design standards, right?

A. Say that again. I'm sorry.

Q. That's not the only fundamental Christian principle that you have or that applies to the design standards?

A. No. I won't participate in witches and spirits and gore and sexual -- explicit sexual content.

The Lord says for women to adorn themselves respectfully. I mean, there's other -- throughout my entire -- that entire design standard -- go up to the top. Look at the positive things.

Q. And there are design -- or, excuse me, there are fundamental Christian principles that are not referenced in these design standards at all, correct?

A. The entire page is filled with -- the overtone of the whole design principle is to be honoring to people and to be honoring to God most importantly. Okay.

Q. I understand that. What I'm trying to ask is that this sheet does not contain all the fundamental Christian principles that you apply when you're reviewing a cake order, correct?

A. I review the cake orders based on what I think is appropriate based on my Biblical -- my religious beliefs. I'm not going to do an X-rated porno-type thing. And I get asked for that all the time. I'm not going to do drug abuse or gore.

Q. Right. We all understand that because those are up there separately, right?

A. Okay. The divorce cake is not up there, but I didn't do the divorce cake.

Q. Well, it talks about anything offensive, demeaning. I would say that divorce cake fits in there, right?

A. Please give me an example of what you are

asking, then.

Q. Okay. Couples living together before they're married goes against your fundamental Christian principles, right?

A. Yes.

Q. But in the design consultation, you do not ask couples whether they are living together, right?

A. That would be discriminatory.

Q. So you don't ask them, right?

A. I don't ask them. And if they are, they're making it right before the Lord by getting married.

THE COURT: So, Ms. Miller, you need to listen to the question he's asking you and just answer that question. You're getting into volunteering information that's not being asked. You need to listen to his question. Mr. LiMandri will have an opportunity to come back and ask you more questions, but you need to pay attention to his question. Okay?

THE WITNESS: Okay. Thank you, Your Honor.

BY MR. MANN:

Q. There's one other example that we discussed, was a Christian marrying an atheist violates your fundamental Christian principles, right?

A. Yes.

Q. But you do not ask couples whether they are atheists during the design consultation, right?

A. No.

Q. No, you do not ask them, correct?

A. No, I do not ask them.

Q. Thank you.

And if there is ever a conflict between your fundamental Christian principles and the law, you are going to answer to your Lord and Savior first, the law second, right?

A. That is correct.

Q. Can we look at the top standards, please -- bullet points. I'm sorry. Leave these here.

The second one, Tastries will not make designs featuring alcohol products or drunkenness; is that correct?

A. That is our goal, yes.

Q. Can we look at Exhibit 123. 4, 6, and 7.

So we see here that Tastries will make wine, beer, or champagne decorations. That's okay under the standards, right?

A. I do not -- I will do tasteful wine toast, champagne toast, that type -- it's not -- it is a celebratory -- it is not drunkenness. It is not evilness. It's not -- Jesus' first miracle was turning the wine -- water into wine for a marriage. That wasn't drunkenness.

THE COURT: Ms. Miller, listen to his question. You want the question reread?

THE WITNESS: Yes, please.

THE COURT: Okay. Let's -- can you reread the question.

(Record read.)

THE WITNESS: There are some that I will -- that I have made in the past. As things have progressed, I've had to narrow that field.

BY MR. MANN:

Q. And the policy doesn't refer to any exceptions to it, right?

MR. LIMANDRI: Objection, Your Honor. The document speaks for itself.

THE COURT: Sustained.

BY MR. MANN:

Q. Do hard alcohol products go beyond the line?

A. Yes, definitely.

Q. Take a look at Exhibit 10. I'm sorry. Page 10. Is this a Tastries cake?

A. Yes, it is.

Q. That's a Jack Daniel's whiskey bottle?

A. Yes.

Q. Does Tastries policy apply to gambling at all, the design standards?

A. No.

Q. So cakes that have images of gambling are okay under the design standards?

A. They're not hurting anyone, so they would -- and they're not against scripture.

Q. So they're okay under the design standards?

A. Under the design standards.

Q. Okay. Now, you trained your front staff in

the process for taking custom cake orders?

A. I have trained my front staff, yes.

Q. And they follow a consistent process?

A. They are supposed to follow a consistent process.

Q. And you've had training sessions?

A. Yes, I have.

Q. And Rosemary worked in the front in August 2017, correct?

A. As a new employee, yes.

Q. And you have no idea whether the Rodriguez-Del Rios ever saw these designs standards when they were in Tastries, correct?

A. I don't know if they did or not.

Q. So let's talk about the tasting with the Rodriguez-Del Rios August 26th, 2017.

Do you remember that was the date?

A. Yes.

Q. And Tastries at that time had a limited number of people that could taste, right?

A. We like for it to be four people because of the space.

Q. And in your thinking, it would be the bride and the groom and two other people, right?

A. Correct.

Q. And it was not a hard-and-fast rule. If somebody had five or six, it probably would have been okay?

A. That happens often, yes.
Q. Because you don't turn people away?
A. That is correct.
Q. And do you know whether Rosemary provided the Rodriguez-Del Rios the wedding packet we saw earlier, Exhibit 5?
A. I would have given them that and we did not get to that point.
Q. So you did not give them the wedding packet, Exhibit 5?
A. No, I did not.
Q. And Rosemary didn't give it to them either?
A. That would have been my place to do that.
Q. And if Rosemary had the order form from the Rodriguez-Del Rios from their first visit, it was supposed to go into the pending file, right?
A. Correct.
Q. So when you met with the Rodriguez-Del Rios, from your point of view, you were starting the order from scratch?
A. Correct.
Q. And is it your understanding from testimony and from seeing the text message from the Rodriguez-Del Rios' point of view, the only thing they had left to do was to select the flavors?
A. Correct.
Q. And you remember Mireya telling you, we already have our cake design?

A. Yes.

Q. And do you remember your testimony that one of the guys was tall, referring to me, tall like Greg, and he reached over your shoulder, grabbed the paper, and said, we'll take care of this. You don't need this.

You remember you told me that?

A. Yes.

Q. How tall do you think I am?

A. I don't know. You're taller than me.

Q. You think I'm taller than 5'9"?

A. I don't know. Maybe like -- Mike's 5'10", so you're probably 5'10", 5 -- 6 feet, 6 feet. I don't know.

Q. Good try.

MR. MILLER: I'm 5'9".

THE WITNESS: You're 5'9". Sorry. Okay.

So you are, what, 6 feet?

BY MR. MANN:

Q. 6'2". Would you take my word for it?

THE COURT: And with that important bit of information, we are going to take our evening recess.

Thank you for sharing that, Mr. Mann. And the Court will take judicial notice of that.

We are going to go ahead and take an evening recess. And, Counsel, I'm going to ask you to report back at 8:45 tomorrow. I'm going to try to complete the evidentiary phase before we get into the afternoon.

So report back at 8:45. I do have other matters tomorrow, so we are going to be working you into that schedule and it's going to be a little touch and go, I think. I'm not sure. But you are my priority. So I'm going to do everything I can to land the airplane.

We'll see you tomorrow at 8:45. Everyone have a nice evening.

(Whereupon, proceedings adjourned.)

(Volume 7 consists of pages 1501 through page 1688. There are no pages 1689 through page 1800. Volume 8 will start on page 1801.)

STATE OF CALIFORNIA)
) ss.
COUNTY OF KERN)

I, Cynthia R. Pola, hereby certify that I, as Official Reporter Pro Tempore of the Superior Court, County of Kern, do hereby certify that the foregoing transcript in the matter of DFEH vs. CATHY'S CREATIONS, LLC, ET AL.; Case No. BCV-18-102633, July 28, 2022, consisting of pages numbered 1201 through 1688, inclusive, is a complete, true, and correct transcription of the stenographic notes as taken by me in the above-entitled matter.

Dated this 23rd day of June, 2023.

Cynthia R. Pola, CSR No. 11204
Official Reporter Pro Tempore

IN THE COURT OF APPEAL IN THE STATE OF CALIFORNIA

IN AND FOR THE FIFTH APPELLATE DISTRICT

--o0o--

DEPARTMENT OF FAIR EMPLOYMENT, AND HOUSING, AN AGENCY OF THE STATE OF CALIFORNIA, PLAINTIFF/APPELLANT, vs. CATHY'S CREATIONS, INC. D/B/A/ TASTRIES, A CALIFORNIA CORPORATION; AND CATHARINE MILLER, AN INDIVIDUAL, DEFENDANTS/RESPONDENTS.	Volume 8 of 8 Page 1801 - 1928 Case No. BCV-18-102633 Court of Appeal No. F085800 Bakersfield, California July 29, 2022
EILEEN RODRIGUEZ-DEL RIO AND MIREYA RODRIGUEZ-DEL RIO, REAL PARTIES IN INTEREST	

APPEAL TO THE COURT OF APPEAL

FROM THE SUPERIOR COURT OF KERN COUNTY

HONORABLE J. ERIC BRADSHAW, JUDGE; DIVISION J

APPEARANCES:

For the Plaintiff/ Appellant:	Department of Fair Employment and Housing By: GREGORY J. MANN, ESQ. By: KENDRA TANACEA, ESQ. By: SOYEON C. MESINAS, ESQ. 320 West 4th Street, Suite 1000 Los Angeles, California 90013
For the Defendants/ Respondents:	LIMANDRI & JONNA LLP By: CHARLES LIMANDRI, ESQ. By: PAUL M. JONNA, ESQ. By: JEFFREY M. TRISSELL, ESQ. P.O. Box 9120 Rancho Santa Fe, California 92067
Reported By:	Cynthia R. Pola, CSR No. 11204 Official Reporter Pro Tempore

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF KERN

HON. J. ERIC BRADSHAW, JUDGE, DIVISION J

--o0o--

DEPARTMENT OF FAIR EMPLOYMENT, AND HOUSING, AN AGENCY OF THE STATE OF CALIFORNIA, PLAINTIFF, vs. CATHY'S CREATIONS, INC. D/B/A/ TASTRIES, A CALIFORNIA CORPORATION; AND CATHARINE MILLER, AN INDIVIDUAL, DEFENDANTS. EILEEN RODRIGUEZ-DEL RIO AND MIREYA RODRIGUEZ-DEL RIO, REAL PARTIES IN INTEREST	Case No. BCV-18-102633 Bakersfield, California July 29, 2022

REPORTER'S TRANSCRIPT OF PROCEEDINGS

APPEARANCES:

For the Plaintiff: Department of Fair Employment and Housing
By: GREGORY J. MANN, ESQ.
By: KENDRA TANACEA, ESQ.
By: SOYEON C. MESINAS, ESQ.
320 West 4th Street, Suite 1000
Los Angeles, California 90013

For the Defendants: LIMANDRI & JONNA LLP
By: CHARLES LIMANDRI, ESQ.
By: PAUL M. JONNA, ESQ.
By: JEFFREY M. TRISSELL, ESQ.
P.O. Box 9120
Rancho Santa Fe, California 92067

Reported By: Cynthia R. Pola, CSR No. 11204
Official Reporter Pro Tempore

MASTER INDEX - VOLUME 8 - (Pages 1801 - 1928)

SESSIONS

PAGE

FRIDAY, JULY 29, 2022

MORNING SESSION 1806

AFTERNOON SESSION 1843

MASTER INDEX - VOLUME 8 - (Pages 1801 - 1928)

CHRONOLOGICAL INDEX OF WITNESSES

DEFENDANTS' WITNESSES: PAGE

CATHARINE MILLER (CONTINUED)

CROSS-EXAMINATION BY MR. MANN 1809
REDIRECT EXAMINATION BY MR. LIMANDRI 1827
RECROSS EXAMINATION BY MR. MANN 1838
REDIRECT EXAMINATION BY MR. LIMANDRI 1838

MASTER INDEX - VOLUME 8 - (Pages 1801 - 1928)

EXHIBITS

JOINT EXHIBITS

EXHIBIT NO.	DESCRIPTION	PAGE
5	Received - Document	1808
110	Received - Document	1808
115	Received - Document	1808
111	Received - Document	1808
118	Received - Document	1808
130	Received - Document	1841
131	Received - Document	1841
132	Received - Document	1841
133	Received - Document	1841
148	Received - Document	1841
700A	Received - Document	1927
700B	Received - Document	1927
134	Received - Document	1927

BAKERSFIELD, CALIFORNIA; FRIDAY, JULY 29, 2022

MORNING SESSION

HON. J. ERIC BRADSHAW, JUDGE; DIVISION J

--oOo--

(Whereupon, the following takes place in open court.)

THE COURT: Let's go back on the record on the matter of DFEH versus Cathy's Creations.

Counsel are present. Appearances as previously indicated.

We have Mrs. Miller, I think. Where is Mrs. Miller?

MR. LIMANDRI: She's here, Your Honor.

THE COURT: All right. Let's bring Mrs. Miller forward.

MR. LIMANDRI: Your Honor, we had a couple of housekeeping matters.

THE COURT: While Mrs. Miller comes forward, we can take up those housekeeping matters.

MR. LIMANDRI: Sure. There's some stipulations we thought would be helpful to dispense with.

There was three exhibits the parties agreed to admit that Mr. Trissell can announce for the record.

MR. TRISSELL: Your Honor, it's Exhibit 5, which I think has been partially admitted, but it

should be entirely admitted. Exhibits 110, the marriage certificate, and Exhibit 115, Articles of Incorporation of Cathy's Creations, Inc.

THE COURT: Those documents are on the list that Madam Clerk has already?

MR. TRISSELL: Yes.

THE COURT: So Exhibit 5, the entire -- all these exhibits, entire documents, 5, 110, and 115. Mr. Mann?

MS. TANACEA: We actually want to offer a few more exhibits --

THE COURT: A few more exhibits?

MS. TANACEA: -- and a stipulation.

THE CLERK: Judge, I need a second.

THE COURT: Let's take a short recess here.

(Brief pause.)

THE COURT: Let's go back on the record.

So we have right now -- my understanding is there's a stipulation to admit Exhibits 5, 110, and 115, but Ms. Tanacea was mentioning some other exhibits as well.

MS. TANACEA: We just agreed to 111, which is the Metro Galleries rental agreement, and 115, the Articles of Incorporation of Cathy's Creations, Inc., and 118, Cathy's Creations, Inc.'s registration with the State of California. And then the stipulation the DFEH wants to put on the record.

THE COURT: Let's take these exhibits first.

So Exhibits 5, 110, 115, 111, 1 -- wait. I'm sorry. 5, 110, 115, 111, and I have 118.

Did you have another one besides -- there was something else you mentioned. Did you say 115 again?

MR. JONNA: She said 115 twice.

MS. TANACEA: Sorry.

THE COURT: Okay. So just to be clear, 5, 110, 115, 111, and 118 are all received in evidence based on the stipulation of the parties, correct, Counsel?

MR. LIMANDRI: Yes, Your Honor.

MS. TANACEA: Yes.

THE COURT: All right. That's affirmative.

(Whereupon, Exhibits Nos. 5, 110, 115, 111, and 118 were received into evidence.)

THE COURT: What was the proposed stipulation, Ms. Tanacea?

MS. TANACEA: The stipulation is DFEH stipulated that it does not dispute Catherine Miller's sincerely held religious beliefs.

THE COURT: Is that a stipulation?

MR. LIMANDRI: Yes, Your Honor.

THE COURT: Of fact?

MR. LIMANDRI: Yes, Your Honor.

THE COURT: All right. The Court accepts the stipulation.

Anything else we need to take up before we proceed.

MR. LIMANDRI: I don't believe so, Your Honor.

THE COURT: All right. Mrs. Miller is on the stand.

Mrs. Miller, you are still under oath.

Mr. Mann, you may resume your cross-examination.

MR. MANN: Thank you, Your Honor.

CROSS-EXAMINATION (CONTINUED)

BY MR. MANN:

Q. Good morning.

A. Good morning.

Q. Before -- you recall that the Rodriguez-Del Rios were -- wanted to have a main wedding cake, the round three tiers, but then also I think you said two sheet cakes?

A. It was one or two 9-by-13 sheet cakes, correct.

Q. And your interaction with Eileen and Mireya lasted maybe five minutes or so?

A. I would say five to ten minutes. Correct.

Q. And you testified that you had asked questions about the delivery time and the setup with Metro, right?

A. Correct.

Q. And based on their answers, you thought that they hadn't even figured this stuff out with the Metro,

right?

A. That's how it seemed to me at the time.

Q. And they told you, yes, everything is finalized, but we need to know if you'll do the cake?

A. Yes.

Q. And based on that, you questioned the sincerity of their request for a wedding cake, right?

A. That and some other facts.

Q. Could we take a look at Exhibit 11, please.

If we can zoom in on the name, location, that kind of thing.

Now, this is -- this isn't your handwriting here, right?

A. No, it is not.

Q. This was testified to that this was Eileen's handwriting filling out this information. You were here for that testimony?

A. Yes, I was.

MR. MANN: Can you go out just a little more to include the event time.

BY MR. MANN:

Q. And we see the event time is 4:00. You see that?

A. Correct.

Q. And if we can go up to the top right box. I believe at deposition you testified that this was your handwriting?

A. Yes, it is.

Q. And right there you circled the "DEL"; that means delivery?

A. Correct.

Q. And that would be between 2:00 and 3:00 p.m.?

A. Yes.

Q. Thank you.

I think you testified that you were a little bit surprised that they never told you that they were getting remarried during this conversation?

A. Yes.

Q. And then you were here when Rosemary testified that today it is common for couples to get married and then have their receptions well after the ceremony?

A. Are you asking if I heard her testimony? Yes, I did.

Q. And would you agree with that?

A. It is not common, but it does happen.

Q. You experienced that many times while at Tastries, right?

A. Not many times, but it does happen.

Q. And you were here when Rosemary testified that as the Rodriguez-Del Rios left, they created no scene, they did not cuss, they didn't yell?

A. That is correct.

Q. And you testified that nobody has ever come in for a tasting at Tastries and not actually tasted the cakes, right?

A. That has never happened before.

Q. And in the past, any time that you have dealt with a same-sex couple and referred them, that they were calm and accepted it, right?

A. That is correct.

Q. So this was the first time that you ever dealt with a gay couple that was hurt and wanted to get out of there, correct?

A. Yes.

Q. Now, you remember that it was probably between 12:30 and 12:45 when the Rodriguez-Del Rios left?

A. Yes.

Q. And you had a class that was coming in at 1:00, right?

A. Correct.

Q. And that was a class of around 20 different folks that were there?

A. There were 18 teachers that came in.

Q. 18. Thank you.

And you blame Eileen and Mireya for the negative social media Tastries started receiving on August 26th, right?

A. That is not correct.

Q. Do you remember that Tastries declined the order of another gay couple that day?

A. Yes.

Q. And you saw their Facebook post some time

later?

A. Yes.

Q. And you remember that that gay couple posted to Facebook after Eileen and Mireya posted, right?

A. Yes.

MR. MANN: Can we take a look at Exhibit 139, please.

BY MR. MANN:

Q. Do you see there the time, August 26th at 12:37 p.m.?

A. Yes, I do.

Q. So you were probably still declining Eileen and Mireya's order at that time, right?

A. At that time they were just leaving the bakery.

MR. MANN: If we could include -- down at the bottom under the picture, the little faces.

BY MR. MANN:

Q. You see there "123"?

A. Yes.

Q. Do you understand that to be the number of likes by people?

A. Those are -- yes.

Q. Thank you.

MR. MANN: Can you pull up 553B. If we can look at the top time.

BY MR. MANN:

Q. You see here Eileen's post was 1:13 p.m.?

A. Yes.

MR. MANN: If we pull up the likes at the bottom, please.

BY MR. MANN:

Q. You see there 65 likes, correct?

A. Correct.

Q. And you testified you don't have any knowledge that Eileen and Mireya instructed anyone to call or e-mail Tastries to harass Tastries, right?

A. I do not have that knowledge.

Q. And you don't have any knowledge that they personally made any harassing calls to Tastries, right?

A. Correct.

Q. And Tastries received a lot of supportive calls, e-mails, and social media posts after the incident, right?

A. Yes, we did.

Q. You had many supporters who went into Tastries to show support, right?

A. Yes, we did.

Q. A lady even flew in from Holland to show her support.

A. She was visiting her sister, and she came in to show her support, yes.

Q. You thought that the mail and e-mails was about 50/50 support versus harassment?

A. I don't believe it was 50/50. We did receive a lot of support, but we also received a lot of

negative mail.

Q. And I want to just make it clear what I'm talking about here. Mail and e-mails were about 50/50 support versus harassment, right? That's what you testified to?

A. Yes, I think so. I think so.

Q. Okay. Social media was more negative?

A. Right. Correct.

Q. Now, you described the design consultation and the time that you spend with a couple when they come in to order a wedding cake?

A. What was the beginning of that?

Q. The design consultations and how you meet with the couple and get to know them and talk with them.

A. Correct.

Q. That can last anywhere from 20 minutes to an hour?

A. Yes.

Q. And was that standard for all wedding cake orders?

A. Yes.

Q. Was that the process you were going through when the Rodriguez-Del Rios came through on August 26th, 2017?

A. I was trying to begin that process. Yes.

Q. They were signed up for the tasting at 1:00 p.m. on the sheet, right?

A. Can I see the sheet?

MR. MANN: Yeah. 103, please.

THE WITNESS: Correct.

BY MR. MANN:

Q. And that's the same time that you were scheduled to teach the class, right?

A. Correct.

Q. Now, yesterday you talked about the agreement that you had with Gimme Some Sugar to refer couples over to Stephanie?

A. Yes.

Q. And there was no written agreement with you and Stephanie for Gimme Some Sugar to take referrals from Tastries, right?

A. No, there was not.

Q. You had no written process or procedure for how referrals would work, right?

A. No written process. She just gave me business cards.

Q. And before referring or before you reached out on the phone, you have no idea how busy she was or whether she would even be able to fit in an extra order, right?

A. No, that is not correct.

Q. And you're aware that she disputes your description of your interactions and conversation regarding Tastries referring gay couples to Gimme Some Sugar, right?

A. Would you say that one more time, please.

Q. You're aware that she disputes your recollection and how you described conversations and agreement with Stephanie, right?

A. Yes.

Q. Now, Stephanie had no ownership interest in Tastries, right?

A. No.

Q. And you had no ownership interest in Gimme Some Sugar?

A. No.

Q. Gimme Some Sugar was in a different facility?

A. Yes. She's located downtown.

Q. Not anymore, right?

A. No. She sold her business shortly after.

Q. And you testified about how you protected your recipes and developed them over time?

A. Yes.

Q. And you didn't share your recipes with Stephanie at Gimme Some Sugar, did you?

A. No.

Q. And Gimme Some Sugar had a different atmosphere than Tastries?

A. We are different bakeries, different buildings.

Q. And Gimme Some Sugar had different employees than Tastries?

A. Yes.

Q. Different bakers, different decorators?
A. Yes.
Q. Gimme Some Sugar's wedding cakes were not Tastries' wedding cakes, right?
A. That is correct.
Q. I need to go over a few things I forgot. It might sound out of context.
You testified about being a teacher yesterday?
A. Yes.
Q. And when you were a teacher, your classrooms were works of art, right?
A. Yes.
Q. As a business, Tastries complies with lots of laws, right?
A. Lots of laws, yes. Correct.
Q. You got to make sure that you follow all the health laws so you keep your A rating?
A. Correct.
Q. Follow the tax laws, do it right?
A. Correct.
Q. Got to make sure you follow the laws to protect your employees?
A. Correct.
Q. Unruh is just one of many laws that Tastries operates pursuant to?
A. Correct.
Q. And I believe yesterday that you testified

after some wedding cake orders went through at Tastries, you implemented a lot of standard operating procedures that were new so that you could stop orders from going through in the future, right?

A. Will you give me a time frame in when you are referring to, please.

Q. I believe it was when Mike had come back from delivering the cake to the same-sex couple, and you didn't realize it was a same-sex -- it was a cake for a same-sex wedding?

A. Correct.

Q. You remember that?

A. Correct. So you are talking about that time frame?

Q. Yes. And was it after that where Tastries implemented the new standard operating procedures?

A. Yes.

Q. And those were new procedures to make sure that cake orders for same-sex weddings would not happen again, right?

A. That's not what I have characterized. I implemented a procedure so that I could accommodate same-sex -- you want my answer?

Q. What I'm talking about is the standard operating procedures. I believe you testified that you implemented a lot of standard operating procedures to make sure that it would not happen again?

A. Correct.

Q. That employees were to make sure to get the bride and the groom's names if somebody called in and wanted a wedding cake, right?

A. Correct.

Q. And if it wasn't a male and a female name, they were to immediately turn it over to you, right?

A. That was what they were supposed to do, yes.

Q. And it was those updated operating procedures that gave you confidence that Tastries would never provide another same-sex wedding cake, let it slip through the cracks, right?

A. The reason I created that was so that I could accommodate everyone that was coming to my bakery and they would receive what they wished. There were certain things I could not do.

Q. And it would make sure that Tastries wouldn't provide a same-sex wedding cake for -- I'm sorry -- would not provide a wedding cake for a same-sex couple in the future, right?

A. Yes.

Q. Now, Mr. LiMandri asked you about some of the interviews that you did regarding this case.

A. Yes.

Q. And you talked, I think, about an interview you did in Bakersfield Californian in February 10th, 2018?

A. Is that -- I think so.

Q. That was around the week of the preliminary

injunction hearing?

A. Okay.

Q. And were you aware that in that article Mr. LiMandri was quoted as describing the DFEH attorneys as very professional?

A. Yes.

Q. And would you agree that your very capable attorneys, Mr. LiMandri, Mr. Jonna, and Mr. Trissell, have helped you to pursue your rights in this case?

A. Yes, they have.

Q. Now, Tastries gets a lot of business by word of mouth from previous clients, right?

A. Correct.

Q. It is very important, very high percentage of the business that comes through that?

A. Correct.

Q. And you want customers to spread the word when they have a good experience at Tastries?

A. Yes.

Q. And do you think it's fair for customers if they have a fair -- if they have a poor experience, that they can share about their experience, as well?

A. Yes.

Q. Tastries has social media accounts, Facebook, Twitter, Instagram, Snapchat, and a Yelp page?

A. Yes.

Q. And people comment on Tastries on those sites?

A. Yes.

Q. And Tastries receives positive comments from customers that are satisfied?

A. Yes.

Q. And it receives negative comments when customers are unsatisfied?

A. Yes. We also receive comments from customers that haven't even entered our bakery that have been negative.

Q. And that's also how social media works for business these days, right?

MR. LIMANDRI: Object. Overbroad, Your Honor.

THE COURT: A little bit.

Sustained.

BY MR. MANN:

Q. Now, we just talked about you doing an interview. And that's the only one that you could remember was with the Bakersfield Californian?

A. I know that -- I believe it was the Bakersfield Californian that came to the bakery to do an interview with Mr. LiMandri, and they had me there also. It was like a double interview, I guess you would say. I know that after our court proceedings the news media would be out there, and we would visit. And I know that the day of the incident, a lot of media was at the bakery, and I know I answered questions. There may be more, but that's what I recall right now. That

was five years ago.

Q. So was it -- would you agree that maybe you didn't give interviews, but you've answered questions, so there's been more than just the one article where your words were featured, right?

A. Possibly. I really -- I really don't recall, Greg. I'm sorry.

Q. And have you seen any of the articles and blog posts about the Rodriguez-Del Rios since this incident occurred?

A. I saw one. I stopped also -- I did not read any -- hardly anything at all. My family asked me not to.

MR. MANN: Can we look at 671, please. Can you blow up that?

BY MR. MANN:

Q. Did you ever see different articles that were very similar to this that were accusing the Rodriguez-Del Rios of having hidden microphones?

A. I heard about that. Okay. There were many things being said about both sides that were very inaccurate, which is why I called the media to my bakery and said, no more, unless it's live.

Q. Are you finished?

A. I'm sorry. Yes.

Q. No problem. And I don't remember ever hearing you personally making any claims like this about them having hidden microphones or otherwise

recording the interaction at Tastries; is that true?

A. That is true.

Q. And you have no evidence to believe that they did record your interactions, right?

A. There was a lot of speculation the first week this happened of all kinds of things happening, and people approached us with a lot of ideas. But the facts of the case, this is -- we need to stick to the facts of this case.

Q. I agree with you.

Is it fair to say that whenever you or your attorneys granted an interview, or if your attorneys did a press release or made a news appearance, you and Tastries were likely mentioned?

A. Probably.

Q. And the interviews that you or your attorneys did increase the visibility of this case, you and Tastries?

A. I disagree with that.

Q. And you're aware your attorneys did several press releases throughout the case?

A. Yes. Yes.

Q. And since the date of the incident, you've received a lot of support in the community?

A. In the community, yes.

Q. There has been prayer rallies. I know of at least two. Have there been more than that?

A. No. Those were directed at our church

families.

Q. And the one on February 2nd, right out in front of the courthouse, you remember that one?

A. Yes.

Q. And it was estimated to have between 3- and 400 people out there?

A. Yes.

Q. And that you received, you know, over 300 text messages from supporters all around the world, from the UK, Bolivia, and Australia. You had amazing support.

A. Yes.

Q. I'm not suggesting that the support makes up for any of the bad stuff that happened. I'm sure you would give it all up to not have to deal with any of it.

Take a look at Exhibit 07B, Page 24, please.

I think yesterday you testified that that was similar to the cake that the Rodriguez-Del Rios wanted from Tastries?

A. Yes.

Q. And that Tastries has made cakes similar in designs of this before?

A. Yes.

Q. And would you agree with Rosemary that a cake like this could be used for different events, a really nice birthday party or quinceañera?

A. Yes.

Q. Now, the Rodriguez-Del Rios were not seeking a religious themed cake, right?

A. No, they were not.

Q. They weren't seeking any rainbow cake or any kind to make a political statement. Would you agree?

A. Correct.

Q. If a straight couple came in, you would have taken their order and Tastries would have provided that cake, right?

A. Correct.

Q. But Tastries declined to take their order because Eileen and Mireya wanted to celebrate their wedding, right?

MR. LIMANDRI: Objection, Your Honor. It's vague and ambiguous and calls for speculation. Assumes facts not in evidence.

THE COURT: Speculation sustained.

MR. MANN: Speculation about why Tastries denied it?

THE COURT: Did I not just sustain an objection? Do you wish to reask, or move on?

BY MR. MANN:

Q. You declined to take their order because they wanted to use it for their wedding which was a same-sex wedding, right?

A. That is correct.

Q. Thank you.

THE COURT: Further examination, Mr. Mann?

MR. MANN: No.
THE COURT: Redirect?
MR. LIMANDRI: Yes, Your Honor. Thank you.

REDIRECT EXAMINATION

BY MR. LIMANDRI:

Q. Good morning, Cathy.

A. Good morning, Chuck.

Q. I'm going to be covering points of basically the same order that I understood that Mr. Mann was asking them. So if it seems a little disjointed, bear with me. I will try to call your attention to each issue as we go through it.

Beginning with some questions you were asked yesterday after lunch towards the end of the day, tell us again: What is your definition of marriage?

A. My definition of marriage is the sacrament of marriage is ordained by God between a man and a woman. It is a covenant with God between a man and a woman.

Q. Do you now understand that the State of California, when they're using the term "marriage," is applying a different definition than the one you've always been used to?

A. Yes.

Q. What's your understanding now as to the definition that the State of California is trying to apply to marriage?

A. So the government's definition of marriage is

the union of two people, and the two people can be a man and a man, or a woman and a woman, or a man and a woman.

Q. Okay. So when Mr. Mann asked you and read that -- with much drama -- from your deposition on Page 150, Line 16 through 19, this question and answer, which is very short, so let me read it, then I will ask you what you understood.

(Read as follows:)

"QUESTION: So is it fair to say that when we're talking about same-sex marriage, we're talking about sexual orientation?

"ANSWER: Yes."

What did you understand Mr. Mann to be asking you at that time with that question?

A. Sexual orientation is a separate issue that is a choice of somebody who -- whoever they are attracted to. Marriage is totally separate from that. That is the union, the covenant before God.

Now, the problem is, is that we have my definition of marriage, which is Biblically based, and then the definition is different with the government where they're saying that it's between a man and a man, a woman and woman, or a man and a woman.

Q. So you are trying to answer it by a -- blending two conflicting --

A. Yes.

Q. -- definitions? Was that confusing to you?

A. Very confusing.

Q. When someone comes in to buy a wedding cake, do you even ask them what their sexual orientation is?

A. No, I do not.

Q. And if a man and a woman were to come in and say we want to buy a wedding cake for a same-sex couple, would you sell them a wedding cake for a same-sex couple?

A. No, I cannot do that. That would be sending a message at a wedding that we were -- we agreed with that decision.

Q. So it is not the customer who is purchasing it or their sexual orientation, it's the message?

A. Correct.

Q. When you have your standard number 6 on the design standards which says you will not violate your fundamental Christian principles or make a wedding cake for anyone other than a man and a woman, is that based upon sexual orientation, or is that based upon the message?

A. That is the message. That is what scripture says what marriage is.

Q. Mr. Mann was asking whether you ask people if they are atheists.

Do you ever ask anyone when they come in to buy a wedding cake what their religion is?

A. No, I do not.

Q. Nonetheless, when you meet with them in the

design center and you sit down with them and go through that somewhat lengthy Exhibit 5, which was entered into evidence this morning -- we will look at a couple of pages in court -- but when you go through that Exhibit 5, do you go through with each couple all those Biblical quotes?

A. I do. And I share Jesus with them, and nobody has ever said, "I don't want to hear this," or "I'm not interested." At the very least they say, "Oh, that's interesting. I never knew that." Oftentimes they will say, "We need to use this verse in our wedding." I have never, ever had anybody not accept my wedding packet and our visit together.

Q. They not all Christians, are they?

A. No. No.

Q. There may be an atheist in there.

A. I don't know. I didn't ask.

MR. MANN: Calls for speculation.

THE COURT: Sustained.

BY MR. LIMANDRI:

Q. But as far as you know, you are just sharing the message of Christianity to whoever is open to it, and no one's ever rejected it to your face?

A. No. As Mr. Mann pointed out, I guess I've done close to 3,000 wedding cakes.

Q. Has anyone ever come into Tastries and ask for a same-sex anniversary cake or same-sex bridal shower cake or a same-sex engagement party cake?

A. No.

Q. You were asked about the relatively simple wedding cake -- I say that only with reference to the much more elaborate and elegant ones that we've seen pictures of -- but the one that the Rodriguez-Del Rio couple -- and I apologize for saying their name incorrectly yesterday. My staff pointed it out to me. That's obviously a mistake. I meant no disrespect.

But when we compare it to the cake they wanted, Exhibit 7B, as in boy, -024, which was shown, do you consider even that more simple cake to be art?

A. Yes, I do.

Q. Why?

A. It begins with baking the cake. There's art into baking the cake. Each layer has to -- each flavor is baked differently. Each size has to be baked differently. The ingredients that go into the cake is a form of art. My buttercream we've worked on for years, and it's perfected. And that's an art in itself if you ask any baker or decorator.

And then, when it comes to something like a wispy cake like this, you think that you can just take a spatula and buttercream and put it on, but there's consistency and uniformity. And even one of my top decorators right now struggles with that design.

So it is simple when you look at it, but to actually create the cake can be challenging.

Q. Wait a minute. What if it's not really a

cake at all. What if the first two tiers are Styrofoam and only the top part is cake? Are you going to tell me that it is still a work of art?

A. The outside part is a work of art and the top tier is a work of art, but it's still sending a message whether you, for some reason, want the Styrofoam in the middle -- I guess the outside is still a work of art. And then we put the flowers on. I do full cascades. They can be beautiful.

Q. So the texturing still has to be done, and that is still difficult regardless of whether there is cake or Styrofoam inside, and that's what people see, right?

A. Correct.

Q. You were shown the order form with respect to whether or not the Rodriguez-Del Rio couple knew when they spoke to you about the delivery time at the Metro.

Do you remember that question?

A. Yes, I do.

Q. How did it come about, then, that those times ended up on the form if they didn't know it?

Do you remember?

A. They did, after some discussions, say at 4:00. And so I asked if it would be the morning or the afternoon. They didn't know, so I put the 2:00 to 3:00 just so that I could reserve that time because it's very, very busy in the afternoon for delivering cakes versus morning, I can fit it in.

Q. So you were giving a best estimate on the form?

A. Correct.

Q. You were asked about the social media post by the same-sex male couple that came in very coincidentally the same day.

As far as you know, did they contact Whitney Weddell and make arrangements to have this blasted out to the whole world?

A. Yes, they did. And that's when I just --

Q. I'm talking the two guys that came in earlier in the day.

A. The two boys, no. The two men, Ted and Adam, I think. No, they didn't contact them to my knowledge.

Q. As far as you know, had they made any hateful comments about you being a bigoted b-i-t-c-h or anything along the lines that we've heard in this court today that came from the group associated with the Rodriguez-Del Rios?

A. I don't believe so. My only understanding is that they were upset.

Q. Now, you were asked about the e-mails and mail, but how did the number of e-mails and mail, to your knowledge, compare with the number of social media posts regarding this case?

A. The e-mails were absolutely horrendous. They were pictures of --

Q. I got that. I'm sorry to cut you off, but

I'm talking about the sheer volume.

Were there a lot more social media posts or less social media posts than e-mails and mail?

A. There were a lot more social media and a lot more reviews.

Q. Okay. And unlike e-mails and mail, which oftentimes you might be able to tell who is sending them, with the social media posts, particularly those if they were threatening or harassing, did they tend to be more anonymous?

A. Yes. Along with the phone calls.

Q. You were asked about whatever arrangement existed with Stephanie of Gimme Some Sugar.

Isn't it a fact, though, that she did accept the check for the same -- first same-sex couple and accept every referral of every same-sex couple that you made, those three or four after that?

A. Yes, she did.

Q. No complaints made by her or anyone else regarding those referrals, I think is your testimony?

A. No. In fact, one of the couples came back and frequented our bakery and told us how much they enjoyed working with Stephanie.

Q. Now I know that you are indisputably the greatest baker in the world, but truthfully, since we're all -- at least you're under oath -- I took one too when I became an attorney -- do you feel that Stephanie has comparable skills and comparable recipes

to yours?

A. Yes, she does.

Q. In fact, again, you offered her a job, you liked her work so much?

A. Yes. When I worked at ASR, she delivered a cake and I offered her a job at any time.

Q. Thank you.

You were asked by Mr. Mann about whether or not the various laws you need to be concerned with, one of which is the Unruh Act. And I think your testimony on direct was you would discuss those with your husband, Mike Miller, and he was more engaged with those issues?

A. Yes, he was.

Q. Was his focus -- tend to be different than yours when you discussed these issues with him?

A. Yes. He is very, very good at reading law and bringing it to a level that I can understand better. I'm -- this is not to be mean to my husband, but I'm more of a compassionate heart type of person, and my whole motivation after those two men came in for the tiered cake that I sent to Stephanie, was, "Oh my gosh, we need to figure out a way to make this work good for everybody, Mike." And we prayed about it. We talked about it, and I immediately thought of Stephanie because of our relationship.

Q. Did you want to be able to see same-sex couples receive a wedding cake even though you could

not make one in good conscious?

A. Yes. That's why I did all of this ahead of time.

Q. It was brought out in questioning by Mr. Mann that everybody has a right to post either a good review or a bad review based upon their experience with a particular business. I think we all agree with that.

Do you agree with that?

A. I do.

Q. Let me ask the next question.

A. Yes.

Q. Do you agree, though, that people that have no contact with the business, it would be, you know, unfair for them to lie and say, "I went there and I got a bad product that made me sick"?

A. Yes.

Q. And did those types of social media posts occur?

A. Hundreds of times.

Q. And do you think it's fair for someone to post on social media that you're a hateful bigot who won't serve gays and lesbians at all?

A. That's a terrible thing to say about anybody.

Q. You were asked about that article regarding whether the Rodriguez-Del Rios wore a microphone, and there was, again, speculation.

And you understand we are not contending that's the case, correct?

A. No.

Q. All right. But do you know how that came about with -- was it you, or to your knowledge, anyone acting on your behalf go looking for this person? Or how did that happen?

A. I don't even know. I know in that first week there was all -- there were all kinds of ideas floating around. People were saying all kinds of things.

Q. You are aware that she came forward and approached your husband?

MR. MANN: Objection. 352. We had a MIL.

(Simultaneous speaking.)

THE COURT: Counsel, no crosstalk.

Mr. Mann, Mr. LiMandri, I will see you right out here.

(Sidebar held off the record.)

THE COURT: The objection is sustained.

BY MR. LIMANDRI:

Q. You were asked about doing media interviews, and you testified on direct you didn't seek those out.

Did you feel, though, that you at least needed to try to set the record straight on some issues because you were being maligned in the media?

A. Yes.

Q. And did you -- at our -- did you make an effort to help raise funds to pay for the pro bono defense we're providing?

A. Yes, I did.

MR. LIMANDRI: I believe that's all the questions I have on redirect, Your Honor. Thank you.

THE COURT: Recross, Mr. Mann.

RECROSS EXAMINATION

BY MR. MANN:

Q. Way too much focus on social media posts, but just one last question.

Mireya's and Eileen's social media posts were based on their experience with Tastries, right?

MR. LIMANDRI: Objection, Your Honor. Calls for speculation. Lacks foundation.

THE COURT: Foundation sustained.

BY MR. MANN:

Q. Eileen and Mireya had an experience with Tastries of having their wedding cake order declined, right?

A. Yes.

MR. MANN: Thank you.

THE COURT: Any redirect?

REDIRECT EXAMINATION

BY MR. LIMANDRI:

Q. There was nothing in that experience, from your perspective, that would have justified them telling the world you're a hateful bigot that will not serve lesbians at all?

A. Thank you. Yes.

MR. LIMANDRI: Okay. Nothing further.
THE COURT: Recross?
MR. MANN: No.
THE COURT: All right. May this witness step down?
MR. LIMANDRI: Yes, Your Honor.
THE COURT: You may step down, Mrs. Miller.
Mr. LiMandri, your next witness, please.
MR. LIMANDRI: The defense rests, Your Honor.
THE COURT: Any rebuttal, Mr. Mann?
MR. MANN: No, Your Honor.
THE COURT: All right. So Counsel, I've made a certain number of promises here. Normally, I roll right into closing argument. It is very much my nature to want to do that, but because I've made certain promises to you and others that we would be live streaming all that, and there are people interested in listening to the closing argument, I'm going to bring you back at 1:30.
Any problem with that?
MR. MANN: No, Your Honor.
MR. LIMANDRI: No, Your Honor.
THE COURT: Have you folks talked about how you are going to divide the time?
MR. LIMANDRI: No, Your Honor. I assume, as the Court indicated, it will be evenly split.
THE COURT: It will be evenly split. The Plaintiff will have the same amount of time as the

defense, but the Plaintiff will have the ability to divide their time, so that you have some time to rebuttal, as well. You can use your time -- you don't have to have a rebuttal. You can do it any way you want, but you only have the same amount of time that the defense has. So my plan is to start at 1:30.

Can I ask, Counsel, approximately what is your time estimate for your closing argument, Mr. Mann?

MR. MANN: I figure whatever half of the time we have.

THE COURT: So if I say you guys have 30 minutes, you will be good with 15 minutes?

MR. LIMANDRI: He doesn't speak for me.

THE COURT: This is what I'm trying to get on top of.

MR. MANN: I would think an hour, hour and 15.

THE COURT: Sound about right, Mr. LiMandri?

MR. LIMANDRI: Yes, Your Honor. I was assuming that we'd each have half of two hours and 45 minutes, so about an hour 20 minutes each.

THE COURT: All right. If you must.

MR. LIMANDRI: We may not -- I may not, but I will take it, if I can get it.

THE COURT: I'm going to divide the time equally. We will try to start as close to 1:30 as we can. If you want to get in here a few minutes early to set up, we will make sure the doors are open for you.

Let's go off the record for a minute.
(Recess taken.)
THE COURT: Let's go on the record. Counsel are present. Appearances as previously indicated.
And so with respect to the Plaintiffs, I understand there's some additional exhibits.
Ms. Mesinas, you mentioned, off the record, the Exhibits 130, 131, 132, 133, and 148; is that correct?
MS. MESINAS: Yes, Your Honor.
THE COURT: There is an stipulation by all counsel to admit -- Plaintiff and Defendant to admit?
MR. TRESSELL: Yes, Your Honor.
THE COURT: Okay. Those are received. That's Exhibits 130, 131, 132, 133, and 148 are received.
(Whereupon, Exhibits 130, 131, 132, 133, and 148 were received into evidence.)
THE COURT: Are there any further exhibits either side is offering at this time?
MR. LIMANDRI: No, Your Honor.
THE COURT: All right. And the defense rests?
MR. LIMANDRI: Yes, Your Honor.
THE COURT: And the Plaintiff rests in rebuttal?
MR. MANN: Yes, Your Honor.
THE COURT: Okay. All right. That concludes

the evidentiary portion of this trial then.

Counsel, we're going to come back at 1:30. I'm going to give each side one hour and 15 minutes to deliver their closing argument. We will start at 1:30, or as close to that as we can. You will have one hour and 15 minutes. The Plaintiff can divide that time any way it so chooses to do. I have a huge stopwatch up here. It is very accurate, and I will cut you off if you try to go over your allotted time.

So is there anything else that we need to take up concerning any matter occurring in this trial up to this point in time?

Mr. Mann?

MR. MANN: Not that I'm aware of, Your Honor.

THE COURT: Mr. LiMandri?

MR. LIMANDRI: No, Your Honor. Thank you.

THE COURT: Counsel, we will see you at 1:30. Have a nice lunch.

(Recess taken.)

BAKERSFIELD, CALIFORNIA; FRIDAY, JULY 29, 2022

AFTERNOON SESSION

HON. J. ERIC BRADSHAW, JUDGE; DIVISION J

--oOo--

(Whereupon, the following takes place in open court:)

THE COURT: All right. Let's go on the record in the matter of Department of Fair Employment and Housing versus Cathy's Creations, Inc., dba Tastries. Counsel are present. Appearances as previously indicated.

This is time and place for closing argument following the -- both parties resting this morning with the evidence.

At this time -- Mr. Mann, I presume that you want to use the podium here?

MR. MANN: Yeah.

THE COURT: Okay.

MR. MANN: For -- I should have told you in there. Do you have the burdens --

THE COURT: I have it right here.

MR. MANN: Okay.

THE COURT: The paperwork you submitted at the beginning, right?

MR. MANN: Right.

THE COURT: Yes, I have that. I have the

parties' trial briefs. I have the few cases printed up, and I also have the jury instruction that the Plaintiff presented.

Is there anything else you feel I need?

MR. MANN: No.

THE COURT: Okay. All right. Then as I indicated this morning, I'm going to give both counsel an hour and 15 minutes to argue. Please stay on the microphone.

We are live streaming for the benefit of folks listening on live stream. Recording or rebroadcasting of the live stream is prohibited.

Mr. Mann, I'm going to invite you to the podium to give me your summation.

MR. MANN: Thank you, Your Honor.

Your Honor, all persons within the jurisdiction of this state are free and equal, and no matter what their sexual orientation are entitled to the full and equal accommodations, advantages, facilities, privileges, or services in all business establishments of every kind whatsoever.

That's the Unruh Act, and Tastries violated the Unruh Act when it refused to accept Eileen and Mireya's order for a cake for their wedding, a cake Tastries would have provided if Eileen and Mireya were marrying men instead of each other. It's a clear violation based on sexual orientation and there are no defenses here. But Defendants assert many.

First, they say Eileen and Mireya were shopping for a lawsuit, not a cake. And that has morphed into they were trying a shakedown strategy to bring Tastries out of business.

Second, they say that Tastries somehow provided full and equal services by offering to refer Eileen and Mireya to another bakery.

Third, they say they don't discriminate based on sexual orientation; rather, they refused the cakes based on their religious objection to marriage between women and marriage between men.

Fourth, they say that they were victims of the DFEH's bias against Mrs. Miller and her religion.

And, finally, they say that they are exempted from the Unruh Act by the First Amendment rights to free exercise of religion and freedom of speech.

None of these arguments provide a defense here. It is very simple. Eileen and Mireya went into Tastries looking to put in an order for a simple but beautiful cake that Tastries would have sold to them had they been marrying men, but Tastries refused to accept their order because they were marrying each other.

And although the law may appear daunting, constitutional law, First Amendment, this case is really simple and the California Supreme Court has already provided the answer. It did so in the North Coast Women's Care Medical Group case. And this is the

question and the answer provided by the California Supreme Court.

"Did the rights of religious freedom and free speech as guaranteed in both the federal and California constitutions exempt the medical clinic's positions from complying with the California Unruh Civil Rights Act prohibition against discrimination based on a person's sexual orientation.

Our answer is no."

And Defendants make a deal out of the fact that that's about medical services and not a bakery. But that doesn't matter. Because what matters is what the Defendants argued in that case, and is that they did not want to provide the medical services because they thought it would send a message of support for homosexuality. And that's what they wanted to avoid. And that's the same issue here. Defendants don't want to send a message of support for same-sex marriage.

So whether it's medical services, baking services, Defendants don't want to send the message, so that case is right on point.

It also dealt with the free exercise, Your Honor, which is what they argue here. So, again, it is right on point. North Coast is your guiding light. It's the California Supreme Court. It's not persuasive from another jurisdiction. It is California Supreme Court.

So if we had a jury, I would do things a little bit differently, but we don't. So with you it is very clear you want to focus on the facts. You want to get -- so that's what I want to do. I want to apply the facts to the law here. You said that you have the burdens that we provided. So I want to jump straight into that.

And we're going to look at ours first, but I'm also going to go through Defendants' Unruh Act so that I can show it knocks out both of them.

And, Your Honor, it's very clear that you want to focus on the facts of this case, so you want to talk about wedding cakes because that's what was denied here. So that's what I'm going to do, but I just want to make a point that the policy at issue here is way beyond wedding cakes. It denies all preordered baked goods, even cookies, even eclairs, even cupcakes, and it denies all those goods for any event associated with a gay couple's wedding -- excuse me, gay couple's marriage. So it's not just cakes, not just weddings. It is every baked good that is preordered in every celebration of marriage, including anniversaries, bridal showers, bachelor, bachelorette parties, et cetera.

So it is very important to keep that in mind ultimately, but we are going to focus on the facts of this case, which are wedding cakes.

So we are going to look first at CACI, which

is recognized by the Judicial Council. It is the standard. I'm sure it's what you use in court most times, Your Honor. So we are going to look at CACI 360, which we've provided, which lays out the elements for an Unruh Act violation. And we have it stated here. You can see in our attachment we have copied or we've included, you know, the version straight from CACI, but we made it a little easier for you inserting the parties.

Element Number 1, Catherine Miller and Cathy's Creations, Inc., dba Tastries made a distinction and denied full and equal services to Eileen and Mireya Rodriguez-Del Rio.

So what we have there is kind of a 1A and a 1B. 1A, made a distinction; 1B, denied full and equal services.

And it is important to keep in mind, Your Honor, an overriding principle here, which is that there's no distinction between gay status and conduct that is closely associated with gay status, such as entering into same-sex marriage. Like Mrs. Miller said, we're talking about same-sex marriage, we're talking about gay people. We are talking about same-sex marriage, we're talking about sexual orientation.

That's in the briefs. And it's been -- the distinction has been denied. It's been rejected by both the United States Supreme Court in the Christian

Legal Society versus Martinez case and in California by the Supreme Court in the In Re Marriage cases.

And I think I know that -- I think you know that one pretty well, Your Honor. We've briefed it. But Justice Scalia is not somebody that I cite very often, but he had what I think was the perfect analogy, "A tax on yarmulkes is a tax on Jews." And it works right here. The ban on same-sex wedding cakes is a ban on gays. So that's what we are dealing with. And the California and federal law does not recognize the distinction.

So 1A, let's look -- did Tastries make a distinction when they denied the Rodriguez-Del Rios a cake for their wedding?

If we could look at 82, please. That sixth bullet point.

We've seen it many times, Your Honor, but "Wedding cakes must not contradict God's sacrament of marriage between a man and a woman."

That is the policy that denied Eileen and Mireya their wedding cake here. And that is a facial distinction. Only marriage between a man and a woman will be -- will Tastries make a wedding cake. They will not make wedding cakes for marriages between women or marriages between men. So that's a facial distinction.

And just to drive the point home, Mrs. Miller testified that Tastries would have accepted the cake

order if Eileen or Mireya were marrying men.

So DFEH satisfies the first part of Element 1 of an Unruh violation. Tastries made a distinction.

The second part: Did Tastries deny full and equal services? DFEH also satisfies that.

During the trial, Mrs. Miller testified that her customers love Tastries. They like its employees, its atmosphere, but mostly its products.

She also testified that Tastries is unaffiliated with Gimme Some Sugar. Gimme Some Sugar has no ownership interest in Tastries. Tastries has no ownership interest in Gimme Some Sugar.

Mrs. Miller testified how she guards her recipes and did not share her recipes with Gimme Some Sugar. She testified that Gimme Some Sugar was in a different building. It had different employees, different bakers, different decorators. It had a different atmosphere. It offered different products. Gimme Some Sugar wedding cakes, although maybe made from similar recipes, were not Tastries' wedding cakes, and Mrs. Miller confirmed that.

The offer of referral to Gimme Some Sugar was not an offer to provide full and equal services, and no case has ever held that it is. Defendants cite to Minton to try to make this argument.

Now, in the Minton case, the court of appeal found the violation when a hospital refused to provide a procedure to a transgender patient that it would

provide to other patients. Again, it found a violation.

So it's weird that Defendants would even cite a case where a violation was found, but it's their only case that supports this argument.

So Minton involved a hospital network that had both Catholic hospitals and non-religious hospitals. And the Catholic hospital cancelled the procedure. And the Court found that in cancelling the procedure, that hospital committed an Unruh violation.

Now, three days later, subsequently -- and I highlight that term "subsequently" -- the hospital rescheduled a procedure -- rescheduled the procedure at another hospital within its network that was not religiously affiliated. And, again, the Court still found that it was a violation.

Now, I highlighted the term "subsequent" because Defendants highlight the term "subsequent." So Defendants take from this case that if the Catholic hospital would have immediately referred the patient over to a non-Catholic hospital, that that somehow would have satisfied full and equal services. The way Defendants read it, it was that they waited for three days and then referred them, and that was the problem. But the Court never said anything like that. This is just Defendants reading of the case.

But the key is even if you accept Defendants' argument, it's still lacking because the first hospital

was a Catholic hospital, a religiously affiliated hospital, not a commercial bakery, not a for-profit business.

And, second, just as important, if not more important, the second hospital they referred the patient to was within the same network. It was the same ownership.

Defendants offering to refer the -- Eileen and Mireya over to a different business, and we just went through that, is not the same as if they were offering to send them to another network -- another business within their network.

We heard testimony from Mrs. Miller that at some point Tastries was opening up a second business, a second facility. If Tastries had two facilities, and one of the facilities referred somebody over to the other one, perhaps that would be full and equal services, since they were owned by the same people. But in this case it is undisputed that sending them to Gimme Some Sugar would have resulted in a different product and not full and equal services.

I think most of us agree that one's business products is not the same as another. As I was thinking about writing this and thinking about this, I started laughing because the hotel restaurant where we are staying doesn't have Diet Coke and apparently Soyeon does not like Diet Pepsi. So it's an illustration of something, even though it is kind of silly, it's a good

illustration when things aren't the same.

So Soyeon prefers Diet Coke. So once she found out they only have Diet Pepsi, she wasn't really excited about going to that restaurant anymore. And that's fine. The hotel restaurant was doing nothing wrong. It was offering a refreshingly cold Diet Pepsi to everyone. And it doesn't have to serve Diet Coke. A business can choose the products it offers. A hotel doesn't have to provide both options. It may lose Soyeon as a customer, but it's a choice the business can make.

Similarly here, Tastries can choose the products it offers. It offers a lot of products, but it doesn't offer everything under the sun, and it doesn't have to. There is nothing wrong with that. No one is forcing Tastries to bake everything. It gets to choose. And if it doesn't want to make wedding cakes for women marrying men or men -- women marrying women or men marrying men, it doesn't have to. Nobody is forcing Tastries to make wedding cakes. Unruh simply requires that if it chooses to make wedding cakes, it must provide them for all customers. Businesses can choose the products they offer, but they cannot choose their customers. Once a business opens its door to the public, it must accept anyone that walks in the door on equal terms.

Defendants argue if Tastries stopped selling wedding cakes, it may go out of business. They are

arguing that the DFEH is trying to take something away from Tastries. Not so.

The Unruh Act has been around since 1959. If Tastries doesn't want to provide wedding cakes to gay and lesbian couples celebrating their marriages, it never should have sold wedding cakes in the first place. Tastries has benefitted all these years selling wedding cakes to straight couples only, even though it's been in violation of Unruh the whole time.

It's not a perfect analogy and it's not, you know, at the level of seriousness, but when you are running on fumes, Your Honor, this is what I could come up with.

Not too long ago when we shopped online, we didn't have to pay sales tax. Even though brick-and-mortar stores had to pay -- we had to pay sales tax when we bought something from them, if we went online, we could buy something and we didn't have to pay sales tax. Then the law changed and now we have to pay sales tax. It is not that something happened and we got this benefit taken away from us. We should have been paying sales the whole time. Brick-and-mortar stores had to pay it.

So it is a false argument that by applying Unruh now is going to be a burden put upon Tastries. Tastries got away with violating the Unruh Act all these years. But, again, if it was following the Unruh Act and it was making wedding cakes, it should have

been providing wedding cakes to everyone the whole time. So it got away with it, but now, we are here trying to apply the Unruh Act to it. And it is not right to look as if we are trying to take something away from Tastries.

Now, the last part of full and equal services I want to talk about has a question that Defendants have asked throughout the case, and they certainly implied it with the evidence that there are lots of bakeries in Bakersfield that will serve gay and lesbian couples that want to get cakes for their wedding.

The question is, and people have asked me when they find I'm on the case, why don't they just go someplace else? There's lots of places that will serve them. Why do they have to go to Tastries?

And although the public accommodations law started long ago because there weren't other alternatives, so it was important that if you had a business it would be open, even though as modern life has progressed and we do have options, you can go other places, we hold dear to public accommodations laws like the Unruh Act because of who we are, because we know that people need to be able to participate in the marketplace to enjoy the freedoms of America.

How could we have life, liberty, and the pursuit of happiness if you walk into a business, and the business sells a product to somebody in front of you, but says I'm not going to sell it to you because

of who you are?

It doesn't matter if you can go someplace else to get a similar product. It is unacceptable in California under the Unruh Act that businesses are allowed to choose their own customers. They can't do that. We require more from businesses. Operating a business is a privilege. It is not a right. And because being told why don't you just go somewhere else, even if you're being assisted in going someplace else, it harms you. It crushes your dignity.

If you remember just one piece of testimony from Patrick, who was Mireya's man of honor, and he was there with them when Mrs. Miller denied their order, remember how he described how he felt once he saw and witnessed his friends getting their cake denied? He used the word "inadequate." And that's the word he used at his deposition when Mr. Jonna was questioning him. He felt inadequate. What he is talking about there is his dignity. He didn't have control. Mireya, Eileen, they didn't have control over the situation. They went in hoping to have a good experience after they had the first time, they were very happy, and all of a sudden, by no fault of their own, they were denied the service that they would have got if they weren't lesbians marrying each other. And it hurt them. It crushed them. And you remember the testimony about that.

But the way Patrick summed it up by talking

about inadequate really moved me, and I think speaks to the dignity that one loses when they're denied a service that they know other people are getting.

I think based on the evidence it's very clear that Tastries did not provide full and equal services when they offered to refer the Rodriguez-Del Rios to Gimme Some Sugar. Tastries definitely -- excuse me. The Department of Fair Employment has established the first element of an Unruh violation.

Element 2, a substantial motivating reason for Defendants' conduct was Eileen and Mireya's sexual orientation.

And let's make sure we pay attention to conduct because that's what happened here. Tastries' conduct was a refusal of service, and that is conduct.

Now, here we have -- it's very clear that sexual orientation was a motivating -- even a substantial motivating reason, Your Honor. And if you look at CACI 3060, it talks about has substantial motivating reason in the element. But when you look at the directions for use, it mentions that that is being pulled from the Fair Employment Housing Act and no cases ever actually required a substantial motivating reason under Unruh.

So that's why we put it in brackets. We don't think the substantial motivating -- it just needs to be a motivating reason.

But even if you think it means substantial,

if you look at CACI Number 2507, which we provided, it gives a definition of substantial motivating reason, and that is a reason that actually contributes to the Defendants' conduct. It must be more than remote or trivial, but it does not have to be the only reason motivating Mrs. Miller's and Tastries' conduct.

So it's clear here that sexual orientation was a motivating reason for the denial of fair and equal services here.

The other important part of those directions for use, which I know will be of particular interest to you, Your Honor, is that CACI talks about intent. I know that's what you had a big question about.

On Page -- the directions for use are attached to the -- as an appendix to our filing on this. On Page 286, at the end of the first full paragraph, you will see, "The intent requirement is encompassed within the motivating reason element."

So there is no separation from intent and motivating reason. We just show that sexual orientation was the motivating reason and intent we've done -- we've satisfied the requirement for intent.

Again, that's 286 at the end of the first full paragraph.

It's also very important to keep in mind that there's no intent plus requirement here. Defendants argue and Mrs. Miller testified that she loves gay and lesbian people, and she serves them all the time.

She's had gay and lesbian employees, has no problems with them, and bears no hatred towards the LGBTQ community.

Unruh doesn't require hatred or bigotry or some extra feeling in one's heart. If sexual orientation was a motivating reason, intent is there. And sexual orientation was a motivating reason here, regardless of Mrs. Miller's positive feelings toward the community.

Now, the fact that sexual orientation was a motivating reason here is shown in many ways. First of all, the policy has a facial distinction between heterosexual and homosexual marriage. Tastries only sells wedding cakes to straight couples that are getting married. And even if they have a cake that they would sell to a straight couple, they would not sell it to a couple like Eileen and Mireya. So we have a facial distinction. That shows intent right there, shows that sexual orientation was a motivating reason.

Number two, sexual orientation is the but-for cause of the distinction here. Mrs. Miller testified she would have taken Eileen and Mireya's order if they were a straight couple. Thus, but for Eileen and Mireya's sexual orientation, Tastries would have prepared and sold them the cakes.

In other words, if they were straight, they would have got the cake. So that shows that sexual orientation was a but-for cause here, and that shows

the motivating reason satisfied.

Number three, another way to show intent, the application of Tastries' policy here that denied the cakes was inconsistent. And we went through, and Mrs. Miller confirmed, that fundamental Christian principles were the basis of her policy. And she testified about three situations that go against her fundamental Christian principles.

Number one, we see it in the design standards. Marriage is between a man and a woman. That's her first fundamental Christian principle. That's an example -- that's the first example of a fundamental Christian principle for her. She enforces it. Not only does she enforce it, she even changed her order forms and changed the order process putting in the SOPs to make sure that same-sex couples did not slip through the cracks and somehow get a wedding cake from Tastries. So there is no question that she is very concerned about that fundamental Christian principle and that she enforces it to deny cakes in a situation to couples like Eileen and Mireya.

Let's take a look at another fundamental Christian principle that Mrs. Miller testified about.

Couples living together before they are married violates her fundamental Christian principles. But she testified that she does not enforce this principle against straight couples. She doesn't even ask about this information during the 20-minute to

hour-long design consultation that she has with them. Ironically, I think she said that it would be discrimination for her to ask them about this. But there is a clear example of a fundamental Christian principle that she ignores and does not apply in these standards.

She testified about a third fundamental Christian principle she has, and that's when a Christian marries an atheist, that violates her fundamental Christian principles. And, again, these are her fundamental Christian principles. And she also testified that she does not enforce this principle against straight couples. Again, she doesn't even ask about this in the lengthy design consultation that she spends with couples.

So for straight couples, she remains blissfully ignorant when they violate her fundamental Christian principles, but she is ever watchful to stop gay couples from breaking her fundamental Christian principles. That is a motivating reason -- excuse me -- that demonstrates that sexual orientation is a motivating reason for Tastries' denial of cakes for same-sex couples celebrating their weddings.

So at least three different ways to show that sexual orientation is a motivating reason. And when we show that it's a motivating reason, we cleared the intent hurdle, Your Honor.

Now, Defendants have some arguments against

this. They say it's not about sexual orientation. It's about their religious objection to same-sex marriage.

And as I talked about at the beginning, the Supreme Court and California Supreme Court do not recognize the distinction between gay status and the conduct of being involved in a same same-sex marriage. You cannot entangle the two. I thought about Defendants' argument for almost five years, and there's no way to disentangle same-sex marriage from sexual orientation.

And, again, as Mrs. Miller testified, when you're talking about same-sex marriage, you are talking about gay people. When you're talking about same-sex marriage, you're talking about sexual orientation.

Defendants argue that Tastries does not discriminate against gay people in all services, just wedding cakes, anniversary cakes, cakes for bridal showers, cakes for bachelor and bachelorette parties. But otherwise they will provide cakes for gay individuals.

But it's no defense discrimination -- it's no defense that discrimination is only applied in a third of their business. If you discriminate and you deny services, that violates Unruh. There is no defense that you provide other services. And this has been true for over 50 years.

Now, we cite the Newman v. Piggie Park case

for this principle. And I'll remind the Court that this is a case that was cited by the Supreme Court in Masterpiece. And we cited for the proposition that partial -- or discrimination in part of one's business, providing some services, even most services, doesn't satisfy Unruh's requirement to provide full and equal services.

In the Piggie Park case, a restaurant would serve part of its menu to Black folks, but it wouldn't serve all of its menu, and the Court found that that was discrimination.

And, again, we don't cite that case to compare sexual orientation discrimination to race discrimination. We cite that case for the proposition that offering less than full and equal services is a violation of a public accommodations law.

Lastly, Defendants argue that the policy is not directed at same-sex marriage, but it also applies to prohibit cakes for, for example, polygamous marriages. They offered no evidence that any customer has ever asked for a cake in such a situation or that it was even a consideration when the policy went into effect. And they also cite that apparently this policy won't stop the wedding cake for a man and his parrot. But the policy wasn't created to stop a man from marrying his parrot and getting a wedding cake for that. It's clear here why the policy was adopted. It's clear here why, when a few cakes for same-sex

marriages slipped through, the policy was updated, procedures were updated to make sure that it didn't happen again.

When we look, DFEH clearly satisfies Elements 1 and 2, and under CACI, that's all we need to do.

Now, Defendants don't want to look at CACI, which is the standard accepted by the Judicial Council. They want to go back in time and look at BAJI and -- I certainly don't want to pick on Soyeon throughout my closing, but Soyeon had never even heard of BAJI. That's how old it was.

It was around when Chuck was coming up. I learned this a little bit at the beginning of my career, but it's been a while. So that's a clear yellow flag, at least when somebody wants to go to BAJI and ignore CACI.

Second of all, I think we can see why BAJI is no longer accepted by the Judicial Council. If you look at Elements 1 and 3, they appear to be exactly the same except just reversing the order of the Defendants and the Plaintiffs. I'm tired, Your Honor, but I sat there and looked at that and thinking, "What is going on here? Don't they say the same thing?" You will see when you take a look. But the key with this one is their purported defense that the discrimination here was not arbitrary.

So when you look at BAJI, it's an Element 4,

and they say it is a defense, so it is their burden to prove, which it is, but, again, this shouldn't even be looked at. It's not a real thing.

And the key here is that the definition of "arbitrary" is really mischaracterized. When Unruh was enacted in 1959, it didn't have the 18 protected classes that it does now. It had 4. But Unruh was always meant to be broad. The protected characteristics that are listed are, as Defendants cited, merely illustrative. Any type of arbitrary discrimination is prohibited by Unruh. So the use of the term "arbitrary" by courts, you will notice it is not in the Unruh Act, but courts adopted it because it is meant to expand the breadth of Unruh.

Here are the four protected characteristics in 1959, they said, but any type of arbitrary discrimination is prohibited. It's a catchall. But Defendants are trying to limit the Unruh Act. They are trying to turn the use of the word "arbitrary" on its head to restrict Unruh Act. The way they interpret it, arbitrary means something along the lines of as long as you have a good explanation for your discrimination, it's okay because it's not arbitrary. That's not what arbitrary means when it comes to the Unruh Act. It's literally the opposite. Arbitrary is meant to expand Unruh, not limit it.

In the case of In Re: Cox is a good example. In that case, a patron of a mall was hanging out with a

hippie type, and the mall chased them off. Well, hippies aren't a protected class under the Unruh Act. But the Court said you can't -- you know, even though it is not a protected characteristic, you can't discriminate based on something arbitrary, like someone having long hair and wearing weird clothes you don't like.

So it's a good example of the fact that arbitrary was meant to expand Unruh to cover situations that weren't specifically covered in the protected characteristics, protected classes.

So, Your Honor, there's an Unruh violation here. The judge, who will not be named, recognized it. Almost all the wedding vendor cases recognize a public accommodations law violation when they're dealing with this issue. Because when you hear the basic facts, a business refused to serve a lesbian couple, we all recognize that's against the law. And that's because in California, if your business is open to the public, you provide full and equal services regardless of a customer's personal protected characteristics, in this case, sexual orientation. Once you cut through all the smoke, that is very clear.

And, Your Honor, it's essential that you find an Unruh violation here. When we saw Mrs. Miller on the news talking about her policy, and saying that she's used it in the past to deny couples and that she was going to continue doing it, we recognized it

immediately, and we had to go and get a TRO because we had to send a message that if you're a business and you refuse to provide a service based on sexual orientation, you are violating the law. Now, that's the Unruh Act.

The second part of the analysis is whether there is a defense. So the previous judge recognized that we made a prima facie Unruh Act claim. That was never in question. The reason that the TRO preliminary injunction was denied was because he found a defense. So that's a separate analysis and it's important that an Unruh Act violation be found here.

So I urge you to find that the Rodriguez-Del Rios were bona fide customers seeking their wedding cakes from Tastries. They had a good experience with Rosemary Perez, who joked with them and invited them back for a tasting. And they returned to Tastries for the tasting with the hope and expectation of checking the next item off of their list.

And by refusing to accept their order, Defendant Miller and Tastries violated the Unruh Act, and she did so because they were a lesbian couple seeking cakes for their wedding. And the offer to send their order to another bakery does not satisfy Unruh's obligation businesses provide full and equal services.

Now, Unruh doesn't stop Mrs. Miller from practicing her religion at work. She can decorate her shop with religious imagery. She can listen to

Christian music like she does. It doesn't stop her from praying with her employees. It doesn't stop her from being recognized in the community as a Christian bakery or telling the community about her religious beliefs, including her belief that marriage is a sacred union between a man and a woman. Unruh is not about any of that. It's not about expression. Unruh simply stops business conduct. So Mrs. Miller is free to do all those things. It doesn't stop her from having rallies and getting support from her community. It simply stops Tastries from refusing to provide full and equal services based on sexual orientation.

So the issue here is not about the government chilling Mrs. Miller's religious exercise or her free speech rights. She has been exercising those since the case was filed. The issue is about a business engaged in illegal conduct, and that's what the focus should be.

Now, Mrs. Miller and Tastries, they're not a football coach exercising his right to pray. She is not a cottage baker working from home making a handful of cakes each week. If she was, we probably wouldn't be here. Tastries is a commercial bakery who's hired over 130 employees over the last decade, pumping out hundreds of cakes every week, not to mention all the other baked goods and boutique products that it services.

You saw that process of how cakes are made.

So you have to think about that was one decorator. Mrs. Miller testified about the 18 employees now. Her and the employees talked about how there were four bakers, four decorators back there. So we are not talking about Mrs. Miller at home making cakes in her kitchen. We're talking about a busy kitchen that's got bakers working at the huge ovens, taking cakes in and out all day. Other people mixing up everything, making the fillings, making the recipes. We got decorators working those spinny things, four different ones, making the cakes. It's a little cake factory.

Not to mention we got Mike, a sophisticated businessman, making sure that they follow the law, doing legal research of his own, putting into place standard operating procedures, and doing all this in between delivering cakes all the time. And we have got Mrs. Miller running around doing a little bit of everything wherever she is needed.

So this is a commercial, for-profit enterprise, and businesses have different rules than individuals have.

Mrs. Miller testified about how she follows -- Tastries follows the health codes, how Tastries follows the tax codes, how Tastries follows OSHA laws. Unruh is just another law that businesses need to follow. And, again, if she was at home in her kitchen making cakes, we wouldn't be here.

Justice Kennedy wrote in Masterpiece our

society has come to the recognition that gay persons and gay couples cannot be treated as social outcasts or as inferior in dignity or at work. For that reason, the laws of the Constitution can, and in some instances must, protect them in the exercise of their civil rights. The exercise of the freedom on terms equal to others must be given great weight and respect by the Courts. At the same time, religious and philosophical objections to gay marriages are protected views and, in some instances, protected form of expression. As this Court observed in Obergefell v. Hodges, the First Amendment ensures that religious organizations and persons are given proper protection as they seek to teach the principles that are so fulfilling and so central to their lives and faith.

Nevertheless, while those religious and philosophical objections are protected, it is a general rule that such objections do not allow business owners and other actors in the economy and in society to deny protected persons equal access to goods and services under a neutral and generally applicable public accommodations law.

North Coast and many other cases have held that the Unruh Act is a neutral and generally applicable public accommodations law. In those situations, businesses, as Justice Kennedy wrote, cannot deny protected persons equal access to goods and services.

Now, I want to run through quickly some of Defendants' defenses.

Defendants started with a shopping for a lawsuit argument, saying that Eileen and Mireya were shopping for a lawsuit, and that morphed into a shake-down strategy. But it is very simple. Eileen and Mireya were in love. They are still in love after all this time. And they wanted to do what most of us want to do, is marry the person that they love. They weren't looking for a lawsuit. They weren't looking forward -- what they were doing was looking forward to declaring their love in front of their family and friends.

The evidence showed that once Eileen proposed and Mireya accepted, that they started doing their planning, and they planned all the way through. They ended up getting a cake, shopping at multiple places, and they got married and they had a cake that resembled the cake that they wanted to get from Tastries. So they were bona fide purchasers, shoppers. They were never shopping for a lawsuit.

The other defense, DFEH animus against Mrs. Miller and her religion. So the one argument that Defendants make is that the DFEH cites court precedent. As I talked about a few minutes ago when we cited Newman v. Piggie Park, we were not comparing Mrs. Miller to a racist. We weren't saying that she was prejudiced. We were comparing providing half of

the menu as not providing full and equal services. That's what we were talking about.

Defendants' claim about that DFEH had aggressive litigation tactics, we filed a TRO in December of 2017. We didn't file another motion until the summary judgment in the fall of 2021. In between, we had to file a couple of writs that we won because of Defendants' motions. But we didn't have aggressive litigation tactics.

DFEH, as Mr. LiMandri said in his opening, is a civil prosecutor. So once we find a violation, we don't have to be neutral. We cannot be neutral.

So the DFEH animus argument really comes down to those depo questions. And as you saw when Mrs. Miller talked about what the policy was based on, it was her fundamental Christian principles. So we needed to ask her questions about that to talk about the scope of the principles and to see if she applied them consistently.

So that's what I did, and I think we saw that very relevant testimony came out from there that I think was very important to the intent requirement. So there was no DFEH animus here. The Court took judicial notice of other Unruh complaints we've filed. We did what we were supposed to do, which is enforce the Unruh Act.

So when we get to the end of it and we take out all the noise, there is an Unruh Act violation, and

the real issue is, does the First Amendment provide a defense? Everybody expected that Masterpiece was going to answer that question, and they didn't. So courts are still dealing with this. Does the Free Exercise Clause provide a defense? Does the Free Speech Clause provide a defense? That's the real issue. That's going to be your challenge.

The good thing is it's easy because we have North Coast. North Coast already said that the Unruh Act satisfies strict scrutiny. Strict scrutiny is the highest form of scrutiny that there is. It doesn't get any more strict.

So if the Unruh Act satisfies strict scrutiny, that means it's the least restrictive means of accomplishing the government's compelling interest. And, again, California Supreme Court has decided that. The Supreme Court has decided that public accommodations laws meet strict scrutiny in many cases. Unruh is okay.

So your job really won't be that hard. All the analysis about the Free Exercise Clause and the Free Speech Clause, and that takes up the majority of the briefs, all that analysis is just deciding what level of scrutiny to apply.

Defendants argue that you have to apply strict scrutiny. We argue that you don't have to. It's rational basis and free exercise and immediate scrutiny of free speech, but none of that really

matters. What the California Supreme Court did in North Coast was say, let's just cut to the chase. Let's just apply strict scrutiny and see if Unruh satisfies it. So they did. And Unruh satisfied strict scrutiny.

So to make all your homework less, you can just look at North Coast, ignore all the rest, follow it, Unruh satisfies strict scrutiny.

Really quick preview of the free exercise. The Smith case -- Smith still is in existence, and it says that when you have a neutral and generally applicable law, like the Unruh Act, you do not apply strict scrutiny. You just do rational basis. The Supreme Court has not overruled it yet.

And then the free speech argument, no case has ever held that a cake is pure speech. Pure speech is when you have to apply strict scrutiny, but no case has done that.

And even though cakes are beautiful and certainly many can be artistic and take skill, they're different than art. You know, there's a utilitarian purpose behind them. So I think that's why courts have hesitated to say that they're pure speech.

Even for intermediate scrutiny, they have to show that Mrs. Miller intends to send the message, but the second part is that that message is received by people viewing it. And there's no evidence that was put in that anybody who saw the Rodriguez-Del Rios'

cake took a message of endorsement of same-sex marriage. It is simply there. People -- there was even a statement by Mr. LiMandri how he walked by and saw a cake and somebody said, "Where's the wedding?" The message wasn't that cakes support this couple getting married. This cake supports the wedding. The cake simply said that's a wedding.

So with that preview, again, it's Defendants' burden on their affirmative defenses, but everything that he is going to say is simply about what level of scrutiny to apply.

And with that, I will reserve the rest of my time.

THE COURT: Take a five-minute recess.

(Recess taken.)

THE COURT: Let's go on the record. This is the matter of DFEH versus Cathy's Creations.

Counsel are present. Appearances are as previously indicated.

We have heard the Plaintiff's initial argument and summation, and we will now hear from Mr. LiMandri.

Mr. LiMandri, you have the floor.

MR. LIMANDRI: Thank you, Your Honor.

Your Honor, during opening statement, I pointed out that this, of course, was a very fact-intensive case and that the facts and the context matter. I think we've now seen that the material

issues of fact really are not in dispute, but I do want to go over some of them that I mentioned in opening statement that we would be proving and pointed out that they have been indisputably proved.

And I also want to point out, as I did in opening statement, as Your Honor indicated and Mr. Mann acknowledges, this case is about a wedding cake and a same-sex couple that wanted to buy specifically a wedding cake for a same-sex wedding. It's not about other preordered baked goods, but the record will reflect indisputably that that issue has never arisen where a same-sex couple wanted to buy any preordered baked goods other than a wedding cake.

And also the record will reflect, and it is undisputed, that at no time has a same-sex couple come in and wanted to buy preordered baked products for any type of event other than a wedding. Not an engagement party, not an anniversary party, not a bridal shower, anything of that nature. So not only are they not relevant, but completely speculative regarding those situations, and that's not the situation before the Court.

Now, we know that Cathy Miller opened Tastries in 2013, and despite Mr. Mann's best efforts to make it sound like it's a major corporation running a factory like General Motors, it really is a small business with some 18 employees.

And as Mr. Mann pointed out in his closing

argument, that Mrs. Miller is very much involved in all aspects of the business. This business has been very much impacted, as the Court has heard, by what has happened over the last five years. And, in fact, half of its existence as of late 2012, early 2013, and, of course, it's impacted all the parties, particularly hard with Cathy Miller, given the avalanche of hateful social media posts and harassment and vulgar type of images and such, pornographic images that have been sent to her.

So the fact that -- this trial has indeed been somewhat emotional and cathartic, and we are all happy to see it at this point.

There is no question, again, that this is very much an operation that focuses on Cathy Miller's faith. She says it's God's business. She is a steward. It's also a Christian boutique. No one who visits it can think otherwise. And there's no dispute that if someone wants a wedding cake, there's multiple people involved from the front-end and the ordering and the back-end of the store with all of the designing and baking, and that Cathy Miller wants to be involved in and has to approve the final product.

So we didn't hear Mr. Mann talk much about this issue of the alternative that Cathy Miller has to have one of her employees make the cake, because it is clear that would involve, you know, about one-quarter to one-third of her workforce, and her involvement as

well, which is simply not a workable solution for her, given her undisputed sincerely held religious beliefs and the fact that this is a close-knit family-like operated business. And that it would be very disruptive to the business if people were at cross-purposes in terms of what the mission and purpose is of the organization.

And as Cathy Miller has said and how her testimony reflects and that of the other witnesses with no dispute, she seeks to serve God in all things in her work, and that includes being true to her Biblical principles as she has learned and seeks to follow, which is why the design standards in the last number, Number 6, say that she is going to seek to follow Christian principles.

Now, Mr. Mann points out, yes, but supposedly she made a wedding cake for a heterosexual couple that had been living together. But they went to get married. So they made a wedding cake to celebrate the fact that they were doing the right thing. So I certainly see no inconsistency there.

I'm kind of surprised he brought up the atheist issue since she explained how she basically seeks to evangelize. Christians have the Great Commission from our Lord that we are going to evangelize, and she does it openly and freely, and apparently not to the chagrin of anybody who's ever bought a wedding cake at Tastries among the thousands

of customers that have come in. She shares the wedding packet, Exhibit 5, and quite freely and openly talks about the many Biblical references regarding marriage and how it's a sacred institution ordained by God in Genesis.

I have to correct one factual error in my opening statement, which unfortunately my wife was quick to point out when she was here, that I said that Abraham wrote Genesis. It's Moses. So that was apparently an unforgiveable theological faux pas on my part, which I shall not repeat.

Other than that, I believe I've been factually accurate with the Court, and as I will proceed through my closing argument, I hope the Court will agree.

We know how the wedding policy came about. I'm not going to recount in painful detail all of the issues that really are not in dispute in that regard.

Clearly, the design standard as it involves marriage is between one man and one woman, irrefutably, Biblically based, as I indicated in both testaments of the Bible, multiple books with no room for interpretation anywhere, nor do I know anyone who has seriously suggested it otherwise.

So Cathy Miller, she's a devout Christian. She is really put in a situation where she has to either lose her faith or lose her business based upon the interpretation of the DFEH of the Unruh Act here.

And she even consulted her pastor, she said, Roger Spradlin. She wanted to make sure she is doing the right thing, and has remained basically convicted in her heart that she has no choice on this issue.

And, you know, let's be clear. When we talk about the Christian principles, I mean, we are not talking about small things. Basically life and marriage, we all know in our culture today, those are the hot button issues. And in the case of a baker, it is going to show up with regard to the marriage issue, not any potential myriad of unrealistic hypotheticals, which fortunately we do not have to address.

And with regard to the making of a wedding cake, there is no dispute. It is right in the Plaintiff's trial brief on Page 10. The customer has to work with the baker, the representative of the Tastries Bakery, to select the size, the shape, the flavors, the fillings, the design work, the color, the texture. And, you know, professionally, it was a bit insulting to our client, given her lifetime commitment to her vocation, to suggest that she basically only uses cake mixes, which is absolutely flat false. But as other bakers, particularly in the climate, sometimes they have to use either cake mixes or frostings, but they oftentimes will bake their cakes completely from scratch, and when they use the mixes, it's only for the foundation with recipes of longstanding and creative design that are used with them.

And I only say that because for someone who is a professional baker, suggesting that they do all their baking with cake mixes is like telling an artist who sees themselves as a great artist as basically painting by numbers. And so that's why that issue probably loomed a little more important than it otherwise should, given the weighty constitutional issues in this case.

But one thing is for sure, Cathy Miller cannot operate Tastries Bakery in such a manner they continued to keep their doors open without wedding cakes being 25 to 30 percent of their business. And although Mr. Mann points out the Unruh Act has been around since 1959, with a few major categories that have always been recognized, or at least long recognized in the history of our nation, certainly religion being a protected category since the nation's founding and, in fact, was the inspiration for the nation's founding with the pilgrims being religious refugees and our founding fathers putting free exercise of religion in the First Amendment of the U.S. Constitution -- not just freedom to believe what you want, but freedom to put it into practice. Not just in church on Sundays, but in all aspect of your lives, including in the marketplace. So freedom of religion has always been in the Unruh Act.

This issue about same-sex marriage has really only appeared to be addressed by business owners since

around about 2015 and shortly thereafter, as was exactly the case with Cathy Miller.

And the fact that it's caused confusion, not just for her, but for many, it's just an unfortunate and inevitable reflection of the fact that when you take an institution that predates recorded history, and basically found itself forming in every society that's ever existed in the history of the world, from small, tribal villages in the top of mountains or in deserts or in jungles, human beings always matched up in the marriage of one man and one woman. Obviously it's a need to perpetuate the species, but because also apparently they just saw it was the right thing to do without anyone telling them it had to be done, including ancient Pagan cultures in Greece and Rome which never would have imagined marriage would be a state institution, even though they were quite tolerant of homosexuality.

So the fact that there is some confusion, which was reflected in the testimony as Cathy Miller, a devout Christian, struggled to try to harmonize the questions about the State of California's representative and what the new definition of marriage means in terms of sexual orientation, should not be a surprise to anyone under this new secularist regime.

Now, as to the claim of discrimination, obviously that has no real teeth. No one here has come into court with any experience with Cathy Miller of any

kind of duration with her interaction with her gay customers she's hired and rehired, not -- gay employees she's hired and rehired, and gay customers who she has served with as much faithfulness and devotion as any customers. No one has suggested she does so in any type of discriminatory fashion. In fact, all the evidence is to the contrary.

And what makes this case distinct from other cases the DFEH wants to cite, Your Honor, is where they found violations it was almost always where there was a complete denial of services. They cite one race case where supposedly a restaurant owner would not serve Black people in all sections of the restaurant, but no one is going to argue with that. In the cases I have pointed out, and that's why we've taken umbrage, it's highly offensive to equate the race cases to people's sincerely held religious beliefs about marriage, because any rational person realizes any discrimination based upon race was always arbitrary and always invidious and always ugly. We fought a civil war, where 600,000 people died, to make sure that never happens again. And it does not in any way equate to people's sincerely held religious beliefs about marriage, even in the sterile legal environment of a courtroom where you are talking about it as some type of legal precedent, and certainly not in the confines of a law office conference room where someone is being deposed and, yes, interrogated on the sincerity of

their religious beliefs in a somewhat mocking fashion, which should never happen in the United States, which was, again, founded first and foremost by people seeking to escape religious persecution.

As to this allegation of discrimination and hostility or animus, which obviously does not exist on the part of Cathy Miller, it is clear that she does not just refuse to make wedding cakes for same-sex couples. And it doesn't matter who comes in to order the cake. Whether they're heterosexual or homosexual, she is not going to make that cake. And we see that distinction made in cases like -- all cited in our brief, like the Lexington case and even the UK Supreme Court. They tend to be more liberal that even us these days. They said making this cake was ordered by a corporation to celebrate gay marriage, and they said it's not a gay person ordering the cake. It is about the message.

So this is a universally held idea that making a cake, particularly a wedding cake, is, in fact, to endorse what's occurring in that marriage. It is, in fact, about speech. It's not about the persons individually.

However hard the DFEH wants to shoehorn the concept of marriage into the idea that it is synonymous with sexual orientation, the fact is, as we all know, not all heterosexuals marry. It is not an immutable characteristic of heterosexuality to be married. And it certainly isn't of homosexuality either, since the

instance of marriage is even much lower.

So there is something that's unique and different about marriage regardless of one's sexual orientation as to whether people find it as right for them.

But as far as sending a message, Mr. Mann I think stated it quite eloquently just minutes ago, when he said someone, a passerby, when Mike Miller was passing by with a wedding cake, said, "Oh, it's a wedding." That is a message.

When the DFEH sees on that point 6 of the design standards that only a wedding cake for a male and female will be made, the distinguishing factor is it is a wedding cake, and that connotes in people's minds almost universally a three-tier or more white wedding cake. There could be exceptions, but, again, exceptions never defined the role. And as I hope to be able to show some slides when I get to them of what Supreme Court justices have said on this issue, it basically is what people universally would think, what Cathy and Mike Miller both testified to yesterday, people have indicated they think when they see a wedding cake and they see the Tastries people bring it in with the logos on their shirts and the business cards and such, that Tastries is supporting it.

And the interesting thing, Your Honor, if they were to convince any judge that making a wedding cake, a simple cake, is, in fact, not speech, because

it is not particularly elegant or complex in its design, then where does it stop? Does it mean a more elegant cake, and how much more elegant would be speech?

And you'll see -- I hope I get to these slides -- one of the justices said, "What about writing? Do you need writing to make a speech?" I said no. Again, people know what a wedding cake is. But if you do need writing, does that mean Cathy Miller can make wedding cakes, but not put writing?

Remember the question of Justice Ginsberg at the Supreme Court, Masterpiece, to the ACLU lawyer, would the baker have to write God bless this union on a wedding cake for a same-sex couple? They said yes. Or I guess no writing. But I don't think you make wedding cakes and say no writing. I don't think you make wedding cakes and say no writing.

And then you start getting into, well, if there is writing, where does the writing stop? You have Mary Johnson, who came in here looking somewhat different than she did in her video depo, both in appearance and demeanor, who would say you have to put "Hail Satan" on the cake. Your religious beliefs have nothing to do with what the customer wants. I believe Eileen said the same thing. You have to make a pornographic cake if that's what the customer wants.

So where does the speech stop once they get what they want on a simple wedding cake? Basically we

know it doesn't stop at all. It never does. It's maybe incremental at first, and then it's a very quick, slippery slope into you have to give up all of your religious beliefs when it comes to these issues and all of your rights to free speech and free exercise of religion. And that's how tyranny works and that's completely against everything the founders intended when they wrote our constitution.

We know that even Patrick Salazar, who had some very strong views on people who would dare to hold Biblical beliefs against gay marriage, that they are all hateful bigots. Anybody who believes what the Bible says is a hateful bigot. Anyone who voted for Proposition 8 is a hateful bigot, which means the majority of Californians who voted, and two-thirds of the people in the United States who voted, who passed constitutional amendments in 31 states, were all bigots.

But separate and apart from that, he did say Cathy Miller was very compassionate and nice. She wasn't rude. She tried to express herself in a way that would be as inoffensive as possible. It is very unfortunate the situation arose because of the recognized -- and I appreciate the acknowledgment of the State -- of the deception on the part of employees who are working at cross purposes. If they had not done what they did, this would not have happened and none of us would be here. Because the accommodation

that Cathy Miller had put in place had been working and had been successful and undoubtedly would have continued to be because of the sensitive and compassionate way she tried to go about dealing with this situation so that she could not only preserve her sincerely held religious beliefs, but also see that a same-sex couple got the cake that they wanted, which is why she put that arrangement in place with a very talented baker, who uses comparable recipes and who is a member of the LGBTQ community, to be able to provide that service, and never received any complaints from anyone about that accommodation.

I'm not going to go into the details of the subject incident. The Court is all too familiar with them at this point. But I do want to point out we still find it anomalous that the Real Parties came into Tastries and made up their mind, they said, on the first visit before they tasted any of the products that they were going to get their wedding cake from Tastries. At least one of them recognized all of the religious symbols, the playing of Christian music. Why did they have to have Cathy Miller make that cake without even tasting the product, which was freely available for them to do when they came back the second time, standing there in the design center for wedding cakes, with all of the cupcakes laid out and were invited to taste the cupcakes before Cathy Miller came and before she realized it was a same-sex couple. So

we do find that anomalous.

And although I do believe, Your Honor, they were shopping for a wedding cake because they got a wedding cake and had a ceremony. I do also believe that -- well, I should say the evidence has shown that there was more at play inasmuch as they were insisting Cathy Miller make the cake when there were many other bakeries willing to do it. And it also seems highly coincidental that they were able to bring to bear in such a relatively short period of time a complete firestorm. And although they tried to deny they ignited the flame, even though in their small group they got involved a notorious militant gay activist who said they were going to take this to the whole world, and did, and it rained down, again, this firestorm where they had to lock the doors. The Real Parties continued to fan those flames using social media to their maximum advantage. And never, even after they learned what was happening, sought to in any way cause the uproar to die down.

Again, they fanned the flames by writing hateful things about Cathy Miller themselves and telling lies about her being a bigot who would not serve gays and lesbians. And even knowing what happened, six employees feeling threatened, some of them leaving for that reason, and all the other things where they had to lock their doors when the media were trying to get in the shop, it's their view even still

they want her doors locked permanently. They want her out of business. They want her punished. They want to send an example to anybody I think who dares to have her views.

And what is the harm they're claiming? That one of the Real Parties apparently cried and had a headache and had a nosebleed hardly stands in comparison to the harm Cathy Miller has suffered and it is relevant for strict scrutiny on the balance of harms issues.

And although I don't want to press this issue too hard, I think it's incumbent on me to point out I don't think it was a lack of service or refusal or denial of service. It was, as I believe Mireya Rodriguez-Del Rio said, no one had ever confronted her.

And Cathy Miller did not want to do that. Eileen pushed her three times. Why are you trying to refer it? Why won't you make the cake? And only after the third time did Cathy Miller -- she didn't say, I don't condone same-sex marriage. She said, "I can't do it. I can't hurt my Lord and Savior." And I think that was the message that caused that small group to go out and have her savagely attacked. And is it a hurtful message to them, perhaps, it would have been, but it was Cathy Miller's right and, indeed, as a Christian, her obligation to speak the truth in that situation.

And inasmuch as they are trying to punish her

for that truth, that is viewpoint discrimination. That is unconstitutional and that must not be allowed.

And I will point out, I mean, who was the victim there? One of the men put his hand on her back, reached around and grabbed the clipboard out of her hand. They said they didn't touch her. I learned in law school, you kick some guy's cane, it's an assault and battery, you know. Grabbing that clipboard and putting her in apprehension of imminent danger, she said she was scared -- obviously she is not filing charges for battery, but I'm saying look at what happened. What they did to her under the law is worse than what they accuse her of, even if they just grabbed the clipboard out of her hand and said, "We'll take care of this," and stormed out with her proprietary custom order form that is not to be released to the public, which they took, and left her there basically in shock.

Now, this situation we know will never happen again because of procedures that Cathy Miller put in place to avoid it, which now, of course, they are holding against her, making it sound like that in and of itself is some type of insidious discrimination. There's no question there were coordinated attacks involving the media and no attempt to reign them in.

And, you know, I'm not blaming the DFEH for what their clients did initially, but they could have said, please post on your Facebook, or whatever, to

stop the harassment. This is not what we intended. Our lawyers say it is a legal issue. It will be appropriately addressed by the courts at the appropriate time. Please don't do this anymore.

I'm sure Cathy Miller would have been happy to do the same if there had been a need for it. That was not ever offered.

In terms of the balancing of interest and the harms, we know that the Real Parties did get their wedding cake, three-tiered cake -- got some slides, I hope I get to them -- where they both testified they thought the wedding cake they got was beautiful. They thought the cake was delicious, and it was just like the cake they would have liked to have got from Tastries. So there is no question there.

And we have legal authority. Justice Baxter, in the North Coast case that Mr. Mann cited multiple times, said that the situation with this medical clinic would be different if, in fact, it was a sole proprietorship, which is basically what we have here. I do have a slide on that. So I want to come back to that.

But the bottom line is, the Real Parties wanted a traditional wedding. They got a traditional wedding. They even had a topper they could have put on the cake, decided not to. But, again, would our client have been required to put a topper with two men or two women on it if that's what a gay couples wants.

And beyond that, the Real Parties received offers of free photography, and makeup, and hair. No economic loss.

And I already talked about the emotional loss. In fact, they remain celebrities in the LGBTQ community, went to PFLAG, made an appearance.

But the message here, and that's the most important point, was not one of discrimination. The message was one that they would not be able to support a marriage that was not one man and one woman.

And since Cathy Miller's religious beliefs are not in dispute, you will see in the Unruh Act cases -- I see I was given a note by my colleagues.

There's one more point with regard to this issue of balance of harms, that Jessica did show up to cut the cake as a service that Cathy Miller offers through Tastries. Is that something they would have to do, have an employee go to the same-sex wedding? I'm sure they'll say no. You just stop offering that service. By the time the DFEH will be done, they can't offer any services without violating the conscience of the person who owns it, whose reputation and brand is reflected in everything that Tastries does.

As to the Unruh Act, we have a slide -- I keep talking about that -- I want to show you, the Sargoy case. All these cases are cited in our trial brief, Your Honor. It states that the intent to discriminate has to be arbitrary. That's what it says

in BAJI. We cited BAJI because it has the affirmative defenses CACI does not have. But arbitrary means that it is invidious, like race-based discrimination in that there is no legitimate business interest or public policy interest. Where here the legitimate business interest is this is Cathy's brand, everybody knows who she is and what she stands for that does business with her. And also she's got a constitutional right.

So clearly it is a public policy interest in the state not forcing her to send this message.

Mr. Mann says that he can't disentangle same-sex marriage from sexual orientation. And I say why? You can only disentangle it because of co-opting the language regarding the label of marriage and then grafting it onto sexual orientation. Like I said, there's two distinct concepts. No court has said that sexual orientation and marriage necessarily go together. They cited the Christian Legal Society case, but there homosexual was prohibited from membership at all in the organization. And there was no expressive speech. No one was being asked to create something from scratch. Remember, we are not talking about selling a premade product. We are talking about having them create a work of art, which all of their witnesses -- I think with the exception of Eileen Rodriguez-Del Rio -- acknowledged that it was art. I think even Patrick Salazar did that. Certainly Mary Johnson did that. Certainly everyone who was on

the baking side of the case did that, including Melinda Massey and, of course, Rosemary Perez and, of course, Cathy Miller.

And you can see it. You saw it for yourself. That is why we put those exhibits in. And I noted the Court studiously observed those.

So it is clear that this cake making at this level is artistic.

In any event, who gets to decide? Again, is -- all speech is protected. It is not always eloquent. It's not always a great speechmaker. It could be banal. It could be boring. It could be like my closing argument. But it's still protected because it's speech.

And same thing with expressive speech. A wedding cake is unique. It does send a message regardless of the degree of detail.

But on this Unruh Act point, there is certainly no arbitrary or invidious discrimination when people are asserting their constitutional rights, and particularly when there was an effort to provide an accommodation, which someone doesn't do if there is invidious discrimination.

So, again, I'm going to quickly talk about some of these key cases, and then we are going to look at some slides.

North Coast, though, is certainly distinct because it involved professional physicians with a

fiduciary duty providing an essential service. And the same is true of Minton. In Minton, they said if they had set up the accommodation in advance of the person coming and selecting the service, that would have been different. And that's exactly what Cathy Miller did.

We also cite the -- well, I didn't cite the Harris case because I didn't think it would be an issue, but Mr. Mann pointed out they are relying on CACI 360. Then if I heard him properly or correctly, he said that there is no case law to use substantial for the motivating reason element, but, in fact, right in the use note for CACI 360 at the bottom, it cites the Harris case, saying you need to have a substantial motivating reason. So -- and that's also in BAJI, 7.92 we use because it also included the affirmative defenses.

By the way, they're both written by the Judicial Council. It's my understanding, basically, CACI modernized the language, made it more reasonable. Didn't change the law. They are both highly respected and they both have substantial -- in the jury instructions. So I don't think the State should be trying to convince the Court that's not a proper element under these circumstances.

We cited the Hobby Lobby case because there are two defendants, and Tastries, although is a corporation, is a closed corporation, family owned, and, therefore, it enjoys both free exercise and free

speech protection as the large Hobby Lobby Corporation, with many different outlets, but nonetheless, a closed corporation.

We cited In re Marriage cases from the California Supreme Court. It said religious beliefs regarding marriage are protected for persons in California. As did the U.S. Supreme Court in both the Obergefell and Masterpiece, said religious beliefs are protected. I got the slides. We'll have to show them to you.

In Fulton, more recently, the U.S. Supreme Court said that religious liberty won out over a clash with sexual orientation rights because the gay couple who wanted to adopt a child had other options to do it. And even though it wasn't a statutory foundation case, it was an accomodation case contractually and the same principles applied and strict scrutiny was applied, and the religious organization, Catholic Charities, won. Even though in Minton the religious organization, the (indecipherable.) in cost of a loss, because they did not have accommodations set up in advance like Cathy Miller did.

And we also see strict scrutiny being applied by the U.S. Supreme Court in more recent cases that were cited by the -- not cite, but issued by the Supreme Court just last year on religious liberty and the opening the churches back up, Tandon and South Bay. I indicated South Bay was our case. The Supreme Court

applied strict scrutiny to those cases because the State of California was not acting within the rights of religious adherence. And they were kind of harsh on the Ninth Circuit. We've told you now three times. Don't keep the churches closed. And based on our case, they vacated the Ninth Circuit authority that did not apply strict scrutiny.

In the Hurley case, the United States Supreme Court held that you can't force people to adopt a marriage of promoting LGBT rights. You couldn't -- although gay people could march in the St. Patrick's Day parade -- was it St. Patrick's Day? Yes. It was -- they couldn't keep -- hold up their banners. They couldn't co-op the message of the St. Patrick's Day parade by using it for their message.

And even though the Kennedy case was a free speech case that issued just last month, the Court had very strong statements about the importance of free exercise of religion and speech, saying that religion is doubly protected because the founders wanted it that way. Much of the speech that was controversial was religious. So they wanted both the free exercise protection and the free speech protection. And that's how the Supreme Court has been trending with the more originalist view of what did the Founders really intend, looking at our tradition and our history.

As to this -- and there is one other case pending, 303 Creative, that's been fully briefed and

will be argued in the fall, and the Supreme Court will probably have a decision certainly by this time next year. And I'm not going to be one to predict what the Supreme Court will say, although, again, they've been trending protective of religious liberty.

But I will point out an argument, that I think is very appropriate, that was in our amicus brief, filed on behalf of African-American civil rights leaders and pastors who said it is wrong to compare conservative Christian views on marriage with racism. Because the more apt comparison are pro-life views that said you can't say someone who is pro-life, that they're bigoted against women. That is one issue that involves women because historically only women could have abortions. Okay. But you can be pro-life and still be for women's rights. And in this case you can be pro-marriage and not be against gay people, as is the case with Cathy Miller, who is happy to serve gay people in all aspects of her business and all aspects of her life other than this one issue carved out for marriage, which is, again, necessarily in this case separate from sexual orientation to apply the constitutional issues appropriately.

I'm just going to kind of more quickly -- but the court reporter is looking at me funny, so I better not.

THE COURT: She's not going to let you do anything more quickly.

MR. LIMANDRI: I know. And rightly so.

But as to the hostility of DFEH, I feel it is necessary for me to mention, again, saying that they did a full and fair investigation in the investigatory phase without ever talking to my client is -- and they relied on some media snippets -- is simply laughable. That is not a full and fair investigation, not to get her view, but just to rush into court less than two weeks before Christmas and try to shut her down. And sending voluminous interrogatories, which I stayed up three nights in a row to answer, and then not waiting for the answers before they did that.

And then getting -- I guess the unnamed judge wrote a denial, the TRO, basically on these facts, which have not materially changed, and still rushing back into court, which in Masterpiece was looked at when the Colorado Civil Rights Commission lost on the marriage issue and went after the same man on a transgender cake, that that was retaliatory. And I believe this is also retaliatory. The State lost, but yet, without a change in the facts, they're coming in and still making these same non-meritorious arguments.

The DFEH, besides serving what we consider burdensome and duplicative discovery and taking duplicative depositions of Cathy Miller, Mike Miller, and Rosemary Perez, and asking very unfair hypotheticals about unrealistic situations which have never risen before and are likely to never arise, also

making offensive comparisons to racism at the deposition -- I got some slides on that -- and also the disparaging questions about Biblical prescriptions against eating shellfish and pork and such is, in fact, tantamount to mocking one's faith or at least sincerely held beliefs they have in that faith.

And the DFEH we feel ratified the hostility of their clients by taking no steps to have -- repudiate them and mitigate the harm, the horrible harm that they were causing my client to her business and the effect on her, as they would on any person, receiving that type of vitriol in an unrelenting way.

And then there is that text about the blue wave. If the Real Parties were quoting the DFEH correctly and fully, I think that also goes to that point.

So final points before I look at the slides that track the BAJI instruction that we provided to the Court is that the wedding cake itself embodies the message. The message is one of celebration of the marriage. And the message is a marriage is acceptable to the people who are making and providing the cake. The wedding cake is clearly artistry. It is expressive speech. Therefore, free speech protection applies to it as expressive speech. The fact that someone is offended, again, does not overcome the free speech rights. We have free speech protection for the exact reason that some people are offended by speech, or we

wouldn't need those protections.

Again, the most recent cases from the United States Supreme Court are increasingly protective of religious liberty rights, including Fulton, including Kennedy.

And I did want to mention, because I think it is appropriate, since we are doing this work and handling this case under the auspices of the Thomas More Society, I think it is particularly appropriate that he was a great hero of conscience. He was a patron saint of both lawyers and judges. Lord Chancellor of England, second in power and prestige only to the king, Henry VIII. But he would not attend the king's marriage when the king wanted to divorce his wife and marry his mistress without the church permission, and the king made himself head of the church so he could grant his own divorce. Thomas More represented himself at the trial after 15 months. It was a show trial because Henry VIII's mistress Anne Boleyn's father, brother, and uncle were on the jury. Not like our trials today.

But Thomas More made similar arguments, that the king had recently passed the law making him head of the church, but More said we've got a higher law tantamount to our constitution, which was their magna carta, that promised independence of the church. And the prosecutor didn't like that and said, that just shows you're malicious. Malice is what they needed to

accuse him of treason.

And then More also invoked the fact that the law was insufficient in law to charge any Christian person because it went against the law of God and what Christ himself established when he was on Earth in human form with regard to the issue of marriage and independence of the church.

Those arguments are unavailing there, but the State was a little more merciful in that case. They did not, while Thomas More was, in the entire for 15 months before they cut off his head, forced him to go through the indoctrination that the State of California is asking this court to impose.

If we could look at the first slide, 32, taken from Page 29 of the Plaintiff's trial brief, they are asking this Court to issue injunctive relief that is going to require our client have a written policy regarding the eradication and prevention of discrimination on the basis of sexual orientation. I see eradication is something like you would do with some type of insect infestation or disease. They are going to have to eradicate these pernicious religious beliefs that the State now finds objectionable.

And they're going to make sure that my client would conduct or obtain a minimum of two hours of in-person training annually for a period of five years of complying with the Unruh Act, including training on the policies and procedures described above. It sounds

to me like something out of Soviet Gulag or Communist China on a reeducation camp where our client will have to, like Thomas More, be forced to basically renounce her faith and adhere to the new secular orthodoxy. That's what they're asking this Court to do with this type of injunction on these type of issues that make no mistake about it.

Let's look, though, at what the State should be doing. I'm going to take this slide right out of their trial brief. This is slide 31 and it's Page 1, Lines 24, 27 of the State's trial brief.

"Miller holds a sincerely held religious belief that marriage is between a man and a woman. DFEH does not dispute or question her sincerely held religious belief. Freedom of religion is one of our nation's fundamental values and is protected by the First Amendment, the California Constitution, and the Unruh Act," which we're here talking about, that the State should be seeking to protect that longstanding right, but we are not hearing much about them with regard to the Unruh Act.

Now, I skipped over a couple of slides. One of them was North Coast. Let's look at it now, slide 28. I had six points that I think make it distinguishable. Again, medical care is an essential service. And that was at issue in both the North Coast case and in the Minton case. The doctors are licensed professionals who have a fiduciary duty with their

patients concerning private health matters. And that case was involving artificial insemination. We are not talking about buying a wedding cake. We are talking about a professional service involving the most intimate, private, and confidential matters in a fiduciary relationship setting. Also, the doctors are working independently of each other in a business relation, not operating under a sole proprietorship like Cathy Miller, who has to supervise her own staff.

So you don't have a situation where Cathy Miller can just refer to someone on an equal level at Tastries. She has the final approval over all the wedding cake designs, unlike these doctors who are working independently.

Number 4, Cathy could not be certain of being able to provide full and equal service if she was not involved in supervising the creation of custom wedding cakes by her own employees because she's the quality control person.

Five, the doctors did not have free speech claims because their medical services are not a form of expressive speech like Cathy in making a wedding cake. That's the key distinguishing factor with regard to free speech, and that's not showing up in any of the cases that the Defendants are citing to the Court with regard to expressive speech where you are forcing someone to create a work of art that takes hours and with skills developed over many years.

And, finally, we believe the Fulton case from the Supreme Court of the United States is the higher and more recent authority than North Coast. And Fulton only required other comparable service to be available. Not even on a referral base. They simply said gay people can adopt kids from any number of adoption services. They don't have to shut down that particular Catholic adoption service. But they did mention one of the problems was there was exemptions available under the arrangement that the hospital had with the government authority. But also under the Unruh Act there are exemptions. There's exemption for age, disability with regard to driving and such. But also there is a catchall exemption that if there is any other law contradicts it, Unruh is not going to countermand that law.

Well, gee, we have a couple of important laws, the federal and state constitutions with the rights that apply to them, which I will talk about.

There's also a concurrence in North Coast, slide 29, from Justice Baxter, which is right on point that I mentioned.

> "I am not so certain this balance of competing interests would produce the same result in the case of sole proprietor, who arguably is a business establishment for purposes of the Unruh Civil Rights Act. At least where a patient could be referred with relative ease and convenience to

another practice, I question whether the state's interest in full and equal medical treatment will compel a physician in solo practice to provide a treatment to which he or she has sincere religious objections. These issues are not before us here, however, and the majority does not express any contrary views on them."

They are at issue before this Court because Cathy Miller is a sole proprietor in that sense. There is also the case cite I love from the Defendants' opposition to the -- the Plaintiff's opposition to the Defendants' Motion in Limine Number 9, but it's also on Page 25 of their trial brief, the Spence case, which I did cite Slide 30. It said that -- DFEH said in the context of a bakery, "Conduct, such as baking and selling baked goods, may become sufficiently imbued with elements of communication to receive free speech protections or an intent to convey a particularized message was present, and in the surrounding circumstances, the likelihood was great that the message would be understood by those who viewed it."

That's our case. And there is no testimony to the contrary that our client did not intend to convey a message and there is no evidence to the contrary that the people who go to weddings would not understand what that message would be.

The next slide is 31. We already showed that. Okay.

And then 32 from Plaintiffs' trial brief. We showed that.

So let's move on to our burden of proof slides. How much time do I have?

53 minutes?

THE COURT: No.

MR. LIMANDRI: I have what?

I think I have 20 minutes? All right. That's not enough time. Okay.

Looking at slide 16 dealing with the Unruh Act, we took from BAJI, Book of Approved Jury Instructions, 7.92 again, Point 2 that the Plaintiffs want to ignore. It has to be a substantial motivating factor for discrimination. Sexual orientation was not a substantial motivating factor under the Unruh Act. It was not wanting to express a message about marriage other than one man and one woman.

Let's go to slide 8. I will move through these quickly, though, I will not try not to read too quick.

Slide 8 is from the Masterpiece Cake Shop case. It says, "There is some force to the argument that the baker was not unreasonable in deeming it lawful to decline to take an action that he understood to be an expression of support for their validity when that expression was contrary to his sincerely held religious beliefs, at least insofar as his refusal was limited to refusing to create and express a message in

support of gay marriage."

Let's go to slide 9. This is Ashers case that we talked about from the United Kingdom. We do cite in our case law, as the United States Supreme Court did in the Lawrence case, which made same-sex sexual relations a constitutional right, foreign law. I believe they did in Masterpiece too. But here, again, the UK Supreme Court looking at Masterpiece says clear there is a distinction between refusing to produce a cake conveying a particular message for any customer who wants such a cake and refusing to produce a cake for the particular customer who wants it because that customer's characteristics. Again, this was a cake for same-sex marriage celebration bought by a corporation, and they said it wasn't based upon the characteristics. It was based upon the message. Exactly our argument.

Number 17, with the Unruh Act, we have -- is that number -- okay. Number 17, in the instructions on burden of proof, one of the elements is, was the discrimination arbitrary?

So if we go to the Sargoy decision, slide 10, I mentioned, here is what it says:

"Neither the language of Unruh itself nor the interpretation of the Unruh Civil Rights Act by the California courts have held that all distinctions based on age."

But that was, you know, one factor. Here

other protected characteristics would include sexual orientation.

"Not all distinctions are unlawful. Rather, the California Supreme Court has held that Unruh prohibits only arbitrary, invidious, or unreasonable discrimination."

It goes on.

"California courts have uniformly found discriminatory treatment to be reasonable and nonarbitrary, where strong public policy exists in favor of such treatment."

Again, cited in our trial brief, but that is exactly our situation where you have the United States Supreme Court and the California Supreme Court, slide 12, in the In re Marriage cases stating finally affording same-sex couples the opportunity to obtain the designation of marriage will not impinge upon the religious freedom of religious organization -- of any religious organization, official, or any other person. No religion will be required to change its religious policies or practices with regard to same-sex couples.

But they say no -- or any other person, official or any other person, will have their religious freedom impinged. That's our California Supreme Court. We saw what the United States Supreme Court said. Where is that promise being lived out in what the State of California's representatives are trying to do to my client in this case?

Let's go to slide 18. Turn to the burdens with regard to the California Free Exercise Clause, specifically states one of the essential elements of the defense does Cathy Miller, Tastries, possess a sincere religious belief that motivated their conduct in this action. Again, that is not in dispute.

Go to Number 13. Just last month the United States Supreme Court said in the Kennedy case, "The Free Exercise Clause provides that Congress shall make no law prohibiting the free exercise of religion." And then it goes, "This Court has held the clause applicable to the states under the terms of the Fourteenth Amendment. The clause protects not only the right to harbor religious beliefs inward and secretly. It does perhaps its most work by protecting the ability of those who hold religious beliefs of all kinds to live out their faiths in daily life due to performance or extension from physical acts."

Again, it's citing the earlier employment department case.

Let's go to slide 19. Strict scrutiny requires the State shall -- of all of these constitutional defenses, both a compelling government interest in the least restrictive means.

There is no compelling government interest, Your Honor, that Tastries has to make these wedding cakes. They have provided certainly a less restrictive means of enforcing any type of policy for full and

equal services to same-sex couples through their accommodation system, by which the Rodriguez-Del Rios, did, in fact, receive exactly what they wanted and more for free. So this is the worst case for them, actually, because you've got some undeniable sincerely held religious beliefs and a couple that has not been harmed in any material way. So the balance of harms clearly weighs in favor of my client.

But let's look at slide 6 from Mireya Rodriguez. "And what did you think of the cake that you got from Tiers of Joy?

"I think it was delicious and beautiful. I liked the way it came out."

That's her trial testimony here in court.

She also said, "This is a wedding cake that Jessica Criollo made for your wedding, right, ma'am?

"Yes, without the flowers.

"And this is similar to the cake you wanted from Tastries to make for you; isn't that true?

"Yes."

So they got what they wanted from Tastries. And, in fact, they got it from a former Tastries baker. Jessica Criollo worked for Tastries. I mean, how much closer can you get to getting full and equal service.

Let's go to number 7. Likewise, Eileen Rodriguez-Del Rio stated: And was the cake -- I might have asked you this -- the cake that you had with Tiers of Joy, that's Jessica Criollo's cake, the one --

similar to the one you wanted over at Tastries?

"Yes."

And then also she was asked, "Thank you. You guys ended up getting the cake that you wanted ultimately for your wedding, right, ma'am?

"Yes, sir."

Let's go to Number 20. With regard to the Free Exercise Clause, again, federal Free Exercise Clause of the U.S. Constitution, Cathy Miller, again, with sincerely motivated religious beliefs. And was the DFEH administrative investigation or prosecution neutral? No, it hasn't been.

Let's look at deposition question slide 2 through 5. She was asked by the DFEH at her deposition, "When Black people in the South, before the civil rights laws, in the '60s went to a restaurant and they were denied, there were lots of restaurants they could go to, right?"

Next.

And then also, "Are you aware that the business owner -- certain business owners in the South did say that their beliefs were that God did not want Black people and white people associating together?"

Next.

"Do you try to follow everything the Bible says?"

And then Cathy answered, "I do my best, but I'm a sinner, but I do my best."

"Do you follow some of the eating practices from the Old Testament" -- Mr. Jonna objecting. And Mr. Mann says -- "in terms of not eating pigs, not eating shellfish, et cetera?"

Next. Is that it?

The next one is for Mr. Jonna. "That's harassing and argumentative. I'm not really sure where you're going with this, Greg. I'm not going to let you cross the line here and start harassing Mrs. Miller."

And Mr. Mann says, "I don't know how that is harassing. She just said she tries to follow the Bible and I'm getting" -- and then it goes on to another colloquy.

But it's harassing and it was not appropriate.

Next section, slide 21. Here is, "The Unruh Civil Rights Act, facially or as applied, is not neutral or not generally applicable." Again, I discussed these two factors.

Go to slide 34. Here is what Fulton said, United States Supreme Court fairly recent decision, a law-burdening religious exercise must satisfy strict scrutiny if it gives officials discretion to grant individualized exemptions, which the Unruh Act does. It's got in 51C a broad base exemption, if such a system of individualized exemptions exists, and it does with regard, again, to some disability cases, at least. The government may not refuse to extend that system to

cases of religious hardship without a compelling reason.

How much time do I have? Okay.

In 22, the Compelled Pure Speech cases, again, was -- what making wedding cakes, is it a form of speech?

Let's go to 33. This is from the Plaintiff's trial brief, Page 27. Not the Plaintiff's -- yeah, the Plaintiff, DFEH. "The Compelled Speech doctrine, which requires strict scrutiny review, applies when the government forces an individual to speak a specific message, because free speech protections prohibit the government from telling people what to say."

That's what the DFEH is trying to do to Cathy Miller. They are trying to tell her what to say in making a wedding cake in support of same-sex unions, marital unions.

Number 14. Another quote from Kennedy, which is just this year, just last month, "The Free Exercise and Free Speech Clauses work in tandem. The Free Exercise Clause protects religious exercises whether communicative or not, the Free Speech Clause provides overlapping protection for expressive religious activities," which is what this cake making is. "That the First Amendment doubly protects religious speech is no accident. It is a natural outgrowth of the Framers' distrust of government attempts to regulate religion and suppress dissent." Exactly what we're talking

about here. "In Anglo-American history, the government suppression of speech has so commonly been directed precisely at religious speech, that a free speech clause without religion would be Hamlet without the prince."

The other nice comparison with Saint Thomas More, he was the first person, Speaker of the House of Commons, before he became Lord Chancellor, to argue for free speech, which Parliament did get. So he is, again, another fitting example.

Slide 23.

Almost done. Let's see. How much time do I have? Eight minutes. Okay.

Strict scrutiny again applies as far as a burden of proof to each of these constitutional defenses.

24 is compelled expressive speech.

Let's go to slide 24. That's it.

Let's go to slide 15, another quote from Masterpiece, just reading the bold. "Nor can anyone reasonably doubt a wedding cake without words conveys a message. Words or not" -- this is Justice Gorsuch's concurring opinion. "Words or not and whenever the exact design, it celebrates a wedding, and if the wedding cake is made for a same-sex couple, it celebrates a same-sex wedding. Like an emblem or flag, a cake for a same-sex wedding is a symbol that serves a shortcut from mind to mind signifying approval of a

specific system, idea, or institution. It is precisely that approval that Mr. Phillips intended to withhold in keeping with his religious faith."

Justice Thomas wrote a very similar concurring opinion. Everybody knows what a wedding cake is. Let's not be ridiculous.

Number 25, viewpoint discrimination -- looking at the last section of Number 5 there on this burden of proof -- is prohibited. And that's exactly what we have. The viewpoint that is being suppressed is the perceived objection to same-sex marriage or at least support only of Biblical marriage between one man and one woman.

Slide 26. Again, the burden of proof, in every case, the government gave a compelling government interest for strict scrutiny in the least restrictive means, neither which apply here.

And, finally, slide 27. This is the slide that aggregates some of the wedding vendor cases across the nation. Jeff drafted it. It's his language. It is not from the case. But it is basically what these cases stand for. That religious wedding professionals are now protected by rulings in Arizona, Arkansas, Iowa, Kentucky, Minnesota, Missouri, Nebraska, North Dakota, and South Dakota. These rulings state that it's possible for harmony. People of faith and the LGBTQ community can live together through mutual toleration and respect.

Indeed, Rosemary Perez says, you know, why we can't respect each other? I was trying to respect them, but they basically turned to be very antagonistic and hostile when they learned our beliefs.

And these cases have been applied to wedding videographers, wedding calligraphers, wedding photographers, and it will sure to be people that create, I think, the wedding websiteS such as in the 303 Creative case.

But Masterpiece heralds that it should apply to First Amendment protection for wedding cakes. They just didn't need to reach it because the hostility of the Colorado Civil Rights Commission they felt was enough, even if there had been discrimination, to end that case. And I was there in court and Justice Kennedy got angry and red faced when he said to the Colorado Civil Rights Commission attorneys, you are not respectful of Mr. Phillips' religious beliefs when you compared his views to racism. And that's where that decision came down.

But this Court is going to have to address this issue. We appreciate the time and attention that this Court has given us to set forth our point of view.

Thank you very much, Your Honor.

THE COURT: Thank you, Mr. LiMandri.

We'll take a five-minute recess, Mr. Mann. Five minutes.

(Recess taken.)

THE COURT: Let's go back on the record. DFEH versus Cathy's Creations. We are in the fourth quarter. This is the last set of downs, Mr. Mann.

You have, I'm going to say, 18 minutes. I think I might have said 17 earlier, but that's incorrect, and being asked to look at the -- my timestamp, I realized I was wrong.

So you have 18 minutes and you have the floor.

MR. MANN: Thank you, Your Honor.

I wanted to correct Mr. LiMandri and let everybody know that Eileen and Mireya were not looking for a cake for their same-sex wedding. They were looking for a cake for their wedding. They didn't get same-sex married. They got married. And I have to take extreme issue with the fact that he says that they were not harmed. Anybody who has ever been denied a product or service because of who they are or who they love would disagree vehemently, and the California and United States Supreme Court does as well. They say that victims of discrimination are inherently deprived of their dignity, and that's what happened here.

Now, I would need all my hour and 15 minutes to correct legal and factual statements of Mr. LiMandri. I don't have that. But let me take you again through the key cases to try to help you with your analysis, Your Honor.

I don't know if you want to be on the trend

of where the law is going or -- but I can tell you about what the existing law is. And the existing law is that North Coast case controls here. It's directly on point and it concerns the same defenses.

The doctor's argument was not that their services -- it was not about their services. It was about the fact that they did not want to send a message by performing the services. That should sound very familiar here, because that is Defendant's argument. They don't want to send a message of support for same-sex weddings by performing the service. The doctor said there we don't want to send a message of support for homosexuality by performing the procedure.

It is the same First Amendment free speech argument and the California Supreme Court said it doesn't fly. Those doctors also had a free exercise argument. And, again, Unruh survived it. So North Coast is right on point. They applied strict scrutiny, which is the highest form of scrutiny, and they said that the Unruh Act survives strict scrutiny as the least restrictive means to satisfy a compelling government interest, which in this case is to end discrimination based on sexual orientation. So North Coast is your guide, Your Honor.

So let's take a look at Fulton. That's another one you're definitely going to have to look at because Defendants rely on it heavily. And Fulton very explicitly did not overrule Smith, which guides in the

free exercise context.

So the differences -- key differences in Fulton is that it concerned a Catholic services organization. Here we have a commercial bakery. In Fulton, it was about a contract between the city and the service agencies. Here we are dealing with Unruh, a public accommodations law, that is held to be neutral and generally applicable.

In Fulton, the Catholic service agency had never had a gay couple seek their services. So they never denied a gay couple. Here, Tastries has denied several couples seeking its services.

Lastly, Fulton contained a contract in explicit discretionary exemption. So the city could -- had its discretion to exempt any of its service agencies. Unruh has no discretionary exemption. So Fulton doesn't apply. Even if it did, it doesn't overrule Smith. It doesn't help them. Even if it did, all it means is that you apply strict scrutiny, and we know that Unruh survived strict scrutiny.

Now, the speech, again, that has to deal with how -- what level of scrutiny you apply.

Justice Thomas was the only justice on the court that thought wedding cakes were pure speech. Pure speech requires strict scrutiny review. No other case has ever held that a cake is pure speech. So in the free speech context, you don't need to apply strict scrutiny.

You don't even need to apply intermediate scrutiny because the evidence showed that perhaps while Mrs. Miller wants to send a message with her wedding cakes, nobody understands that specific message. It can't be a general message, like, hey, there is a wedding cake. It must be a wedding.

Mrs. Miller wants to send a specific message that she supports the celebration of the marriage, and people do not receive that when they look at the cake. They see a beautiful cake, hopefully a tasty cake. They don't see the cake and think that baker supports this marriage. That is just not how it is when we shop. We know that when you buy a product, the customer uses it how they're going to use it. It does not reflect upon the business.

But, again, that only means what level of scrutiny you apply. And you will see in North Coast what the court did was say, you know what, I don't have to read all those cases. I don't want to have to look at all those facts. Let's just use for analytical purposes strict scrutiny. So North Coast applied strict scrutiny, and, again, the Unruh Act survived.

Mr. LiMandri complained and he said that the DFEH did not perform a full investigation, and yet he says we served voluminous discovery that he had to stay up and work on at night or something. So which is it?

During our investigation we interviewed or deposed every witness at trial. So we performed a

thorough investigation and we found that there was an Unruh Act violation.

And you see that, per usual, they cut off the important part of the quotes. They cut off my quote there, where I explained why I was asking those questions. And, again, I wouldn't have had to ask those questions if Mrs. Miller's fundamental Christian principles were not the basis of the policy. If somebody is applying a policy, you have to learn about it. You have to figure out what's going on to make sure that it is being applied equally to everybody. And I asked her about it. And that's when she told me about some of her other fundamental Christian principles, like interreligious marriage. She talked about getting married before -- living together before marriage. That's how we got that testimony. And that's how we found out that she doesn't ask couples about those principles. She only finds out about same-sex couples.

So it was very important testimony. I tried to be delicate with it. I understand that. And Paul was there, and he was doing what he needed to do to protect his client, but he trusted me. We got through it. We got testimony that was relevant that we put on at trial, and I think that will be important to your decision about intent, Your Honor.

So the DFEH animus one, if you look at Masterpiece, you'll see the kind of statements there,

specific statements about religion. Nothing like that is here. Questions trying to figure out the breadth of a policy does not equate with statements that is denigrating religion, and that is what you will find in Masterpiece. That's what the Supreme Court relied on.

So if Defendants get what they want here, either there is no Unruh violation, and people will no longer feel confident being able to go shopping and know that when they walk into a business where the store is open to the public, that they are going to get served. So that's why it's so important to find an Unruh violation. You can't simply say, go someplace else, or, there's lots of places that you can go. That's not full and equal services. It hasn't been in this country and it won't be if you can just send people to a different business and that allows you to comply with your Unruh Act violations. So the Unruh Act violation here is clear and we need to find it.

And with Defendants, where does it end? They talk about any expressive business would be able to have an exemption from the Unruh Act. And right now it's talking about bakers. But we know we have website designers up in the Supreme Court. We have had florists that have asserted it. We've had photographers that have asserted it. Why not DJs? Why not chefs? Why not wedding venues? Mrs. Miller testified that her classrooms were works of arts. Why can't a wedding venue say that this is a work of art,

it is my expression, so I don't have to serve couples that are -- gay couples that are getting married.

Usually I'm not a big fan of the slippery slope argument, Your Honor, but here it does apply, because anybody can assert that by selling their product, they are sending a message of endorsement. So why would it be limited to expressive businesses? Anybody who believes that they are sending a message of approval for the end use of a product could argue their free speech rights.

So I just want to end by saying that what Defendants are arguing for would take us back to a time where businesses could choose their customers, where they could choose to offer only certain products to certain customers. And we've decided -- the courts have decided that that is not full and equal services. The business is open and it chooses to provide a product, it has to provide it to everyone. But they don't have to provide the product. If Mrs. Miller and Tastries do not want to create wedding cakes for same-sex couples, they don't have to. Nobody is forcing them too. Is it a tough decision to stop selling wedding cakes altogether? It would be, but it's her decision. The DFEH is not forcing her to. And that's part of the deal with becoming a business, is that you follow the laws. She said that she follows the health code, she follows the tax code, follows the different laws. Unruh is another law that she follows.

Unruh is a generally applicable law. It applies to all businesses equally. It doesn't seek out certain companies. It doesn't even talk about expression or religion. It's about conduct, selling, providing goods and services. That's conduct. It is not about trying to force somebody to say anything or force a business to do anything or stop doing anything. It's about conduct. And it is about businesses providing full and equal services, and that's what they need to continue doing under the Unruh law.

Thank you, Your Honor.

THE COURT: Thank you, Mr. Mann. Thank you, Mr. LiMandri. And Ms. Mesinas, Ms. Tanacea, Mr. Trissell, Mr. Jonna, I appreciate your input in this trial. Your comments have been helpful today. The matter is under submission.

A couple of housekeeping matters. With respect to the deposition transcripts that have been lodged, should we be returning those to counsel at this time? I'm not sure that -- there could theoretically be a need to have those, but I think they're probably better in your custody than mine.

So we'll talk about -- we can talk about that off the record, and we'll make an off-the-record entry concerning those lodged deposition transcripts.

Is there anything else that we need to take up before we adjourn, Mr. Mann?

MS. TANACEA: Yes, Your Honor.

THE COURT: Ms. Tanacea?
MS. TANACEA: Yes. The clerk mentioned that we did not move in 700A and 700B.
THE COURT: That's the discovery and responses.
MS. TANACEA: And Exhibit 134, which was the DFEH employee list.
THE COURT: All right. So -- and I assume we are going to receive those?
MR. LIMANDRI: Yes, Your Honor.
THE COURT: All right. 700A, 700B, Exhibit 134 are received by stipulation.
(Whereupon, Exhibits 700A, 700B and 134 were received into evidence.)
THE COURT: Anything else, Ms. Tanacea?
MS. TANACEA: Thank you, Your Honor.
THE COURT: Counsel, I appreciate your input. Thank you. We stand in recess.
MR. LIMANDRI: Thank you, Your Honor.

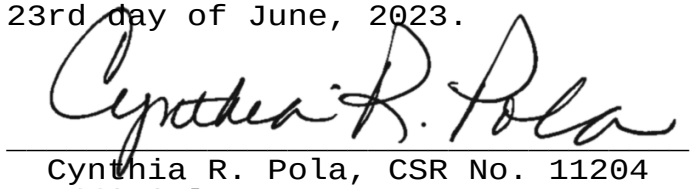
(Whereupon, proceedings concluded.)

(Volume 8 consists of pages 1801 through page 1928.)

STATE OF CALIFORNIA)
) ss.
COUNTY OF KERN)

I, Cynthia R. Pola, hereby certify that I, as Official Reporter Pro Tempore of the Superior Court, County of Kern, do hereby certify that the foregoing transcript in the matter of DFEH vs. CATHY'S CREATIONS, LLC, ET AL.; Case No. BCV-18-102633, July 29, 2022, consisting of pages numbered 1801 through 1928, inclusive, is a complete, true, and correct transcription of the stenographic notes as taken by me in the above-entitled matter.

Dated this 23rd day of June, 2023.



Cynthia R. Pola, CSR No. 11204
Official Reporter Pro Tempore

SESSIONS

VOLUME 1

WEDNESDAY, JANUARY 22, 2020
Morning Session v1:4
Motion v1:4

VOLUME 2

FRIDAY, JUNE 5, 2020
Afternoon Session v2:154
Motion v2:154

VOLUME 3

FRIDAY, JULY 22, 2022
Afternoon Session v3:304
Motions In Limine v3:304

VOLUME 4

MONDAY, JULY 25, 2022
Morning Session v4:601
Motions In Limine v4:601

Afternoon Session v4:686
Motions In Limine v4:686
Plaintiff's Opening Statement v4:736
Defendants' Opening Statement v4:756

VOLUME 5

TUESDAY, JULY 26, 2022
Morning Session v5:906
Afternoon Session v5:985

VOLUME 6

WEDNESDAY, JULY 27, 2022
Morning Session v6:1208
Afternoon Session v6:1278

VOLUME 7

THURSDAY, JULY 28, 2022
Morning Session v7:1505
Afternoon Session v7:1581

VOLUME 8

FRIDAY, JULY 29, 2022
Morning Session v8:1806
Afternoon Session v8:1843

EXAMINATIONS - CHRONOLOGICAL

VOLUME 5

ROSEMARY PEREZ (Pursuant to Evid. Code 776)
Direct Examination by Mr. Mann v5:917
Cross-Examination by Mr. Limandri v5:957
Redirect Examination by Mr. Mann v5:971

MARY JOHNSON
Direct Examination by Ms. Mesinas v5:1009
Cross-Examination by Mr. Jonna v5:1031
Redirect Examination by Ms. Mesinas v5:1048

MIREYA RODRIGUEZ-DEL RIO
Direct Examination by Mr. Mann v5:1050

MELISSA MASSEY
Direct Examination by Mr. Jonna v5:974
Cross-Examination by Ms. Tanacea v5:992
Redirect Examination by Mr. Jonna v5:1006

VOLUME 6

MIREYA RODRIGUEZ-DEL RIO
Direct Examination by Mr. Mann v6:1227
Cross-Examination by Mr. Jonna v6:1244
Redirect Examination by Mr. Mann v6:1268

PATRICK SALAZAR
Direct Examination by Mr. Mann v6:1279
Cross-Examination by Mr. Jonna v6:1298
Redirect Examination by Mr. Mann v6:1320
Recross Examination by Mr. Jonna v6:1324

EILEEN RODRIGUEZ-DEL RIO
Direct Examination by Mr. Mann v6:1326
Cross-Examination by Mr. Jonna v6:1359

VOLUME 7

EILEEN RODRIGUEZ-DEL RIO (CONTINUED)
Cross-Examination by Mr. Jonna v7:1506
Redirect Examination by Mr. Mann v7:1520

MICHAEL MILLER
Direct Examination by Mr. Limandri v7:1527
Cross-Examination by Ms. Tanacea v7:1553
Redirect Examination by Mr. Limandri v7:1577

CATHARINE MILLER
Direct Examination by Mr. Limandri v7:1588
Cross-Examination by Mr. Mann v7:1650

VOLUME 8

CATHARINE MILLER (CONTINUED)
Cross-Examination by Mr. Mann v8:1809
Redirect Examination by Mr. Limandri v8:1827
Recross Examination by Mr. Mann v8:1838
Redirect Examination by Mr. Limandri v8:1838

EXAMINATIONS - ALPHABETICAL

JOHNSON, MARY
Direct Examination by Ms. Mesinas v5:1009
Cross-Examination by Mr. Jonna v5:1031
Redirect Examination by Ms. Mesinas v5:1048

MASSEY, MELISSA
Direct Examination by Mr. Jonna v5:974
Cross-Examination by Ms. Tanacea v5:992
Redirect Examination by Mr. Jonna v5:1006

MILLER, CATHARINE
Direct Examination by Mr. Limandri v7:1588
Cross-Examination by Mr. Mann v7:1650

MILLER, CATHARINE (CONTINUED)
Cross-Examination by Mr. Mann v8:1809
Redirect Examination by Mr. Limandri v8:1827
Recross Examination by Mr. Mann v8:1838
Redirect Examination by Mr. Limandri v8:1838

MILLER, MICHAEL
Direct Examination by Mr. Limandri v7:1527
Cross-Examination by Ms. Tanacea v7:1553
Redirect Examination by Mr. Limandri v7:1577

PEREZ, ROSEMARY (Pursuant to Evid. Code 776)
Direct Examination by Mr. Mann v5:917
Cross-Examination by Mr. Limandri v5:957
Redirect Examination by Mr. Mann v5:971

RIO, EILEEN RODRIGUEZ-DEL
Direct Examination by Mr. Mann v6:1326
Cross-Examination by Mr. Jonna v6:1359

RIO, EILEEN RODRIGUEZ-DEL (CONTINUED)
Cross-Examination by Mr. Jonna v7:1506
Redirect Examination by Mr. Mann v7:1520

RIO, MIREYA RODRIGUEZ-DEL
Direct Examination by Mr. Mann v5:1050
Direct Examination by Mr. Mann v6:1227
Cross-Examination by Mr. Jonna v6:1244
Redirect Examination by Mr. Mann v6:1268

SALAZAR, PATRICK
Direct Examination by Mr. Mann v6:1279
Cross-Examination by Mr. Jonna v6:1298
Redirect Examination by Mr. Mann v6:1320
Recross Examination by Mr. Jonna v6:1324

EXHIBITS

EXHIBIT 2 - Received v6:1210
EXHIBIT 3 - Received v6:1210
EXHIBIT 5 - Received - Document v8:1808
EXHIBIT 8 - Received v6:1210
EXHIBIT 10 - Received v6:1210
EXHIBIT 11 - Received v6:1210
EXHIBIT 103 - Received v6:1210
EXHIBIT 104 - Received v6:1210
EXHIBIT 104-001 - Received - Document v5:930
EXHIBIT 108 - Received v6:1210
EXHIBIT 110 - Received v6:1210
EXHIBIT 110 - Received - Document v8:1808
EXHIBIT 111 - Received v6:1210
EXHIBIT 111 - Received - Document v8:1808
EXHIBIT 113 - Received v6:1210
EXHIBIT 114 - Received v6:1210
EXHIBIT 115 - Received v6:1210
EXHIBIT 115 - Received - Document v8:1808
EXHIBIT 117 - Received v6:1210
EXHIBIT 118 - Received v6:1210
EXHIBIT 118 - Received - Document v8:1808
EXHIBIT 123 - Received v6:1210
EXHIBIT 125 - Received v6:1210
EXHIBIT 126 - Received v6:1210
EXHIBIT 127 - Received v6:1210
EXHIBIT 128 - Received v6:1210
EXHIBIT 129 - Received v6:1210
EXHIBIT 130 - Received - Document v8:1841
EXHIBIT 131 - Received - Document v8:1841
EXHIBIT 132 - Received - Document v8:1841
EXHIBIT 133 - Received - Document v8:1841
EXHIBIT 134 - Received - Document v8:1927
EXHIBIT 138 - Received v6:1210
EXHIBIT 139 - Received v6:1210
EXHIBIT 140 - Received v6:1210
EXHIBIT 141-001 - Received v6:1241
EXHIBIT 144 - Received v6:1210
EXHIBIT 148 - Received - Document v8:1841
EXHIBIT 150 - Received v6:1210
EXHIBIT 151 - Received v6:1210
EXHIBIT 152 - Received v6:1210
EXHIBIT 153 - Received v6:1210
EXHIBIT 154 - Received v6:1210
EXHIBIT 155 - Received v6:1210
EXHIBIT 156 - Received v6:1210
EXHIBIT 157 - Received v6:1210
EXHIBIT 498 - Received v6:1210
EXHIBIT 553A - Received v6:1363

EXHIBIT 553B - Received	v6:1365
EXHIBIT 554 - Received	v6:1210
EXHIBIT 627A - Received	v6:1210
EXHIBIT 630 - Received	v6:1210
EXHIBIT 631 - Received	v6:1210
EXHIBIT 671-001 - Received	v6:1267
EXHIBIT 671-002 - Received	v6:1267
EXHIBIT 700A - Received - Document	v8:1927
EXHIBIT 700B - Received - Document	v8:1927

#

 # mustbeadonaldtrumpsupporter 1363:26

 # mustbeatrumpsupporter 1215:14 1225:25

$

$2,000 1634:23

$20 1332:11

$250- 1228:4

$4,000 755:20

$400 1066:5 1227:27

$500 929:9

$60 1228:4

-

--o0o-- 2:5 4:4 41:11 152:5 154:4 181:15 302:4 602:4 902:4 1202:4 1502:4 1802:4

--ooo-- 304:5 604:5 686:5 906:5 985:5 1208:5 1278:5 1505:5 1581:5 1806:5 1843:5

-001 928:7 1055:3

-002 935:11 1055:3

-003 930:26

-004 931:4

-024 1831:10

-14 1605:24

0

001 1241:3 1267:17 1362:11 1583:4,6,9,14 1584:23 1585:5 1602:10 1611:5

001-004 927:15

002 1267:1,4,16 1282:13 1583:7,9 1597:2 1602:15

003 1583:4,22 1585:5 1594:14 1602:19 1604:18 1634:7

004 1583:5,7,9,13 1594:24 1597:6 1602:22 1610:18

005 1583:5,7 1595:6 1597:9 1602:25

006 1583:5,7 1595:14 1597:12 1602:28

007B 1258:3,7 1271:23

008 1583:7 1597:15 1603:14

009 1583:7 1597:21

010 1583:5,7 1584:23 1597:24

011 1210:4 1583:15 1584:19

012 1583:7 1597:28

013 1583:5,7,22 1595:28 1598:4

014 1583:5,22 1596:12

015 1583:22 1584:24 1605:24 1606:4 1618:19

017 1583:22 1606:19

018 387:3

022 1584:24 1618:22

024 1583:22 1606:23

025 1583:22 1606:27

030 1583:22 1607:3

031 1583:22 1607:7

036 1583:11

052 1584:19

059 770:6 1583:22 1607:14,21,27

07B 1825:17

1

1 2:8 3:1 41:12 178:12 321:27 323:25 628:28 629:17,19 631:24 632:22 750:22 925:27 926:6,26 927:2 931:21 1257:22 1258:15,17 1259:15,21,22 1267:21,23 1271:23 1318:25 1319:2 1583:4,28 1584:10 1586:6 1596:15 1601:1,2 1808:1 1848:10 1850:2 1864:5,20 1904:10

1-001 759:24 1594:3

1-0041 927:6

1-006 760:18

10 339:4 619:24 677:17 709:6,8 720:19 730:11 735:12 757:24 766:5 1004:26 1044:20,23 1209:18 1264:21,22 1303:13,16,21 1304:4 1340:18 1538:14 1549:13 1575:8,10 1585:5 1586:16 1604:6 1617:20 1683:14, 15 1880:15 1909:22

10-001 1633:28

10-002 1634:5

10-inch 1604:22

10-minute 957:10

10-page 1615:17

100 727:8 738:27 758:13 1215:25 1339:13 1530:21 1591:20

1000 152:23 302:22 602:22 902:22 1202:22 1502:22 1802:22

1006 904:19

1009 904:10

101 1044:20

103 1070:19,21 1209:18 1816:2

1031 904:10

104 925:26 927:4,5 929:4 1209:18

104- 928:5

104-00- 927:23

104-001 905:7 927:21,26 930:16,17

1048 904:11

105 1614:3,6

1050 904:13

108 946:18 1067:21,26 1209:18 1227:9

1080 903:1 904:1 905:1

10th 2:22 179:28 180:2 324:23 1820:25

11 2:4 4:3 31:4 152:4 154:3,6,9 309:4 645:27 648:8 679:18 683:10 944:1 1064:11 1209:18 1210:3,4 1259:9,11 1261:15 1262:1 1334:16 1337:1 1583:18 1584:10, 18 1586:16 1604:11 1810:9

11-001 1585:6,10 1639:14

11/24/2021 721:5

110 1209:19 1655:13 1805:7 1807:1,8,19 1808:1,2,8,14

111 1209:19 1323:13 1805:9 1807:22 1808:1,2, 8,14

111-001 1323:11

11204 302:28 602:28 902:28 1202:28 1502:28 1802:27

113 1069:9 1209:19 1258:16

114 951:26 1209:19

115 1209:19 1805:8 1807:2,8,20,23 1808:1,2, 4,5,8,14

117 1209:19

118 1209:19 1805:10 1807:25 1808:2,8,15

11:00 1011:9

12 683:11,26 685:13 686:15 689:9 697:6 699:22 769:28 777:21 1210:3 1538:14 1567:7 1592:20 1910:15

12,000 1549:14

12-inch 1604:22

1201 1203:1 1204:1 1205:1 1207:1

1208 1203:6

121 1678:19,21,23,28

1210 1205:4,5,6,7,8,9,10, 11,12,13,14,15,16,17,18, 19,20,21,22,23,24,25,26, 27,28 1206:4,5,6,7,8,9,10, 11,12,13,14,15,16

122 1678:25 1679:1

1227 1204:6

12270 2:27 152:28

123 1008:6 1023:4 1209:19 1586:15 1682:14 1813:19

123-010 1585:5 1622:8

1241 1206:17

1244 1204:6

125 942:8,10 1209:19

126 1209:19

1267 1207:5,6

1268 1204:7

127 1209:19

1278 1203:7

1279 1204:9

128 1209:20

129 1209:20

12965(a) 19:8

12974 663:20

1298 1204:10

12:15 1069:3 1070:24 1285:12 1350:15

12:30 1069:8 1812:11

12:37 1350:13 1813:10

12:45 1812:11

13 154:8 699:26 1044:21, 23 1257:22 1258:15,17 1260:1 1272:5 1367:8 1505:24 1564:2,3,18 1584:11 1586:9 1911:7

130 715:2 1652:8 1805:11 1841:8,15,17 1868:24

131 1805:12 1841:8,15,17

132 711:15,18 713:24,26 1805:13 1841:8,15,17

1320 1204:10

1324 1204:11

1326 1204:13

133 1805:14 1841:8,15,17

134 1581:26,28 1582:1 1583:23 1584:11 1607:28 1805:18 1927:6,12,14

1359 1204:14

1363 1207:7

1365 1207:8

1372 1203:1 1204:1 1205:1 1207:1

138 1209:20

139 1209:20 1349:9 1813:6

13A 1584:27 1586:8,17 1619:6,9

13D 1584:27 1586:8,18 1620:13

13E 1584:27 1586:8,18

13F 1584:28 1586:8,18

13G 1584:28 1586:8,18 1620:24

14 701:17 702:17 703:4 1038:15,18,25 1262:6,7 1303:10,15,20 1307:25,28 1308:2,5,16 1554:10 1584:11 1585:2 1586:15 1621:6 1915:18

14-8 1621:7

14-hour 982:2

14-inch 1604:22

140 1209:20 1257:26 1282:1,5

141 1239:22 1240:26 1241:2 1323:14,18 1324:20

141-001 1206:17 1241:5, 12

144 1209:20

148 1805:15 1841:8,15,18

14A 1585:3 1586:14,15

14B 1585:3 1586:14,15 1621:23

14th 180:2,18 324:23

15 307:27 619:5,18 620:2, 15 624:8,11 663:7 703:6, 13,14 726:15 729:17,19 918:15 941:23 1004:26 1262:9,11,14 1280:8 1325:19 1340:18,19 1531:28 1532:26 1543:20, 21,24 1545:26 1554:10 1560:16 1574:5 1584:11 1617:1 1673:1 1840:12,17 1842:3,6 1844:8 1902:18 1903:11 1916:19 1919:23

15-minute 734:10 1049:7 1325:19

150 41:13 1058:12 1206:4 1209:20 1672:28 1674:14 1828:6

1501 1503:1 1504:1

1505 1503:6

1506 1504:6

151 41:14 152:7 181:16 1059:1,2 1206:5

152 1206:6

1520 1504:6

1527 1504:12

153 1206:7

154 153:4,5 1059:23 1206:8

155 1068:8 1206:9

1553 1504:12

156 1206:10

157 1068:24 1206:11 1209:20

1577 1504:13

158 1264:20,21

1581 1503:7

1588 1504:15

159 1264:21

15th 324:23 1060:2 1061:23 1282:20 1283:1,5

16 619:5,18 620:2,15 624:8,12 703:22 726:15 729:17,19 738:10 1036:13 1303:18,22 1304:5 1305:7 1554:10 1560:16 1595:21 1618:18 1674:14 1828:6 1908:10

16-inch 1604:22

16236 2:25

1650 1504:16

1688 1503:1 1504:1

16th 738:20 1053:19 1061:25,26 1066:14 1072:5 1227:8

17 160:9 619:5,18 620:2, 15 624:8,12 708:12,21 726:15 729:18,19 941:19 1227:17 1246:24 1247:3 1265:23 1584:11 1909:18, 19 1919:5

17-plus 1294:21

176 1259:9,11

17th 395:14 721:12 944:3 948:23 991:4 1060:28 1061:24 1267:5 1333:6

18 373:23 741:2 1307:27 1592:23 1616:21 1646:12 1652:11 1812:19,20 1865:6 1869:2 1876:27 1911:1 1919:4,8

1801 1803:1 1804:1 1805:1 1927:23

1806 1803:6

1808 1805:6,7,8,9,10

1809 1804:6

182 152:7 181:17

1827 1804:6

183 181:17

1838 1804:7

1841 1805:11,12,13,14,15

1843 1803:7

18th 721:14 749:23

19 178:17 1036:13 1314:22,23,27 1368:4,6 1505:24 1564:4 1565:6 1616:5 1674:14 1828:6 1911:21

19- 1590:22

1927 1805:16,17,18

1928 1803:1 1804:1 1805:1 1927:24

193 159:11

1945 1627:21

1959 1854:3 1865:6,16 1881:14

1980 1590:22 1591:4

1983 12:27 13:1 174:10

1989 917:23

1998 1280:11 1298:22

1999 1280:11 1298:22

1:00 1070:28 1071:11 1812:15 1815:28

1:13 1813:28

1:27 1611:19

1:30 307:24 685:15 984:11,12,15 1276:28 1277:2 1579:16,17 1580:11 1839:19 1840:6, 26 1842:2,4,17

1A 1848:14,15 1849:12

1B 1848:15

1st 324:22 919:2 1591:19 1625:3 1652:7

2

2 41:14 153:1 181:16 324:21 325:13 328:2 330:27 342:14 629:22 632:23 652:25,27 653:5 656:7 736:1 750:20 751:24 753:1 927:27,28 928:3 934:16 1038:15,18, 19 1209:17 1267:21,24 1303:11 1583:28 1669:24 1857:10 1864:5 1908:12 1913:13

20 307:27 621:8 730:11 772:22 777:22 941:23 1019:6 1034:8 1344:26 1531:28 1549:15,17 1597:1 1812:17 1815:17 1840:21 1908:8 1913:7

20-minute 1860:28

20-plus 1050:25 1328:4

2000 376:19 1532:26 1590:23,24 1644:25

2003 1590:24

2004 917:28

2005 376:16,24 380:17

2012 1529:11,22 1549:5,7 1877:5

2013 737:25 740:25 758:13 1010:2 1530:25 1549:10 1555:13 1566:1 1569:13 1591:19 1876:24 1877:5

2014 1051:15 1553:22 1554:3 1623:11

2015 639:13 710:24 744:26 975:12 994:1 997:20 1002:11 1051:15, 24 1328:7 1533:27 1553:22 1554:3 1560:16 1569:4,13 1623:11 1882:1

2016 745:14,17 918:1 919:2 977:16 989:4 1004:17 1051:21,24 1052:10 1053:10,15 1056:12 1217:17 1218:14 1244:26 1245:3 1330:7, 19,28 1535:14 1554:3 1560:16 1622:14,15 1624:7 1632:20 1634:3

2016.060 721:13

2017 32:19 33:3 367:6,9 660:6 680:10 682:8 700:20,22 710:24 722:17 729:27 738:10 740:16 745:13,22 909:26 924:25 931:22,28 935:9 940:9 941:19 947:17 959:28 966:20 975:15 989:14 994:1,11 997:20 1002:11 1010:2 1013:28 1040:5 1053:12 1058:25 1059:9, 11 1227:17 1244:5 1245:9 1250:21 1254:7 1281:9 1286:3 1330:22,27 1362:14 1511:27 1537:19 1546:11 1548:8 1549:5,10 1577:27 1592:26 1622:16 1635:17 1654:27 1656:6 1659:21 1660:1 1684:9,16 1815:25 1872:5

2018 367:13,14 368:5,18 376:3 395:16 683:19 722:17 919:14 1265:20,23 1316:11 1545:19 1552:24 1563:2 1564:1 1566:2,18 1581:18 1654:28 1655:3, 10 1662:9 1663:18 1677:26 1820:26

2019 975:19,20 1299:10 1552:7

2020 2:11 3:4 4:1 152:11 153:4 154:1

2021 178:17 1247:1 1510:15 1872:6

2022 32:6 36:12,14,16,17 178:25 302:11 303:5 304:1 385:9 602:11 603:5 604:1 686:1 721:6 722:18 902:11 903:5 906:1 985:1 1202:11 1203:5 1208:1 1278:1 1502:11 1503:5 1505:1 1552:24,27 1570:18 1575:8 1581:1 1673:1 1678:11,20,26 1802:11 1803:5 1806:1 1843:1

2034 622:13

20s 373:25

21 1038:19,25 1314:23,27 1510:10,12 1914:16

22 2:11 3:4 4:1 162:27 302:11 303:5 304:1 1261:15,28 1262:1,6 1264:20,21 1279:27 1570:19,21,26 1573:19 1581:20 1655:6 1915:4

224 167:25

22E 907:3

22F 907:3

22nd 931:22,27

23 619:25 1259:9,11 1261:15 1262:1,6,11,14 1366:27 1505:25 1571:13, 18,22 1573:9,15,21 1916:11

231 1583:6 1586:6 1596:22

231-001 1596:23

231-002 1597:2

231-013 761:6

231-014 1585:17,19 1586:16 1640:27

231-14 1585:13,15

23rd 1552:27

24 616:6 1510:10,12 1581:20 1584:11 1678:19, 21 1679:1 1825:17 1904:11 1916:17,18

244 386:5

24A 907:1,2,14

24B 907:3

25 402:10 602:11 603:5 604:1 619:14 621:16 686:1 731:2 733:14 757:8, 13 910:1,19 1050:11 1540:26 1549:27 1564:2, 3,18 1584:11 1655:18 1881:12 1907:13 1917:7

2500 1668:26

2507 1858:1

25A 907:3

25B 907:3

26 367:6 902:11 903:5 906:1 985:1 1069:28 1286:3 1549:10 1566:2 1581:18 1678:19,21 1917:14

260 1338:16

26th 179:6,24 395:13 739:10 746:28 947:17 949:8,16 1068:11 1069:23

1236:4 1250:21 1254:7 1270:23 1340:23 1362:14 1684:16 1812:23 1813:9 1815:25

27 169:28 616:1 1202:11 1203:5 1208:1 1278:1 1904:11 1915:8 1917:18

27th 155:1

28 721:6 1247:1 1502:11 1503:5 1505:1 1581:1 1904:24

286 1858:16,23

29 1505:25 1510:15 1802:11 1803:5 1806:1 1843:1 1903:15 1906:21

2:00 919:19 944:23 1337:9 1811:4 1832:25

2:20 1254:7

2A 629:18

2B 629:18

2nd 1282:14 1825:2

3

3 2:25 181:18 303:1 331:2 345:14 348:1 405:26 643:10,11 1209:17 1303:12 1365:19,27 1366:2,17 1505:24 1506:16 1573:10,13 1584:10,22 1586:8,20 1616:11 1864:20

3,000 1830:25

3- 1825:5

3-15 2:25

30 179:2,3,20,21 305:28 619:14 722:4 730:11 731:2 733:14 735:5 910:1, 19 967:12 1317:3 1348:28 1549:27 1584:11 1590:7 1597:1 1637:11 1656:7 1840:12 1881:12 1907:14

30-minute 735:4

300 181:17 1630:11 1634:22 1825:8

3001 1615:16

301 181:18 303:1 405:26

303 1898:28 1918:9

304 303:6,7

3060 1857:19

31 1887:17 1904:10 1907:27

31st 179:12,21 1511:27

32 382:7 383:27 384:6,14, 15,16,19,20 385:28 390:13,20 1903:14 1908:1

320 2:22 152:23 1802:22

33 1915:7

34 1914:20

341 160:9

344 160:10

35 1309:26 1310:3,8 1567:7,17

350 397:16

3500 763:13

352 318:9,13 389:23 391:6 397:17,20 618:7 642:25 655:19 680:24 683:1 695:4 1211:11 1213:3 1215:2,4 1239:25 1267:7 1558:7 1559:12,15 1676:8,13 1837:11

353A 1215:2

36 1603:3

360 1848:4 1896:9,12

363 167:2

38 1367:26 1505:28 1506:1

3:00 944:24 1337:9 1811:4 1832:25

3:15 735:2

3rd 324:22 744:26 1051:24 1052:10,16 1328:7,8

4

4 3:4,5 348:10 356:11 405:28 603:1 651:14,15 782:7 944:27 1567:7,17 1573:23 1575:11,14,20 1583:10,28 1586:6,8 1616:15 1678:25 1682:14 1864:28 1865:7 1905:15

4-001 1584:23 1618:8

4/3/15 1051:24

40 320:1 616:28 779:21 1662:5,11,17

400 1825:6

400-plus 1338:19

402 650:5,10,25

4036 1598:27 1599:24 1601:10

406 303:1 405:27

407 405:27

41 1570:18,19,21,26 1584:11

42 2:8 41:12 645:28 1257:22 1258:15 1259:4 1272:19 1279:17 1362:15 1528:12 1570:21 1572:1 1589:2

43 41:13 1571:24,25 1572:1

45 734:26 1637:11 1840:21

456 159:3

469 159:11

49 1573:9,14,15,20 1574:7

496 381:1

498 1053:24 1055:5 1206:12 1209:20

4:00 1328:19 1337:2 1810:22 1832:24

4:15 1323:20

4:30 307:24 734:12 780:12

4:8 1601:19

4th 2:22 152:23 177:6 179:27 302:22 324:22 602:22 902:22 1202:22 1502:22 1647:24 1802:22

5

5 152:11 153:4 154:1 167:2 356:14 375:19 376:1 651:27,28 652:11, 15 683:17,19,27 684:18, 20,25 697:8 782:9 903:1 904:1 905:1 1004:26 1305:7 1319:1 1570:22 1571:19 1583:8,24,26 1586:6 1616:19 1685:6,10 1686:13 1805:6 1806:27 1807:7,8,19 1808:1,2,8,14 1830:2,5 1879:2 1913:14 1917:8

5'10" 1686:12,13

5'9" 1686:11,16,17

5,000 1634:24

5-001 1608:14

5-004 1610:19

50 617:1 995:12 1540:26 1573:10,11 1575:8,9,14, 20 1605:5 1662:5,11,17 1862:27

50/50 1814:26,27 1815:3

500 605:14

51 1575:8,15

51(c) 1533:15 1534:9

517 159:3

51C 1914:25

52 1564:1,3,18 1584:18

53 1564:4 1565:6 1573:15 1908:5

54 1257:22 1258:15 1259:16 1273:6

553 1364:20,27

553-D 1587:3,5,13

553A 1207:7 1215:4 1225:16,18 1362:4,10 1363:19,22

553B 1207:8 1215:4 1225:18 1364:4 1365:2 1813:25

553D 1365:6,16,23

1505:19,24 1506:16 1508:1 1587:16,18

554 1206:13 1209:21 1229:19

555A 1215:4 1225:18 1250:17 1252:8,10 1507:27 1510:27 1511:1,3

555B 1215:4

557 1253:22 1254:2

559 1318:24 1319:1,2,11, 12

55A-001 1508:18

568 1511:19,24 1512:12 1514:11

57 1246:24 1247:3

59 1584:11

5955 169:28

5:00 1011:8

5th 324:23

6

6 375:19 376:8,9,11 390:21 633:5 652:16 653:7 752:5 938:4 1203:1 1204:1 1205:1 1207:1 1314:22 1571:24,25 1572:1 1616:25 1678:25 1679:1 1682:14 1686:13, 18 1829:15 1878:14 1885:11 1912:9

6'2" 1686:20

6-inch 1604:21

6/22 931:24

60 178:20 1303:10,15,20

600 405:28

600,000 1883:21

601 405:28 603:1,6,7 782:7

60s 659:5 1913:16

61 1303:11,12,16,19,21

627A 1206:14 1209:21

627A-001 775:16

627A1 1242:11

627A3 1241:25

627A5 1242:23

63 1305:7

630 1206:15 1209:21

631 775:19 1008:6 1022:5,7,9 1206:16 1209:21 1237:28 1256:16 1337:24

64 1305:7

65 1011:1 1814:5

67 1038:15,18,25

671 657:20 1265:3,11 1267:12,21,23 1268:20 1525:5 1823:14

671-001 1207:5 1267:25

671-002 1207:6 1265:23 1266:11 1267:15,26

68 1038:15,18

686 603:9,10

69 1038:25

6:30 919:19

6:57 1267:5

7

7 391:8,10 398:21,24 605:8 653:10,11,20 676:4 745:13,22 1056:12 1058:25 1246:24 1247:3 1265:20 1503:1 1504:1 1508:2 1564:4 1565:6 1573:22 1575:8,15 1584:5,9,10 1586:6 1587:4 1602:7 1603:21 1617:4 1682:14 1912:25

7.92 313:18 1896:14 1908:12

70 370:6 721:11 911:2 1010:28

70,000 358:28 370:6 692:15

700A 1505:9,12 1805:16 1927:3,11,13

700B 1505:10,12 1805:17 1927:3,11,13

71 1307:25,26

72 1307:25,28 1308:2,5,15

736 603:11

75 742:18 993:6 1538:3 1539:11 1656:9

75/25 993:6

754 167:25

756 603:11

776 308:22 309:1 904:5 914:27

783 603:1 782:8

784 782:8

7:30 1257:1

7A 1583:14,18 1584:5,10 1586:6

7A-001 1602:7

7B 1257:14,16,26 1259:3, 15,21 1583:21 1584:3,6,8, 13,14,18 1586:7,8 1604:17 1614:13,19 1831:10

7B-003 761:22

7B-011 770:19

7B-013 1605:8

7B-025 768:28

7B-059 770:6

7B-11 1614:18

7B-23 1615:1

7B-52 1615:9

7th 180:1 324:23 740:16 1053:5,9,11 1057:19,24 1236:9 1239:1 1244:5 1356:18

8

8 605:7,23 607:10 608:23, 26 609:9,13 614:6 676:3, 21 736:1 934:16,20 1209:18 1308:2,4,15 1315:26 1583:12 1603:21 1617:11 1669:23 1803:1 1804:1 1805:1 1887:14 1908:18,21 1927:23

8- 1601:10

8-2 1669:22

8-inch 1604:21

8.2 1067:8 1678:3

80 364:15 1034:10

8004 762:16,19 1601:26

82 1036:13 1849:15

83 1036:13

85,000 1530:27

86 1573:7

87 1512:4

88 1568:20

88.3 966:16 1598:22 1631:26

8:30 180:19

8:45 1686:27

8th 324:23 749:23

9

9 605:7 618:15,19 628:22 676:24 757:11 1307:25,26 1604:2 1617:15 1672:28 1907:12 1909:2

9-by-13 1809:18

900 782:9

90013 2:22 152:23 302:23 602:23 902:23 1202:23 1502:23 1802:22

901 782:9 903:1 904:1 905:1

906 903:6

90s 744:24 975:7

912 167:17

912(d) 166:23 167:5 170:13 171:22

9120 302:26 602:26 902:26 1202:26 1502:26 1802:25

917 904:6

92 1257:22 1258:15,16 1260:10 1272:19

92067 152:26 302:26 602:26 902:26 1202:26 1502:26 1802:26

92091 2:26

930 905:7

95 1538:7

951 19:2 22:28 23:9 31:14 34:22 36:8

952 166:23 167:5 170:13 171:22

9520 152:25

957 904:7

96 1314:24

971 904:7

974 904:18

98 1314:21,23,26,27

985 903:7

99 35:3 1050:25 1314:22 1510:10,12

992 904:18

9:00 1011:9 1510:16

9:08 1510:16

9:30 305:15,16 307:22 405:7 781:27 1077:15,16

9:45 1323:21

A

a.m. 993:15,21 1011:8 1267:5 1510:16

AA 1589:13

abide 1636:18

abilities 631:25 777:7

ability 377:27 379:6 618:24 1563:14 1840:1 1911:15

abolition 675:19

abomination 667:6

abortions 1899:15

Abraham 763:14 1879:9

absence 1622:26

absent 14:26 15:23

absolute 8:18 9:15 22:5 24:5 158:8 172:28 337:7, 18 343:25

absolutely 158:5 337:10 346:11 354:27 647:6 655:25 780:1 912:12 1030:25 1637:4 1833:26 1880:22

abuse 335:22 1680:20

accelerated 1619:20

accents 1608:8 1629:23

accentuate 1596:27

accept 630:16 657:10 677:15 906:23 938:8 947:26 1522:16 1830:13 1834:14,16 1844:23 1845:22 1851:27 1853:25 1867:20

acceptable 909:6 1629:16 1901:21

accepted 27:27 1537:11 1587:11 1812:4 1849:28 1864:8,19 1871:15

accepting 398:6 707:10 942:26 1015:14

accepts 1808:25

access 311:26 312:4 1535:7 1542:19 1870:20, 27

accident 761:7 968:18 1915:26

accommodate 700:6 760:8 1819:22 1820:13

accommodation 691:19,27 692:2 767:14 774:23 778:13,19,22 1887:28 1888:12 1895:22 1896:3 1912:2

accommodations 403:28 664:10 691:13 773:22 1844:19 1855:16, 21 1863:16 1866:15 1870:22,25 1873:18 1897:21 1921:7

accomodation 778:8 1536:9 1897:16

accomplish 305:7

accomplished 779:2

accomplishing 1873:15

accomplishment 166:25

accord 1636:27 1674:8

accordance 985:27

account 643:22,27 688:19 728:16 729:2

accountant 620:28 725:4 730:13,14

accounting 1528:15 1555:27

accounts 1562:19 1649:4,5 1821:24

accurate 626:11 772:13 910:11 1240:21 1842:8 1879:13

accurately 690:14

accusation 17:25

accuse 964:2 1891:13 1903:1

accused 385:6 388:27 659:7 759:20 1369:14

accusing 375:1,4 385:8 387:20 1222:4 1823:18

achieve 1576:9

achieves 737:10

acknowledge 164:13

acknowledged 1894:26

acknowledgement 16:16

acknowledges 16:28 164:19 1876:7

acknowledgment 1887:24

ACLU 768:13,16 1886:12

act 14:26 16:2 22:22 23:13,15 27:5,8,12,26 28:9 33:1 161:26 162:1,3 163:5,10,12 172:12 174:21 175:1 335:26 362:8 400:22,27 612:9 638:3 654:1 664:19 669:19 687:27 689:21 690:10 693:18 706:7 717:13 736:23 737:8,15 740:27 744:16,17,21 749:28 753:1,2,17 754:1 755:17,23,26 756:5,12 773:23 774:8 776:5 777:15,26,28 778:3,4 1073:19 1228:26 1230:4 1532:15,16,27 1533:24 1554:21 1609:12,18 1652:20 1653:1 1835:10 1844:22,23 1845:15 1846:7 1847:9 1848:5 1854:3,26,28 1855:3,22 1856:4 1857:22 1865:13, 18,20,24 1866:2 1867:5,8, 12,21 1870:24 1872:26,28 1873:10,13 1874:12 1879:28 1881:13,26 1893:12,24 1895:18 1903:27 1904:18,21 1906:11,27 1908:11,15 1909:18,25 1914:17,24 1920:20 1922:22 1923:2 1924:17,18,21

acted 334:14 654:1 658:19 660:11

acting 9:1 22:14 29:7 173:22 334:13 615:24 1221:6,21,22 1677:20 1837:4 1898:2

action 5:5,14 6:18,20,21 11:6 12:15 174:10 637:26 645:21 646:15 750:16 907:10 908:8 1908:24 1911:6

actions 12:23 170:16 690:22 691:4 693:11

activist 364:16 374:4 687:9 772:9 1889:13

activists 348:16 749:15, 19

activities 1915:24

activity 354:23 734:18 1532:1 1547:6

actors 1870:19

acts 356:17 991:13 1911:18

actual 19:10 165:14 305:18 326:20 333:11 350:20 380:18,23 392:14 620:27 627:6 633:28 670:9 755:17 773:20 775:20 930:7 936:14 989:5 995:1 1236:2 1238:28 1252:1 1354:7 1531:23 1568:18

ad 732:25

Adam 703:3 1349:21 1644:21 1833:13

Adam's 1349:17

add 395:10 639:8 681:26 700:18 907:20 999:10 1006:27 1018:1 1019:8 1065:3 1218:1 1238:4 1558:7 1623:21

added 10:7 1001:5 1257:6 1569:4 1592:1 1600:14 1607:26

adding 626:28 699:7 1539:19 1543:24

addition 4:21 7:7 176:17 610:14 686:25 709:15 1237:11 1555:21 1584:17

additional 6:12 7:12 155:22 176:20 178:27 179:2,3,20 381:11 606:5, 11,17 644:23 681:26 686:12,16 708:27 709:15 1006:19 1007:12 1062:27 1221:16 1342:11 1634:9 1841:6

address 163:6 165:6,7 166:22 169:23 171:27 177:10 330:14,26 344:20 607:21 620:14 1218:10 1600:8,10,13,15 1612:17 1880:12 1918:21

addressed 13:4 158:18 367:19 661:6 1636:6 1881:28 1892:3

addresses 18:10

addressing 359:6 394:9

adds 385:22 1221:16 1578:9

adequate 1208:22

adequately 174:13 175:17

adhere 688:25 690:6 1904:4

adherence 1898:3

adjacent 1544:8

adjourn 781:26 1926:27

adjourned 405:24 782:5

adjudicated 6:28

adjudicating 173:23

adjudication 161:10 331:19 613:12 910:6

adjudicatory 156:12 158:20,24 159:20 160:13 173:14

adjust 40:7 706:10,14 1049:24 1326:10

administration 749:27

administrative 5:11 11:10 32:24,25,27 158:25 159:26 334:16 1913:11

admissibility 315:18 934:19 1008:2 1224:15

admissible 370:14 608:22 645:23 646:17 653:21 656:10 669:6,11, 12 683:12

admission 323:11 614:7 632:2,24 651:16 676:26 1028:25 1275:26

admissions 610:6 630:10,11,22,24 631:4,7, 26 1210:23

admit 393:21 400:24 402:14 608:12 610:7 614:10,14,15,19,20,25 615:2 641:17 717:14 779:1 914:9 1210:7 1213:16 1266:8 1267:10 1517:17 1806:26 1807:19 1841:12

admits 161:28 404:13

admitted 14:22 15:1 161:25 174:21 316:19 323:4 332:23 341:17 361:12,17 370:21 378:8 379:15 629:1 642:12 663:28 683:11 701:2 748:21 930:18 942:28 943:1,3 1210:19 1241:6 1363:23 1364:8 1365:3 1514:12 1582:12,14,16,18 1583:2,13 1584:23,26 1585:3,5,6,7,13,18,22,23 1587:3,8,10,19 1619:6 1806:28 1807:1

admittedly 668:7

admitting 32:27 322:19 323:9,10 341:3 632:16 1526:24

admonish 329:10

adopt 1897:14 1898:9 1906:6

adopted 654:3 1863:27 1865:13

adopting 169:11 633:22

adoption 778:24,25 1906:6,8

adorable 1625:14

adorn 1680:1

ADP 1553:17,28

ADPS 1554:9

adult 1591:16 1600:9

Adults 1589:7

advance 11:12 167:6 168:21 321:15 346:14 399:15 741:23 742:20 745:11 761:18 778:19 920:25 921:6,8 922:2,3,12 923:9,13 941:14 1055:21, 24 1330:21 1523:13 1662:2 1896:3 1897:21

advanced 923:27 924:10 931:2 941:4

advancing 362:2

advantage 173:8 773:15 1889:18

advantages 1844:19

adverse 331:5 363:20

advertise 1631:26

advertisement 1255:26

advertising 966:16 1547:25

advice 19:3 22:4 23:11 36:8 697:14 715:23 1223:4 1233:18 1316:26

advised 1233:22

advisers 17:17

advising 1533:13

advisor 620:26 623:7 1531:7,9

advisory 777:20

advocacy 659:6

advocate 159:24 1233:7 1350:20

affect 40:3 377:20 643:23 735:24 752:16 1021:24 1523:26,27 1533:25 1552:14 1636:28

affected 689:14 747:24 753:25 1029:19 1552:10 1648:10

affecting 1524:16,28

affects 689:26

affiliated 1851:15 1852:1

affirmative 311:7 324:23, 27 401:3 1808:13 1875:9 1894:1 1896:15

affirming 762:25

afford 725:28 741:6

affording 1910:16

afield 638:24

afloat 729:1

afraid 392:14 397:2 662:3 773:4 1053:8 1218:14 1221:2 1329:14 1547:11

African-american 163:20,22 164:3 382:23 388:5 1629:24 1899:8

aftermath 363:7 367:25 711:4 1212:15,17 1230:9

1236:5 1293:25 1294:8 1546:19,25 1548:16 1646:6

afternoon 153:4 154:2, 13,22 173:11 303:6 304:2, 9,18,21,23 305:5,7 306:22 603:9 686:2,9 903:7 919:21 921:5 984:10 985:2,9 986:19,27 987:2 992:3 1009:3 1031:9 1049:6 1050:6,7 1077:15 1203:7 1208:21 1211:21 1213:8 1278:2 1279:10 1285:12 1298:17,18 1301:16 1326:19,20 1359:3,4 1503:7 1581:2 1588:25,26 1593:5 1640:11 1650:20,21 1686:28 1803:7 1832:25, 27 1843:2

afternoons 987:1

age 30:19 33:8 962:10,20 967:20 1026:21 1327:28 1651:4 1906:12 1909:27

age-old 776:8

agencies 25:26 26:3 778:25 1921:6,16

agency 162:19 302:5 337:11 602:5 691:17 778:24 902:5 907:9 1202:5 1221:22 1502:5 1802:5 1921:9

agenda 604:15 1356:22, 24

agent 758:22 1333:12,14

agents 170:17 704:23

aggregate 626:26

aggregates 1917:19

aggressive 16:3,19 713:28 1872:4,8

aggressively 393:15

agree 34:22 165:11 370:15 384:1 631:12 638:18 644:9 687:3 698:27 713:5 719:17,18 727:7,23 728:25 913:23 953:28 1027:14 1032:9 1045:18,20 1224:4,25 1246:9 1252:25 1258:1 1259:17,23 1260:6,10 1262:25 1264:2,5 1276:7 1305:21 1308:10 1316:17 1325:2 1508:28 1517:27, 28 1537:14 1572:23 1587:11 1632:7 1648:11 1651:2 1662:24 1672:14 1673:12 1679:7 1811:17 1821:7 1823:2 1824:10 1825:25 1826:5 1836:7,8, 12 1852:22 1879:15

agreed 22:7 40:5 315:17 350:11 608:22 609:13 631:13 644:7,11 721:20 723:6,9 732:16 910:14 911:16 913:23 939:28 940:9 1223:10 1282:19 1285:12 1339:15 1536:23 1576:19 1580:2 1582:12 1598:13 1678:11 1806:25 1807:22 1829:10

agreeing 639:5 1276:4

agreement 18:28 23:5 40:15 166:20 170:6,14 172:23 379:21 685:9 700:1 719:19,21 943:9 1210:10 1222:23,27 1223:7 1251:4 1582:10 1807:23 1816:8,12 1817:4

agreements 22:10

aha 659:11

ahead 17:5 39:22 162:5 163:27 164:1 169:21 176:2 177:1 180:17,18 333:10 350:27 377:19 384:25 605:9 614:3,22 620:21 631:19 648:6 655:4 666:22 736:7,12 738:20 758:20 759:24 767:25 914:23 926:1 928:22 934:23 942:12 943:13 950:11 979:24 982:15 984:10 1006:22 1038:27 1044:26 1048:4 1070:7 1077:13,14 1240:16 1261:17 1262:16 1276:15,27 1307:7 1315:1,2 1324:21 1332:13 1365:10 1505:22 1510:13, 24 1534:17 1570:24 1575:2,17 1579:15 1582:28 1594:1,8 1603:14 1613:11 1637:12 1641:14, 19 1653:25 1663:11 1666:14 1669:21 1672:24 1673:3,28 1674:12,16 1686:25 1836:2

ahold 24:15

aimed 27:22 397:8 1650:4

air 607:7 760:3 1006:9,10 1052:17,18 1077:2 1328:11,27 1329:5,11,13, 20

air-conditioned 1075:14

airfield 1328:22

akin 9:13

Alan 1552:27

Albertson's 15:8,27

Albertsons 975:9 982:17 983:3

alcohol 609:4 743:3 936:18 1023:1,9,10 1622:4,11 1670:22 1682:11 1683:12

alert 652:27 687:14

alerted 1645:25

alerting 1214:17

Alex 1368:7

align 934:26

all-comers 15:11

allegation 175:17 1884:5

allegations 332:18 343:11 385:3

allege 15:21

alleged 356:16 360:16 645:12 662:15 1612:19

allegedly 1514:28

alleging 382:16

allergies 1065:27 1335:10

allergy 1066:1

allotted 996:20 1842:9

allowed 17:19 159:23,26 161:13 166:26 167:4,22 326:17 379:18 686:22 687:21 691:21 709:19 715:12 753:22 987:4 999:3 1029:22,24 1365:11 1533:18,28 1640:9 1856:5 1891:2

allowing 160:24 684:25 710:20 715:27 716:2 1545:16 1572:14

alluded 761:19

alluding 1607:15

alongside 1639:2

Altering 388:13,15

alternative 759:3 778:10 1877:25

alternatives 1855:18

altogether 1925:23

amazing 1272:10 1628:11 1635:21 1825:10

ambiguous 723:23 940:4 1045:8 1826:15

ameliorate 393:17

amended 403:23 638:14 646:1 648:8 1077:24

amendment 11:21 15:26 17:3 24:18 163:4 357:23 371:9 396:7 608:19 612:16 653:28 740:19 756:8 774:9 778:6 1534:7, 11 1845:15,25 1870:12 1873:1 1881:21 1904:17 1911:13 1915:25 1918:11 1920:14

amendments 1887:17

America 745:13 755:4 1264:2 1855:24

Americorp 1280:12

amicus 1899:7

amount 306:6 307:6 324:10 356:28 398:12 650:15 683:8 684:16 697:23 706:19 721:26 725:14,15 732:13 1034:18 1228:3 1337:15 1346:25 1546:20 1592:27 1839:28 1840:5

amounts 337:1 654:8 668:21

Amy 994:5

Ana 1367:12

analogies 674:12

analogize 30:6

analogizing 388:11

analogous 32:8 167:27 674:15

analogy 659:5 1849:6 1854:10

analyses 622:12

analysis 18:18 21:25 24:1 25:23 28:17 159:13 165:1,3 366:19 369:25 396:13 612:7 624:19 625:24,28 626:25 643:17 647:5 648:1 674:10,24 678:2 688:1 707:13 719:8 724:1 726:25 727:24 728:11 754:9 1554:26 1656:22 1658:12 1867:6, 11 1873:21,23 1919:27

analytical 1922:20

analyze 156:18 617:27

analyzing 1554:21

ancient 1882:15

Andrea 1255:11

Angeles 2:22 152:23 302:23 602:23 902:23 1202:23 1502:23 1802:22

anger 990:23 991:1 1351:25 1358:7

angling 1208:24

Anglo-american 1916:1

angry 648:9 970:24 1345:2,3,16 1368:8 1509:9 1511:18 1918:16

animal 1212:28

animosity 340:19 953:12

animus 13:8,16 17:9,12, 19,27 21:16 28:17,19,28 29:8 30:1 331:12,28 333:13 334:23 336:25 337:11 338:2 341:23,24, 27 342:12 343:1,4,12,20 371:27 397:8 657:2 1871:22 1872:13,23 1884:6 1923:27

Anne 1902:19

anniversaries 633:21 635:23 933:25 943:24 1051:26 1676:4 1847:22

anniversary 634:15 642:9 921:9 924:21 1022:15 1630:2,3 1675:24,27 1676:17 1830:27 1862:18 1876:18

announce 1581:16 1806:26

announced 308:14

annual 1029:14

annually 1903:26

anomalous 1888:16 1889:1

anonymous 1834:10

answering 339:6 362:26 921:18 960:8 1048:3 1321:11 1510:1 1514:21 1524:21 1574:11

answers 334:18 631:7 632:16 635:8 637:5 650:13 679:7,13 912:8 916:18 1311:3 1321:6 1520:28 1809:27 1900:12

antagonistic 1918:3

anti-anyone 759:21

anti-christian 397:10

anti-discrimination 717:19 756:2,3 1554:18

anti-gay 759:21

anticipate 308:15

anticipated 634:27

anticipating 311:3 313:17

antidiscrimination 340:22

anxiety 969:20

anybody's 40:17 639:1

anymore 377:8 667:10 675:27 676:6 718:3 771:2 777:3 1038:11 1057:6 1073:13 1249:26 1646:23, 25 1817:14 1853:4 1892:4

anyone's 634:10 1218:21

anytime 990:1

anywheres 1592:19

apologies 1306:25 1575:6

apologize 309:7 607:26 718:26 1038:24 1050:8 1227:21 1228:6 1831:6

apologized 951:16 1341:21 1677:21

apparent 607:28

apparently 313:17 322:11 344:14 386:13 393:9 397:13 630:17 657:21 674:19 716:16 717:23,27,28 722:6 723:2 741:6 765:8 767:23 772:8 773:7 775:7 1219:15 1250:25 1508:25 1852:26 1863:23 1878:27 1879:10 1882:13 1890:6

appeal 394:2 1850:26

Appeals 6:8 27:21 29:20

appearance 1232:8 1824:13 1886:22 1893:6

appearances 2:19 4:7 152:20 154:12 302:19 304:13 348:7 602:19 604:14 686:11 735:15 902:19 906:13 915:25 956:19 957:5,14 985:11 1008:11 1049:10 1202:19 1208:11 1231:20 1244:15 1278:10 1325:23 1351:11 1502:19 1546:3 1581:11 1637:16 1802:19 1806:11 1841:4 1843:12 1875:18

appeared 1881:28

appears 348:19 390:13 671:7 986:14 1226:16 1506:4

appellate 177:6 331:11 394:2 1223:10 1224:6,7

appendix 1858:15

apple 5:23 1340:5

applicable 322:1 403:28 664:9 691:14 737:9 1534:8 1870:21,25 1874:12 1911:12 1914:18 1921:8 1926:1

application 688:14 777:15 1860:3

applications 1532:14

applied 27:12,13 175:8 665:27,28 667:12,13 765:19 938:14 941:3,13 1557:21,24 1862:23 1872:18 1897:17,23 1898:1 1914:17 1918:5 1920:18 1922:21 1923:11

applies 156:12 158:9 160:7,15 173:14 636:13, 23 692:3 693:7 704:11 752:14 779:17 916:24 937:2 1679:21,25 1863:18 1901:24 1915:10 1916:14 1926:1

apply 33:17 156:9,12 158:28 159:20 167:20 173:21 612:8 631:4 635:19,22 640:24 667:10 671:10 672:21 691:20 743:6 916:20,21 934:13 935:15,21,24,26 937:18 938:3 959:2 1026:9 1532:13 1570:14 1669:17 1675:26 1680:14 1683:19 1827:27 1847:4 1855:3 1861:5 1873:24,25 1874:3,12,17 1875:11 1898:7 1899:22 1906:19 1917:17 1918:10 1921:17, 19,22,27 1922:1,17 1925:4

applying 671:12 687:26 688:17 689:21,25 690:10 693:17 1827:22 1854:24 1923:9

appointment 949:2 1068:20 1286:7 1301:25, 28 1350:3

appointments 949:1

apprehension 1891:9

apprise 399:15

approach 355:14 399:5 617:18 649:17 650:12 678:28 1252:2,3

approached 983:25 984:3,6 1071:8 1286:10 1318:11 1368:22 1824:7 1837:10

approaching 380:10

appropriately 1039:24 1050:9 1892:3 1899:23

approval 361:11 1664:24 1905:12 1916:28 1917:2 1925:9

approve 1877:23

approved 925:12,15 1531:13 1908:11

approves 920:24

approximately 367:2 405:3 989:3 1840:7

April 744:26 1051:20,24 1052:10,16 1059:6 1328:7,8 1330:7

apt 1304:5 1899:11

Arabic 338:20

Aramaic 670:2

arbitrary 400:24,27 401:26 773:28 774:2 1864:27 1865:5,10,12,16, 19,21,23,24,25 1866:5,9 1883:19 1893:28 1894:2 1895:19 1909:21 1910:5

arch 1241:22 1242:2 1595:16

area 166:2,5 354:28 643:6 649:12 679:2,3,6 760:19 944:10 992:23 1218:26 1242:6,9,16 1243:1 1286:17 1297:11,12 1345:11 1357:12,15,16 1360:20 1636:3 1642:21

areas 354:26

argu- 702:15

arguably 1906:25

argue 166:3 309:25 310:19 326:13 327:22 330:19 341:19 342:23 347:16,22 349:15 372:15 377:28 402:7 619:9,26 653:16 655:26 656:9 659:7 669:4,17 682:20 716:3 751:28 752:2 1042:18 1844:8 1846:24 1853:27 1858:27 1862:16 1863:17 1873:25,26 1883:14 1916:8 1925:9

argued 176:3 617:13 702:14 768:12 913:4 1846:14 1899:1

arguing 14:15 25:11 313:2 314:6 330:8 332:7 337:27 343:14 352:14 391:17 629:11 659:4 661:1 668:17 674:14 681:14 687:21 1854:1 1925:12

argument 8:21 25:21 37:18 154:25 155:4,11,17 163:27 166:21 171:2,23 173:15 174:18 175:25 176:14 309:8,13 322:26 323:5,17,26 324:21 325:2 331:3,6,14,23,27 333:6 334:10,20,22 337:25 338:24,25,27 343:21 348:11 351:28 353:4 356:16 364:22 371:18 373:7,10 376:13 377:19 378:3,23,25 394:18 395:8 396:21,24 397:24 399:9 400:21 605:17 613:14 617:7 618:20,25 619:3 624:24 629:3 632:26 645:1,2 651:17 652:2 656:8 659:15 675:11 676:27 677:2,6,18 679:19 680:5 682:3 704:8 705:20, 22 716:21 718:7 751:6,8, 11,14 755:14 756:24 779:16 780:11 781:15,22 908:2 930:12 1208:15 1297:23 1839:14,18 1840:8 1842:4 1843:14 1850:25 1851:5,28 1854:24 1862:9 1871:4,23 1872:13 1874:15 1875:21 1877:1 1879:14 1895:13 1899:6 1908:22 1909:17 1920:5,9,15,17 1925:4

argumentative 327:21 330:6 344:4 348:27 351:25 1042:13 1045:27 1296:1 1299:1 1315:13 1519:20 1914:7

arguments 28:10 155:15, 20 158:16 169:1 173:2 176:9,18 177:27,28 178:28 324:17,19 335:12 337:28 342:28 347:8 374:11 399:9,12 400:3 404:19 612:6 620:9 659:10 661:24 665:6 668:18 669:19,23,24 674:10 676:9 677:4,8,9,10 740:21 754:3 768:11 908:17 1845:17 1861:28 1900:22 1902:22 1903:8

arise 652:28 912:15 1900:28

arisen 640:2 1876:11

Arizona 7:13 1917:23

Arkansas 1917:23

Arlene 159:11

Armstrong 159:3,5 161:17 164:5,6,18

arose 639:14 642:5 1887:23

arrange 1058:20

arranged 1003:23

arrangement 1290:4 1834:12 1888:8 1906:10

arrangements 159:16 1331:15 1529:20 1556:7 1559:23,27 1632:21 1633:22 1833:8

arrest 376:22 378:2 380:16

arrested 376:15,16 378:11

arrive 1286:9

arrived 1071:13 1238:28 1286:5,6,15 1300:8,9

arriving 964:21

art 608:6 609:20 611:5,22, 24,25 612:18 680:5,25 682:3 769:5,6,8,10,11,15, 16 770:14,16 777:11,13 965:28 982:20 983:2 1040:13,16,18,20 1519:8, 11,15,17,18 1520:3,4 1590:1 1604:7 1654:5,6 1818:12 1831:11,14,18,19 1832:3,4,5,7 1874:21 1894:24,27 1905:27 1924:28

arthritis 1525:1

article 778:5 1222:4 1255:11 1268:21 1269:14, 20 1270:6,19 1513:9,15 1525:8 1821:3 1823:4 1836:24

articles 1525:20 1807:2, 24 1823:8,17

articulate 166:11 630:8 769:19 1524:4

articulated 8:9 160:12 699:23

articulating 631:23 720:27

artificial 1905:2

artist 966:6 997:28 1518:5,12,22,25,26 1519:2,7 1520:15,27 1621:10 1881:3,4

artistic 611:25 613:1,6 682:2,17,22 1037:3 1259:5,18,24,26 1260:6, 10 1517:3,10 1529:19 1874:20 1895:8

artistry 607:13 608:5,8, 17,20 609:28 610:10,20 613:23 614:8 615:15,17 679:26 680:17 682:15,16, 22 741:26 752:8 1355:1 1557:21 1606:22 1901:23

artists 1040:22

arts 1924:27

artwork 769:26 770:12 1591:8 1621:10,18

Ashers 1909:2

asks 354:24 634:13

666:14 934:11 971:10 1047:7 1349:16

aspect 24:28 163:14 707:15 754:11 959:26 1535:4 1653:14 1654:10 1881:24

aspects 34:10 36:17 758:17 762:18 959:22 1531:6,15 1625:8 1877:2 1899:19

ASR 1835:5

ass 1354:14 1363:1 1366:7

assault 1891:7

assert 156:8 161:28 164:7 169:16 1844:28 1925:5

asserted 157:2,3,6,10,12, 15,17 158:2 164:21 693:25 1924:24,25

asserting 156:17 159:9 167:1 338:13 655:11 1895:20

asserts 162:2

asses 361:4 362:23

assess 364:23

assessment 162:24 1532:10 1535:8 1570:10

assessment-type 1529:4 1532:7

assessments 777:23 1531:12

assets 1530:8

assign 1020:9 1656:28 1657:2 1659:4

assigned 6:18 1645:22 1657:22

assist 1576:8 1657:8

assistant 391:9 915:10 973:18 1008:16 1049:16 1053:28 1055:9 1278:17 1326:3 1588:2

assisted 1856:9

associate 755:5

associates 921:21

associating 1913:23

association 167:24 168:1,3,4,5,6,8,10,15

association's 168:19

assume 320:20 323:9,11 329:8 337:5 363:3,4,6 405:17 649:17 943:8 965:3 1251:18 1557:8 1586:11 1620:9 1839:25 1927:8

Assumes 1826:15

assuming 160:12 329:22 351:18 363:23 369:8,19, 25 370:19 700:6 731:19 911:24 915:6 1563:10 1840:20

assumption 369:22

assure 349:17 366:8

assured 650:20

at-- 22:1

atheist 1681:22 1830:16 1861:9 1878:23

atheists 1681:26 1829:24

atmosphere 1631:13 1653:10 1817:23 1850:8, 18

attach 313:18

attached 345:4 384:11,19 656:5 931:11 1858:15

attaching 168:28

attachment 1848:6

attachments 912:28

attack 343:9 693:1 1212:18

attacked 1509:27 1547:16 1890:23

attacking 974:12

attacks 174:25 772:18 1548:1 1551:17 1891:24

attempt 401:14 606:12 1322:26 1649:12 1891:25

attempting 165:18 168:19

attempts 736:28 1915:27

attend 981:25 1014:25 1026:24 1027:6,7 1263:27 1902:13

attendance 1004:24

attended 1536:17

attendees 1021:28 1630:23

attending 1021:27

attends 715:24

attention 173:27 304:10 311:19 348:15 397:22 687:12 758:8 990:4 993:21 1062:25 1212:4 1255:12 1340:12 1343:28 1361:3 1546:21,24 1568:22 1608:2 1647:14 1681:18 1827:12 1857:13 1918:22

attentive 977:23

attenuated 393:21

attitude 389:7

attorney 4:12 8:25 9:1,6, 10 12:14,20 14:5 19:26,28 20:2,4,28 21:2 23:7 27:4 30:24,25 31:15 33:11,13, 14,23 154:20 165:21 168:2,4,12,15,19 171:16 172:20 321:1,6,11,14 327:23 329:11 1046:25 1234:23 1235:13 1254:9, 24 1554:12,15,28 1555:2 1834:27

attorney's 8:19,27 9:4,8 12:11 19:25 32:11

attorney-client 8:14 12:5 18:12,14,21,24 19:18 22:24 23:21 26:8 30:4 31:27 33:7,16 34:8,23 157:3,5,11,17,28 158:8 165:8,14 166:27 167:3 168:14,27 169:17,24,26 170:1,3,9,10,25,26 171:15,17,20 172:19,20 1222:12,20,23 1223:3,6,8, 12,17,18 1224:5,9 1267:6

attorneys 8:16 23:2 33:9 34:2,17 35:26 37:25 155:8 157:6,18 158:1,12 167:18 169:3 170:7 320:25 321:19 327:22 374:9 674:12 911:25 1217:12 1234:9,17,21,24 1352:25 1353:3 1525:22 1623:16 1821:5,8 1824:12,16,20 1918:17

attorneys' 1577:10

attracted 1828:18

attraction 1626:15

attractive 1661:8

attribute 178:23 358:19 955:10

attributed 627:10

attributes 1628:28

audacious 617:2

audience 1345:18

audio 315:1,3 1039:17, 20,26 1582:20,22,23,26

audiovisual 926:2

augment 1614:16

August 180:1,2,18 367:6 395:13 738:10,20 739:10 924:25 935:9 941:19 944:3 947:17 948:23 949:8,16 959:28 966:20 989:14 991:6 1006:11 1060:2,28 1061:23,24,25, 26 1068:11 1069:23,28 1227:8,17 1236:4 1250:21 1254:7 1270:23 1282:14, 20 1283:1,5 1286:3 1330:19 1333:6 1340:23 1362:14 1511:27 1537:19 1546:11 1549:10 1577:27 1592:26 1635:17 1654:27 1659:21 1684:9,16 1812:23 1813:9 1815:25

auspices 1902:8

Australia 1825:10

authenticate 1218:17

authentication 1008:2

authenticity 315:18

author 619:22

authored 403:8

authorities 9:3 910:22 912:28 913:6

authority 176:25 662:16 911:5 913:7 1892:16 1898:6 1906:3,11

authors 620:5

automatic 15:23 1333:17

automatically 1252:27

avalanche 1547:3 1877:7

average 621:7 1549:11 1656:9

avoid 306:4 329:22 672:2 916:16 1039:24 1317:21 1318:6 1645:10 1846:17 1891:21

award 172:4

aware 21:6 37:8 159:14 330:22,23 333:20,26 366:5 392:9 393:18 394:7 615:26 687:18 694:25 704:14 911:26,28 940:26 941:2,7,12 956:27 957:2 958:17 960:15 961:10 965:11 966:9 986:21 987:22 988:6 999:28 1000:1,6 1012:18 1015:15,21 1016:15 1017:3 1019:13 1022:25 1024:1,13,25 1025:9,12 1035:14 1037:20 1040:21, 24 1043:13 1230:15 1309:17 1313:8,12,19,26 1314:11 1317:27 1321:10 1535:11 1546:18 1623:3 1624:8,13 1632:25 1636:21 1816:25 1817:2 1821:3 1824:20 1837:9 1842:14 1913:20

awful 1547:1

Aye 29:2

B

b-i-t-c-h 1316:7 1833:16

B-O- 702:28

B-O-A-T-W-R-I-G-H-T 703:1

Babalu 29:2

babies 778:27

baby 943:27 1022:15 1029:27 1030:1 1042:10, 20 1549:25 1625:27 1626:27 1627:4,9,14,18 1677:18

bachelor 1676:5 1847:23 1862:19

bachelor's 1528:15

Bachelor/bachelorette 635:24

bachelorette 1032:16,18 1676:5 1847:23 1862:19

back 10:18 17:6,25 19:25 20:24 22:8 23:28 32:23 33:4 155:2 171:24 178:19, 20 179:23 180:27 307:4, 24 314:23 323:24 325:28 326:9 327:9 336:20 348:6 374:16 383:19 387:9 389:20,25 390:3 395:6 405:6 615:6 625:5 627:14 652:23 654:23 656:4 668:23 672:1 681:2 685:14 686:9 705:5 707:6 710:25 712:20 721:1,24 728:8 729:22,26 730:28 735:14 738:22 739:9 746:23 755:12 758:9 760:23,25 762:19 763:13 764:5 767:8 775:5 780:13 781:12,15,27 909:14,22 911:6,13 914:4 915:24 920:5,10 921:14 931:21 945:8 947:16 948:28 957:13 961:1,19,21 974:1 977:6,25 980:8 984:11,12, 14 986:13,24 987:24 989:18 990:7,23 991:1 992:19,27 993:4,6,8 994:9,12 1003:26 1006:1, 7 1008:10 1011:21 1015:26 1017:8,21 1022:22 1023:15 1028:19 1029:6 1042:25 1049:10 1060:22 1064:4 1066:15 1068:26 1071:22 1072:27, 28 1073:20 1074:24 1219:18 1222:16 1226:13 1244:14,24 1261:16 1269:4 1273:20 1277:1 1278:9 1280:11 1284:27 1286:23,25 1287:3,4 1289:19 1297:8,9,10,17 1305:9 1310:18,26 1311:1,2 1334:1 1340:28 1341:26 1343:5 1350:4, 11,28 1358:7,13 1360:19, 23,28 1508:1 1519:26 1526:8 1542:3 1546:2 1551:21 1553:24 1573:23 1574:2 1579:16 1582:19 1593:9 1595:17 1596:1 1597:10 1601:17 1607:11, 17 1608:19 1612:5 1624:26 1625:4 1626:23 1627:13,19 1628:2,10,13 1634:5 1637:15 1641:4, 16,17 1642:12,13,28 1643:13,26 1644:1 1646:1,17,19 1647:8,9 1655:8,25,27 1656:5 1657:4,15 1658:3 1659:21 1660:1,7 1662:8,18 1663:17 1669:14 1670:8, 12 1674:2 1675:15 1677:27 1681:17 1686:27 1806:9 1807:17 1819:7 1834:21 1839:19 1842:2 1864:9 1867:17 1869:4 1888:24 1891:4 1892:21 1897:27 1900:16 1919:1 1925:12

back-end 1877:21

back-up 1329:8,12

backdrop 1544:3

backed 998:9

background 342:20 381:25 770:22 911:24,26, 28 930:1 957:25 975:5 1528:14,19 1590:17

backlash 374:25 687:15, 16 689:12

backup 727:25 728:2

backwards 1319:13 1367:9

bad 357:25 358:25 373:24 673:26 749:5 765:23 912:1 926:13 952:20 953:24 954:13 1600:3 1625:2 1825:14 1836:6,15

bad-faith 32:7 33:22

badge 1607:24

Badgering 1042:14

bag 738:24 755:12 946:15,27 1067:20,23 1227:11 1621:13

bags 1000:17

Bailey 919:23,24,26 921:4 923:25

Bailey's 919:28

bailiff 315:4

BAJI 310:4,10 311:5,25, 27 313:18 779:11 1864:9, 11,16,18,28 1894:1 1896:14 1901:18 1908:11

bake 174:3,6 611:11 634:3,13 662:28 663:5 965:23 966:5 975:24 993:11,15,19 995:11 996:6 998:14 1014:2 1017:24,25 1282:6,15 1302:15 1557:14 1591:13 1592:3 1594:27 1595:2 1613:15 1614:10 1657:9 1658:28 1853:16 1880:25

bake- 1347:10

baked 169:5 340:13,17 346:11,15 607:14 619:24 621:11,12 635:28 640:1 740:27 753:3 756:6 757:16 920:3,13 921:19, 27 922:2,8,11,20 931:2 932:19,23 935:16 961:25 981:17 982:16 995:4,6 1019:3 1062:23 1591:12 1653:14,20 1654:3 1665:6 1669:18 1831:16 1847:16, 21 1868:26 1876:10,13,16 1907:16

baker 29:20 169:7 365:1 710:25 754:14 766:19,21 768:14 773:7 965:21 992:7,11 993:25 995:7 997:22 1012:15,20,28 1044:13 1269:7 1301:22 1657:7 1658:28 1831:20 1834:25 1868:21 1880:9, 16 1881:2 1886:13 1888:9 1908:23 1912:22 1922:11

bakeries 681:27 738:7 751:3 762:4 918:17 975:28 982:9,10 1061:4 1245:12 1248:20 1260:23 1299:23 1336:5 1347:1,11 1359:20 1618:6 1635:5,8, 19 1676:26 1677:1 1817:24 1855:10 1889:8

bakers 920:3 933:11 982:5 989:22 993:14 994:17 995:1 997:3 998:16 1006:4 1012:17 1018:21 1019:16 1035:26 1516:5 1565:14 1656:28 1657:5,9 1659:5 1818:1 1850:17 1869:4,7 1880:23 1924:22

bakers' 607:12

Bakersfield 2:10 4:1 152:10 154:1 302:10 304:1 313:7 602:10 604:1 681:12,25 686:1 690:5 740:16,25 744:23 902:10 906:1 917:20,28 918:4 974:26,27 985:1 1009:9, 10,11 1021:24 1026:27 1035:19 1050:10,23 1051:4 1202:10 1208:1 1231:5 1233:8 1248:17 1260:23 1278:1 1279:14 1280:13,14,17 1326:21 1327:8 1345:27 1347:27 1348:5 1349:15 1502:10 1505:1 1511:28 1513:11, 16 1527:27,28 1528:17 1578:14 1581:1 1588:28 1589:15 1590:10 1622:22 1631:1 1635:8 1668:1,8 1802:10 1806:1 1820:25 1822:19,21 1843:1 1855:10

bakery 8:5,10 9:17 14:3 15:9 343:12 348:14 357:3 360:20 361:20,28 688:23 700:2 705:14 711:5 712:17,23 737:14 746:6,8 751:1,18 752:25 757:2 758:16 759:1,26 761:16 766:17 954:4 961:12 965:25 966:11 975:26 976:11 977:24 980:9 987:1 989:14 990:18 991:7 992:16,26 993:8 994:22 995:3,24 997:5 1003:17,26 1015:13 1016:2 1023:25 1036:2 1041:13,18,23 1043:19 1044:2 1048:8,20 1060:10,26 1061:8,24 1062:14,22,27 1063:1 1065:6 1074:10,20 1076:26 1215:22 1236:24 1247:9,13,26 1248:17 1253:15 1254:20,23 1281:26 1282:3 1292:15 1300:21 1301:24 1319:25 1332:4,7,28 1333:7 1341:27 1347:4,8 1359:9 1360:20,23,27,28 1362:25 1363:5,9 1367:21 1508:22 1510:28 1511:17 1520:2,4 1530:2,5,7,8,25 1531:9,24 1535:13 1539:2 1556:1 1561:26 1562:11 1565:8, 11 1569:15 1570:10 1591:18,23,24,25 1592:9 1593:28 1594:5,6,23 1596:25 1598:6,11 1599:27 1608:18 1612:5, 23 1613:23 1614:13,16 1615:12 1618:4 1622:13 1623:9 1624:22 1626:25 1627:25 1631:14,16,27 1635:27 1643:19,23 1644:24 1647:1,25 1648:8,17 1652:1,2 1667:12 1668:11 1813:15 1820:13 1822:8,21,27 1823:23 1834:22 1845:7 1846:12 1852:2 1867:24 1868:4,23 1880:17 1881:10 1907:15 1921:4

Bakery's 7:9

bakes 666:11

baking 706:21 707:15 752:25 753:3 757:16 769:28 920:12 965:24 975:8,9 976:3,5 981:26 982:6,19,20 989:20 992:15,28 993:26 994:1, 19 997:22,26 1000:1 1012:11,13,15 1013:8,12, 22 1017:23,27 1018:6 1036:23,26 1591:9,10,11, 27 1593:11 1605:2 1623:14 1655:9,16,26 1831:14,15 1846:20 1877:22 1881:3 1895:1 1907:15

balance 173:3 393:3 620:23 624:23 723:21 725:7 775:12 912:5 1890:9 1893:15 1906:23 1912:7

balanced 936:11 1599:11

balancing 25:20 393:8, 12 1892:8

ball 607:19

balloon 1052:17,19 1328:11,27 1329:5,11,13, 20

ban 1849:8

banal 1895:12

bank 729:2 1562:19

bankrupt 348:14 349:27 352:10,18,25 353:24 354:3 725:14

banners 1898:13

bans 638:7

baptisms 929:13

bar 36:19 749:10 779:27 1238:11,13,14 1273:22, 26,28 1274:4,7 1297:9 1355:24,27 1356:1,3,7 1357:14,24 1515:13 1516:7,18 1521:22 1541:8 1542:20,21,22,23 1543:25 1544:9,13,15,16 1609:8 1614:26 1615:5,6 1616:18 1617:17,24,26 1634:25

barely 729:25 1632:15

barn 1615:11

barring 17:2

bars 627:1 1617:10,21

base 668:6 761:28 999:1, 4,5,18 1001:5 1531:1 1578:8 1603:18 1613:6,7 1654:19 1667:4 1906:5 1914:25

baseball 760:25

based 6:4 13:16 175:2 178:10 312:9 318:25 322:10 323:28 324:1 326:20 333:5 340:13,14 342:28 351:16,17 353:24 356:19 401:25 611:15 614:9 618:25 619:3 623:22 637:7 646:4 648:15 663:20,21 665:16 667:27 668:5 676:9 677:5 691:24 700:12 714:26 716:26 718:18,19 724:14 727:12 730:5,8 736:24 737:3,11,17 742:13,17 743:20 747:21 750:9 752:6,13 759:21 773:28 906:18 936:5 952:28 963:10 964:3 979:4,9 980:18 982:8,19,28 1016:12,14 1023:20 1029:3 1033:17 1041:5 1218:3 1312:16 1316:1 1353:20 1520:20,28 1522:3 1540:14 1549:28 1551:10 1597:26,27 1599:4 1612:28 1628:27 1652:6 1674:22,27 1675:1 1678:7,9,10 1680:16,17 1808:9 1809:27 1810:6 1828:21 1829:18,19 1836:6 1838:10 1844:27 1845:8,10 1846:8 1857:4 1866:5 1867:3 1868:12 1872:15 1879:21,27 1883:19 1898:5 1909:15, 16,26 1920:23

basic 1603:15 1866:16

basically 6:19 31:5 33:5 174:24 314:21 316:14 334:8 335:23 336:21 339:20 342:16 382:1 392:7 396:11 611:27 616:3,6 621:5 631:13 653:4 660:13 683:24 688:1 693:15,18 711:16 715:17 721:20 722:18 758:17,28 765:5,16,19 781:2 910:7 992:18 1029:4 1221:1,5,15 1233:23 1268:8 1289:5,28 1299:18 1343:25 1344:4 1356:5 1593:15 1601:27 1622:25 1827:9 1878:23 1880:3,7,21 1881:4 1882:7 1885:20 1886:28 1891:17 1892:20 1896:18 1900:14 1904:3 1917:21 1918:3

basics 998:24

basing 666:28 672:24

basis 6:10 14:16 18:4 25:22 27:17 156:7 160:18 163:24 175:3,11 375:26 645:28 657:3 672:25 709:12 723:2 724:2 760:7 910:19 998:8 1016:3,5 1211:11 1224:19 1251:20 1550:28 1551:1 1638:17 1656:5 1670:27 1678:15 1860:6 1873:27 1874:13 1903:19 1923:8

basket 1611:3

Bates 386:7 1054:21,25 1257:27

bathroom 1646:9

batter 613:23 996:15,18, 22 1659:1

battery 1891:8,11

battle 1217:21

Bauman 30:19

Baxter 704:17 1892:16 1906:21

Bay 779:18 1897:27,28

BC 1327:17 1589:13

BCV-18-102633 2:9 152:8 302:5 304:12 602:5 604:11 902:5 1202:5 1502:5 1802:5

bear 7:25 15:17 25:10 326:5 353:20 369:10,13, 14 608:20 637:5 677:23 706:20 770:27 1604:15 1827:11 1889:9

bearing 379:5 682:2,3

bears 353:17 362:13 371:28 372:5 609:28 627:6 641:9 651:24 1217:25 1557:28 1859:2

beat 755:9

beating 618:9

beautiful 610:18 770:11 771:12 936:11 1242:26 1243:27 1257:11 1599:11 1627:9 1661:9 1832:9 1845:20 1874:19 1892:12 1912:12 1922:10

beautifully 961:9

bed 1070:2 1525:2

beer 1682:16

began 32:18,19 33:3 750:3 757:5 1535:23 1590:6,9 1591:1,4,11

begin 162:11 307:17,21 906:15 1620:18 1815:26

beginning 11:14 17:25 331:7 637:4 662:23,26 730:24 731:1 744:19 776:19 938:10 984:4 1011:4,26 1021:14 1268:28 1531:25 1532:16, 21 1533:1,4 1537:25 1553:21 1583:4 1594:2 1602:9 1604:17 1615:16 1619:6 1622:15 1659:4 1815:12 1827:14 1843:26 1862:4 1864:14

begins 1831:14

begun 1639:7

behalf 4:9,10 6:25 19:9, 17 21:28 157:19 159:24 167:9 170:15 735:26 1350:23 1353:11 1558:4 1561:3 1837:4 1899:8

behavior 351:1,7,10,15, 23 387:18

beings 1882:10

belabor 1281:28

belief 13:24,27 15:13 21:11 160:18 400:25 629:25 643:20,21,22 670:11 671:16 701:3 774:8,11 781:3 1001:13 1675:2 1868:5 1904:13,15 1911:5

beliefs 16:26 160:20 161:5,24 162:12,13 334:25 335:2 336:16,19, 22,23 346:7 348:16 399:25 400:15 403:27 404:9,16 629:2,6,16,20,22 631:15,17 641:18 643:25 656:27 657:15 661:7,14, 28 664:9 670:22 673:14 677:18 678:25 687:15 689:13 690:7 693:12,19 696:14 705:11,25 706:3,4, 6,7,9,13 707:26 708:2 709:24 715:14,15 716:27, 28 717:15,18 718:19 720:3 741:11 751:27 756:10 760:17 774:5 780:19 953:25,26 1007:3 1016:10 1033:19 1062:10 1218:18,21 1260:26 1261:3,8 1262:22,25,28 1264:3,6,10 1289:18 1302:6,11 1304:18 1316:2 1361:14 1519:27 1550:26 1551:3 1568:9 1569:22 1650:1 1668:9 1674:6 1678:8,9 1680:18 1808:20 1868:5 1878:2 1883:17,23 1884:1 1886:23 1887:4,11 1888:6 1893:11 1897:5,8 1901:6 1903:23 1908:27 1911:14,16 1912:6 1913:10,22 1918:4,18

believed 5:20 672:8,12 953:20

believes 665:18 666:2 750:23 779:3 1887:12 1925:8

belittled 656:27

belittling 661:13

bell 615:12

bells 986:4

belong 749:16

belonged 1627:10

belongs 390:5,6

bench 308:4 310:3 311:18 312:5 604:28 926:23 1208:25 1276:19

benefit 24:2 40:8 165:16 310:21 314:21 376:1 391:9 772:6 911:7,8 914:6 915:5 926:11,15 1055:8 1844:10 1854:21

benefits 737:13

benefitted 1854:7

Benitas 350:7

Benitez 907:1

Bennett 328:15

berated 656:26

besieged 771:20

betray 765:6

betrayed 969:28

bets 628:17

Betty 965:13 1000:6 1564:25,27

bias 7:28 8:10,11 9:17 12:18,24 21:9 161:1,16,19 164:12,17,23 391:18 654:9 655:12 659:6,7 665:6 755:9 1217:10 1225:12 1551:10 1845:13

biased 332:9 333:13 343:19 353:12 373:8,13 395:9 656:12 659:13 681:9 713:27 718:12

Bible 338:10,19,20 661:8, 17,18 667:4 668:14 670:2, 6,19,26 672:17 675:17,22 718:21 761:3 764:26 776:21 1016:10,26,27 1033:25 1041:13 1247:21 1598:7,8 1601:3,6 1609:1 1629:8,16 1636:19 1675:1 1678:9,15 1879:22 1887:13 1913:25 1914:11

biblical 1016:23 1675:1 1680:17 1830:6 1878:11 1879:3 1887:11 1901:3 1917:12

Biblically 1828:21 1879:21

big 173:7 331:24 332:6,25 336:17 351:24 610:18 637:22 661:10 731:4 745:21 925:23 959:19 981:14 989:28 1000:17,19 1238:28 1240:8 1244:5 1349:15 1552:19 1610:6 1632:14 1649:4,9 1661:8 1666:9 1858:13 1925:3

bigger 670:21 719:26 733:12 908:3 1539:2 1599:2

biggest 722:25 766:24 1552:4

biggest-selling 726:3

bigot 664:17 694:9 752:1 1250:23 1312:27 1316:6 1508:24 1509:12 1836:21 1838:26 1887:13,14 1889:23

bigoted 1833:16 1899:13

bigotry 1859:4

bigots 780:26 781:3 1315:20,27 1316:3 1628:20 1887:12,18

billions 763:16

bills 728:21

binder 927:18 1020:25 1252:6 1257:17,18 1265:12 1309:27 1319:4 1511:25 1611:28 1618:11

binders 925:23 1310:2 1613:18

binding 614:7

bins 1000:19

birthday 27:19 361:18 610:7 640:11 921:9 924:21 939:21 961:21 980:26 981:8 1647:3,5 1825:27

birthdays 922:26 929:12 933:25 943:24 1031:26 1549:25 1591:14

bisexual 611:18

bit 179:5 305:5 307:21 309:24 315:6 347:19 377:10 380:9 389:17 403:2 606:15 610:25 628:6 648:1 652:19 670:6 674:21 677:12 678:17 679:15,22 683:14 704:4 719:2 739:21 742:22 748:10 759:25 779:16 918:9 920:20 921:15 934:28 935:5 960:7 978:25 991:5 1010:14 1012:9 1019:6 1021:22 1027:20 1058:21 1076:4 1077:9 1222:16 1232:7 1234:15 1253:4 1264:25 1268:26 1281:16 1283:18, 19 1286:27 1290:7 1293:6 1294:15 1300:6 1303:24 1322:28 1323:20 1328:26 1348:26 1350:11 1356:2 1528:13,18 1559:26 1563:9 1589:20,23 1591:26 1592:28 1599:8 1600:3 1602:17 1610:22 1621:26 1623:4 1631:26, 28 1659:9 1686:21 1811:8 1822:14 1847:2 1864:14 1869:17 1880:19

bite 5:23

bites 1617:16

bittersweet 1617:8

bizarre 360:8 766:3,7,13

black 385:11 388:4 611:23 1512:25 1628:23 1863:9 1883:13 1913:15, 23

blame 1525:16,19,22 1812:21

blaming 1891:26

blanche 639:1 641:13

blank 313:21,28 316:18 1299:18 1639:21

blasted 361:4 362:23 1833:9

blasting 1367:1

bleed 1619:14

blending 1828:26

blends 762:10

bless 708:19 768:15 1886:13

blessed 1611:15

blessings 1003:17

blew 771:19 1636:26

bling 1606:6

blink 763:19

blissfully 1861:17

block 313:26 398:15 632:13

blocked 644:20

blog 1823:9

blood 974:11 1076:28

bloody 1348:27

blow 762:20 953:10 1059:20 1250:18 1254:3 1268:20 1269:4 1362:12 1507:28 1508:2,18 1823:15

blowing 679:2

blue 174:7 397:2 657:22 662:3 665:1 675:8 714:6 1219:16 1221:1,2 1224:11 1225:3 1265:6 1268:3 1901:13

blunder 354:25

board 984:6 1629:10 1640:22

boarder 1056:28

Boatright 765:5,22,26

Boatwright 701:26 702:27,28 1638:19

Bob 666:19

bodies 156:13 173:14,15

bodily 373:26

body 158:21,24 159:20 160:13,14 331:18 1518:6, 23 1520:16,23

boils 669:9

bold 1916:20

Boleyn's 1902:20

Bolivia 1825:10

bona 336:4 351:9 355:8 362:9 1867:14 1871:20

bono 1837:26

book 667:28 776:19 1055:24 1067:19 1630:25 1908:11

booked 1055:28 1056:3 1640:17

booking 1055:20

bookkeeper 624:13 730:15

books 621:1 623:10 776:20 1065:12 1247:21 1531:10 1879:22

bookshelf 1594:8

boom 771:28

boost 957:6

bore 355:24 687:28

boring 1895:12

born 974:27

borne 1551:16

boss 739:16 977:23 1071:8,18,26,28 1341:22

bother 351:21 683:2 1058:2 1319:27

bothering 730:20

bothers 647:26

bottle 1023:3 1603:9 1622:5 1683:17

bottles 609:5

bottom 742:27 743:11 763:5 780:7 929:14 936:13 996:3 1058:16 1059:24 1068:25 1270:16 1271:28 1334:21 1359:21 1363:25 1594:26 1601:9, 11 1607:5,9 1620:14 1670:19 1813:17 1814:3 1892:23 1896:12

bottoms 995:27

bought 621:11 680:12,14 755:12 760:10 922:26 946:15,26 1019:12 1035:25 1245:5 1340:5 1530:6,8 1567:23 1608:18 1613:23 1635:13,27 1651:16 1854:17 1878:28 1909:14

bougie 1000:14

bound 7:9,19 644:28 952:14 953:5,6,10

boundaries 678:9 1623:12

bouquet 1058:19

bouquets 745:24 1059:15 1281:12

bout 1552:7

boutique 759:26 760:1 1595:10 1596:26 1597:3, 13,19,22 1598:2 1631:16 1868:26 1877:17

bow 1003:8 1605:14,20

box 152:25 302:26 375:14,15 602:26 641:17 680:9,12 681:25 682:9,12, 20 902:26 965:19,20 999:1 1018:1,2,12,15 1035:24 1036:2,22 1037:7 1071:21 1202:26 1502:26 1512:26 1513:24 1514:5 1563:3 1564:21 1565:4 1566:22,25,27,28 1567:1, 2,3 1612:20,22,24 1613:7, 8,15,27 1614:10 1666:9 1674:10 1802:25 1810:25

boxes 680:12 1566:21,23 1567:11,27

boy 1258:3,8 1583:22 1584:3,8,13 1604:17 1614:13,19 1831:10

boycotting 1313:1

boyfriend 1017:2,4 1625:27

boys 1642:12,15 1643:13 1833:13

brace 1327:13

braces 1327:6,15

brackets 1857:25

Bradshaw 302:3 304:3 602:3 604:3 686:3 902:3 906:3 921:16 985:3 1202:3 1208:3 1278:3 1502:3 1505:3 1581:3 1802:3 1806:3 1843:3

brain 1642:4

brand 1565:16,18,20 1631:9 1893:22 1894:6

branding 758:26

brands 1563:3 1564:20, 23

breach 1222:12 1625:5

bread 982:7 1237:24 1256:24

breads 1617:12

breadth 1865:14 1924:2

break 307:23 308:10 315:2 400:1 915:19 1014:27 1077:14 1210:22 1221:9 1275:23 1276:14 1524:23 1546:9 1637:6

breakfast 1245:4

breaking 666:1 1076:23 1861:19

breaks 307:28 308:5,8

breast 1600:4

brick-and-mortar 1854:16,23

bridal 635:23 943:27 1316:11 1616:14 1632:3 1676:4 1830:27 1847:23 1862:18 1876:18

bride 634:8 739:23 747:11 764:17 770:8 775:17 965:7 1059:15 1072:10 1349:17 1551:7 1558:14 1597:13 1607:17 1608:25 1609:28 1610:21 1618:25 1635:28 1639:24 1645:15,16,23,24 1660:8, 9,22 1667:27 1684:23 1820:2

bride's 938:11 1611:28

bridegroom 764:16 1551:6

brides 739:25 1072:11 1073:11 1608:21 1661:7

bridesmaid 1022:2

Bridezilla 1356:21

bridge 329:23 330:17 1052:20,21 1219:9 1329:3,21

briefed 310:15 326:11 1849:4 1898:28

briefing 27:15 30:9 155:25 176:21,28 177:2 179:4,6,15,20,24 180:1,2 310:6 657:17

briefly 377:11 392:8 684:22 687:6,25 689:3 704:6 957:26 975:4 977:17 984:1 1213:4 1284:17 1553:9 1593:15

briefs 309:27 310:26 341:16 343:2,14 347:7,8 605:3,15 659:1,11,15,18 757:13 1844:1 1848:26 1873:23

bright 7:24

bright-line 8:4

brighter 7:23

bring 10:17 12:15 13:10 19:8 25:10 39:20 40:22 164:2 169:22 306:21 308:21 315:23 357:12 392:27 625:7 633:7 636:5 668:12 741:13 758:9 914:16 933:5 972:27 985:15,17 1018:20,23 1020:5 1021:3 1029:23,24 1041:28 1212:4 1249:9 1358:7 1549:22 1599:15, 18 1623:19 1640:10 1661:1,14,18,22 1806:16 1839:18 1845:4 1885:23 1889:9

bringing 21:27 30:21 159:22 331:16 661:21 911:17 1539:22 1567:1 1835:18

brings 627:14 742:14 1601:13

broad 26:16 159:19 638:5,7 1216:26 1865:8 1914:25

broader 30:1 630:28 638:14 643:6

broadly 688:5 690:1

broke 629:17 664:19 672:13 969:26 1348:15,19

brother 1660:20 1902:20

brought 5:3,4 13:17 15:17 30:19,22 167:9 168:6 174:9 341:13 352:5 376:20 660:20 741:14 757:7 959:20 964:6 1015:22,25 1018:25 1019:17,24 1061:13 1219:18 1227:11 1260:17 1364:11 1542:20 1558:4 1612:26 1613:17 1638:24 1836:4 1878:22

brown 1056:18 1628:23

brownies 634:11 636:28 770:20 992:16 1596:5 1617:21,22 1623:20

BS 1269:16,24,27

buckle 773:1

budget 1299:17

budgets 1576:10

Buick-opel-gmc 160:9

build 730:4 1549:24

building 2:25 1547:18 1622:22 1850:16

buildings 1817:25

bulks 1000:15,16

bullet 608:27 743:1,11 752:5 763:8 936:8,13,20, 26 938:4,14,19 940:1,13 1568:23 1599:9,21 1600:19 1670:19,21,28 1674:23,27 1675:4 1677:16,27 1678:4 1679:15 1682:9 1849:16

Bullshit 1366:20

bullying 772:27

bunch 40:9 346:15 657:23 665:2 730:1 1268:4

burden 32:13 165:2 310:4,7 311:5,7 604:28 606:9 621:14 643:17,19, 28 644:1 647:2,5 728:10 750:15 752:22 753:5,18, 21 779:12 1039:25 1854:25 1865:1 1875:9 1908:3 1909:20 1916:15 1917:9,14

burdened 658:22 688:16 1338:26

burdening 366:9

burdens 1843:22 1847:6 1911:1

burdensome 317:21 1900:24

buried 695:14

bus 171:9

business 10:19 13:23 15:10,12,28 16:17,25 180:14 365:15 403:27 620:26 621:8,13,16,18 623:7,23,24,26 625:16 643:28 661:26 664:8 691:16 692:3 706:11 721:27 722:23,25 723:20 724:22 726:2 728:6,13,25, 26 729:10,14 730:8 733:14 740:23,25,26 746:7 748:4 758:18 761:6 766:28 775:8 910:26 913:17 954:18 969:28 1003:11 1037:1 1040:10 1041:27 1045:17 1074:19, 21 1075:2 1249:24,28 1274:23 1340:14 1341:20 1343:3 1345:23 1347:27 1348:3,7 1367:13 1519:4, 9,19,23 1520:5 1528:24 1529:1,27 1530:4,9,12,15, 16,19,20,22,23,25,27 1531:5,7,9,15 1532:14,17 1533:3 1534:7 1536:16 1545:11,14,15,18 1548:3, 21 1549:19,27 1555:14 1560:9,13,18,21 1561:22 1562:10,25 1566:3,6,12, 14 1591:25 1598:5,7,13 1600:6 1601:25 1617:28 1631:19,21,22 1632:12 1635:13 1636:15,16 1652:19,20 1816:19 1817:15 1818:14 1821:11, 15 1822:11 1836:7,13 1844:20 1845:4 1852:3,9, 12,14,22 1853:8,10,24,28 1855:19,26,27 1856:7 1862:24 1863:4 1866:17, 19 1867:2 1868:8,16 1870:18 1876:27 1877:2, 16 1878:4,5 1879:27 1881:12,28 1885:24 1890:2 1894:4,5,7 1899:19 1901:10 1905:7 1906:26 1913:21 1922:15 1924:9,16,20 1925:17,25 1926:6

businesses 729:6,9 733:17 737:16 753:10,16 755:3,6 756:13 918:20,25 1228:19 1229:12 1347:13 1358:17 1529:28 1572:24 1652:24 1853:22 1856:4,6 1867:25 1869:20,25 1870:26 1925:7,13 1926:2,8

businessman 1869:13

busy 180:8 1014:3 1538:12 1657:5 1816:21 1832:27 1869:6

but-for 1859:20,28

butter 1001:3 1614:1

buttercream 614:11,17 681:28 746:15 942:5 1000:22,26,27,28 1019:7, 18,22 1021:25 1035:20,25 1064:22 1565:7,10,13,17, 19,21 1602:18,21 1605:26 1606:25 1614:1,5 1616:6 1618:28 1619:16 1620:20, 21 1657:20 1831:18,23

buttercreams 1000:26

butterflies 1052:24

Butters 1000:17

button 1366:16 1513:26, 28 1880:9

buy 346:16 614:24 680:9 741:21 760:12 764:8 961:25 1031:22 1283:24 1299:17,18 1517:24 1530:2,7 1538:5 1564:21, 27 1565:4,7,17,22 1567:22 1594:20,22 1614:4 1626:18 1629:10, 18 1632:23 1653:17 1829:2,6,26 1854:18 1876:8,12,16 1922:13

buying 738:24 1067:19 1529:1 1565:5 1611:22 1905:3

C

C-A-T-H-A-R-I-N-E 1588:14

CA 4:1 154:1

CACI 310:4,10 311:24,26, 27 750:15 751:10 779:11 1847:28 1848:3,8 1857:19 1858:1,12 1864:5,7,17 1894:2 1896:9,12,19

cake 27:18,19,25 169:5 174:3,6,19,22,26 175:6, 12,13 326:15 331:15 334:20 336:4 346:9 355:9 360:13,14 361:28 364:28 386:13,25 400:18 401:7, 11,23,28 402:3,5,8,15,19 608:6,11,12,15 609:8,21 610:1,3,5,7,8,11,16,18 611:5,10,12,20,24 612:23, 26 613:1,5,24,26 614:21 615:1,2,4,8,12,13,16 616:18,21 619:13,16 621:13,16 623:24 633:12 634:3,18 637:7 639:15,21, 22 640:1 641:20,21,26 648:17 660:22 661:3,10 666:18,22,26 680:6,12 681:26 682:9,23 715:17 722:25 729:14 730:6 731:1 738:19,21 739:3,14 740:1 742:1,2,11,13,20,26 743:3,6,7,12,21,22,26 744:3,8 745:20,28 746:3, 13,25 748:20 749:7,9,10, 12 752:9 754:6,11,19,22, 27,28 755:13 756:28 757:27 758:4,6,22 760:8, 10,13,21,24 761:21,28 762:4 763:3,21,25 764:8, 12 765:7,17 767:7,11,17, 21,26 768:2,5,9,15,23,27 769:9,20,23 770:6,21,22, 26 771:10,13,28 773:12, 14,25 775:18,22,25 776:1, 9,14,17,28 777:1,3,7,11, 13 780:4,7,15 918:7,9 920:25 921:6 923:9,10,27 924:6 925:9,13 929:8,24 931:7 932:3,25 933:1,5,13 934:25 936:23 937:3,11 938:26,27,28 939:16,22, 25 941:8,9,24,27 942:1,2, 3,14,16,18 943:23,26 945:16,22 946:3 947:13, 26 948:1,17 949:13,17 951:9,19,22 952:7,11,14, 17,22 953:14 954:25 955:12 957:6 959:7,19,25 960:12,15 961:7,11,17,26 963:4 964:25,27 965:7,13, 19,20 966:5 970:3,4,6,8 971:7,18,20 972:3,4 975:6 977:7 982:25 987:2,8 988:15 989:21 992:25 994:26 995:6,10 996:14 999:1,4,6,8,25 1000:6 1002:13 1005:16 1006:3 1010:5,6,16,21,22 1012:27 1013:6 1014:6 1015:17,18 1016:13,14 1017:5,6 1018:11 1019:3, 8 1020:15,22 1021:4,5,26 1022:8,9 1023:5,6,11 1025:4,7,10,13 1026:8,12, 17 1028:11 1029:4 1032:16 1033:2,3,14,15 1034:12,13 1035:20,22 1037:3 1038:3 1040:12, 16,21,22 1044:15 1046:8 1047:16,27 1048:8,10 1056:24,25,26,27 1058:20 1059:15,22,25 1060:19 1062:15,19 1063:4,9 1065:7,17,20,22 1066:2, 11,13,15,17 1067:13 1068:6,26 1069:6 1072:7, 18 1073:1,8 1074:15 1227:26 1236:12,15 1237:11,12,17,27 1238:5, 6,7,11,13,14,16 1243:6,8, 10,13,17,19,25 1244:2 1245:4,5,8,22,25,28 1246:2,9 1247:11,24 1248:1,7,13,17,24 1249:5, 9,12,18,19 1250:8,14 1255:19 1256:11,12,17,20 1257:1,4,7,10,11 1258:25 1259:1,4,18 1260:1,7,11, 16,24 1269:7 1270:24 1271:24,26 1272:2,20,22, 25,28 1273:1,3,7,8,18,22, 26,28 1274:3,7,9,13 1275:5,8 1281:5,16,18,20 1282:19,23 1283:24 1284:4,20 1286:12 1287:20 1296:14 1297:4, 14,15,17,20,27 1298:5,6 1299:14,19,26 1300:1,2 1301:20 1302:4,5,15 1304:22 1314:15,16 1320:9,20,21,24 1321:27 1322:4 1324:2,3,9 1331:27 1333:9,25 1334:2,11,14 1335:1,6 1336:15,18,20,23,26 1337:25,28 1338:2,6,7,10, 21 1339:9 1341:20 1342:1,11 1343:11 1347:2

1349:14 1354:27 1355:2, 5,7,14,17,19,24,27 1356:1,3,7,8,16 1357:7,8, 11,18,19,21,24,25 1359:8, 11,15,17,28 1360:5,11,13, 16,21 1361:5,6,14,19,20, 23,24 1362:28 1363:8 1515:13,14,16,20 1516:7, 9,10,11,13,14 1517:11,13, 14,17,18,19 1521:10,17, 18,21,25 1522:1,2,16,24 1523:2,9,18 1531:26 1535:6,12,14,17 1536:1 1539:2,10,19,22,26,27 1540:17 1541:18 1542:13, 14,15,16,17,20,23 1543:19,21,22,27 1544:12,15,16,18,22 1545:1,4,5,13 1549:11 1556:24 1557:5,9,13 1558:10,14,18,22 1559:21 1560:3 1563:3,25 1564:6, 21,28 1565:4 1566:4,9,12 1567:1 1569:18,27 1570:1 1572:12 1574:19 1575:27 1576:2,3,12,21 1577:15 1578:7,12 1579:2,6 1592:5 1593:10 1594:10, 11,12,15,16,19 1596:3,27, 28 1597:8 1599:14,15 1602:27 1603:17,19,25 1604:13,22 1605:9,18,22, 26 1606:17,24,25 1607:8, 10,12,15,25 1608:3,12 1609:5,6,7,8,11,20,22 1610:4,5,9,10,14,21,22,23 1611:5,8,13,23,24,25,27 1612:8,15 1613:3,4 1614:4,6,15,16,24,27 1615:4,11,13,28 1616:3, 13,26 1617:2,16,18 1619:11,12,15,26,28 1620:6 1621:11,16,25 1622:4 1624:7 1625:10, 11,15,18,21,25 1626:3,19, 20,24 1629:14,18,22,27 1630:7,15,23 1632:8,23 1633:5,6,23 1634:19,21, 23 1635:3,27 1637:24,25 1638:2,8,11 1639:13 1640:9 1641:21,23,24,27 1645:7,14,19,24 1650:27 1653:15 1654:9,11 1655:17 1656:1,22,24 1657:10,17,18,27 1658:5, 7,10,11 1660:10,23,26 1661:2,8,9,12,23 1662:2, 5,11,13,26 1663:5,14 1664:5,9,16,24,28 1665:3, 11,16,23,26 1666:20,23 1667:3,22,24 1669:15 1670:25 1671:25 1674:8, 25 1675:21 1677:9 1680:15,16,23,24,26 1683:15 1684:1 1685:28 1809:16 1810:4,7 1815:11,20 1819:1,8,9,19 1820:3,10,17,18 1825:19, 25 1826:2,4,9 1829:2,6,7, 17,26 1830:27,28 1831:3, 9,11,14,15,17,22,27 1832:1,2,12 1835:6,22,28 1838:16 1844:24 1845:2, 20 1849:14,21,23,28 1856:15 1859:15,27 1860:17 1863:21,24,26 1869:11 1871:17,18,19 1874:16 1875:1,4,6,7 1876:7,9,13 1877:19,26 1878:17,19,28 1880:14, 22,24 1881:3 1884:9,11, 15,17,19 1885:9,12,14,16, 23,28 1886:3,8,14,23,26, 28 1888:7,19,22 1889:3,4, 7 1890:18 1892:10,12,13, 14,26 1893:16 1895:7,16 1900:19 1901:19,22,23 1905:3,13,22 1908:21 1909:10,11,12,14 1912:10,15,18,26,27,28 1913:4 1915:16,24 1916:21,25,27 1917:6 1919:13,14 1921:26 1922:6,9,10,11

cake-cutting 776:3 1298:1 1322:7,12

cake-making 759:9

cakes 323:28 336:20 340:13 346:13 348:13,18 352:20 356:18 357:4 360:9,10,11,22 361:18 607:14 609:25 610:15,19 611:4,14 612:15,20 614:11,16,20,25 616:15 618:3 621:10 622:1,2,5 626:27,28 633:18 634:6,8, 16,28 636:9,27 642:9,10 643:25 661:26 662:28 663:5 665:12,16 666:4,12 672:14 680:11,14,16,18 682:1,8 688:24 705:18 706:21,23 707:5,17 719:26 722:25 724:23 727:17 728:12 737:27 738:1,3,14 740:7,27 741:1,18,23 742:17,18 743:16 744:10,13 752:26 753:8 754:4 755:26 758:24 759:14 760:11,15 761:16,23,26 762:19 763:24 766:4,9,11,24 768:20 769:5,15 773:9 910:1,2 917:28 920:25,28 921:9,12 922:19,22 923:1, 3,5,6,19,24 924:4,13,21, 27 925:2,6,17 928:26 929:28 932:10 933:10,18, 20,21,24,26 934:10 935:16,19 937:7 938:5 940:2,10,14 941:4 943:21 948:25 950:15 959:17 961:21 964:7 965:4,8,27, 28 968:12 969:25 971:14 975:10 976:25 977:4,12 980:25,26,27 981:7,8 982:24 986:23 987:23,24 988:18,27 989:1,7 992:16 994:12,19,26,27 995:14, 28 996:2,16,18,19,20,22, 24 998:7,13,17,28 1007:4 1009:23,26 1010:12,17 1011:25 1012:3,7,12 1013:8,13 1014:5 1015:14 1016:1,17,24 1017:21,24, 26 1018:8,9,13,18,27,28 1019:2,19,21,27 1020:2,8, 10 1021:11,12,16 1022:10,24,26 1023:10, 16,26 1026:7,17,19 1030:27 1032:5,12,18,22 1034:9,10,17,20 1035:7 1037:6,11,16,19,20,26 1040:6,8 1061:3 1062:23, 28 1063:10,26 1067:4 1073:28 1230:26 1236:26 1237:16 1238:8,15,19 1245:14 1247:12 1248:2, 5,6,10,27 1249:1,2,6 1271:7,11,14,16,19,22 1273:22 1284:25 1287:18 1288:18 1289:12,16 1296:21 1302:9 1304:15 1324:15 1335:15 1336:2 1339:23,27 1343:6,9 1356:6 1359:22 1360:12 1516:21,26 1517:2,6,24 1521:15 1526:8 1537:28 1538:5,10 1539:8,24 1540:22 1550:1 1556:20 1557:26 1558:24 1559:7, 23 1566:20,21,23 1568:8, 10,26 1570:14,15 1571:11 1577:17,26 1594:9,18,20, 27 1596:2,27 1598:1 1599:28 1600:4,19 1602:18 1604:10,14,26 1606:9,22 1608:3,4,9,12 1609:23 1611:20,21,24 1612:18,20 1613:5,6 1615:19 1618:24 1624:12, 14,26 1625:2,9 1629:4,12 1631:16 1635:9,22,24 1636:8 1644:23 1645:7 1647:11 1654:15 1655:9, 15,18,20,21,22,26 1656:4, 8,10,13 1658:25,28 1659:2,6,19 1661:26 1663:19 1664:10 1667:2,7 1668:26 1669:6,12,18,19, 28 1670:2,3,6,8 1674:23 1676:2,16 1677:2,28 1683:22 1809:17,18 1811:28 1818:3,4 1825:22 1830:25 1832:27 1845:9 1847:13,16,20,27 1849:8, 18,24 1850:19,20 1853:17,20,21,28 1854:4, 6,8,28 1855:1,11 1859:14, 25 1860:4,20 1861:22 1862:18,19,20 1863:19,28 1867:15,23 1868:22,25,28 1869:5,7,11,16,27 1874:19 1875:5 1880:25 1881:12 1884:8 1886:10, 16,17 1888:26 1905:18 1911:27 1915:5 1918:11 1921:24 1922:4 1925:20, 23

cakes.' 1349:25

Cakeshop 28:6 156:9,10, 11 159:19 173:14 174:2,5 175:10,20,25 176:1 331:15,17,23 334:22 337:1 657:5

Cal 1528:16 1589:13,14

Cal.4th 167:2

Cal.app. 169:28

Cal.app.3d 160:9

Cal.app.4th 167:25

calculated 645:22 646:16

calculating 721:9

calculation 619:21

calculations 1550:4

calendar 35:4 178:16 305:13 1208:15

California 2:1,10,13,22, 25,26 29:12,16,27 31:12 152:1,10,13,23,26 157:4 163:5 164:21 174:28 175:1 178:9 302:1,6,9,10, 23,26 304:1 332:9 338:12 343:10,11,27 344:6 374:13,22 392:9 393:1 401:2,21 403:11 404:2 602:1,6,9,10,23,26 604:1 615:24 644:2 663:2 686:1 736:15,21,23 737:1 740:24 778:5 779:20,22, 25 902:1,6,9,10,23,26 906:1 918:20,25 985:1 1202:1,6,9,10,23,26 1208:1 1278:1 1315:26 1502:1,6,9,10,23,26 1505:1 1561:8 1581:1 1802:1,6,9,10,22,26 1806:1 1807:26 1827:21, 26 1843:1 1845:26 1846:1,5,7,26,27 1849:1, 10 1856:4 1862:5 1866:19 1873:16 1874:1 1897:5,7 1898:2 1903:13 1904:17 1909:26 1910:4,8,14,24 1911:2 1919:19 1920:15

California's 737:10 1882:22 1910:27

Californian 155:13 313:7 1513:11,16 1820:25 1822:19,21

Californians 1887:15

call 13:27 154:10 176:19 305:26 308:28 356:3 377:16,20 380:16 382:14 391:8 400:8 622:11 632:9 683:5 694:9 704:28 710:14 711:14,17 712:4 713:25 714:24 720:1,10 721:19 722:22 732:14,17 760:22 771:27 772:7 780:26 913:25 914:17,25 917:17 949:7 951:14,18 952:5,17,24 955:23 965:20 985:26 988:21 997:1 1004:28 1009:4 1040:22 1049:12 1052:19 1053:6 1070:5,6,9 1238:11 1254:9,24 1271:27 1316:7 1317:3 1325:28 1340:27,28 1527:6 1539:5 1587:27 1594:9 1611:26 1619:27 1633:5,26 1650:22,24 1659:14 1814:9 1827:12

called 306:7 350:8 364:14 374:3 626:13 659:28 687:9 742:4 748:23 772:20 773:10 916:13 948:28 949:4 951:16 973:14 980:13 983:27 997:2 1014:28 1015:28 1020:20 1027:4,26 1063:15 1070:3,4,7 1214:5 1240:6 1280:12 1281:26 1284:7 1316:10 1329:22 1350:5 1355:24 1531:6 1537:9,13 1820:2 1823:22

calligraphers 1918:6

calling 347:20 377:25 383:1 605:7 622:9,19 625:10,11 659:13 664:6, 13,14,20 730:23 758:8 937:14 972:14 1007:24 1008:12 1312:27 1646:21

calls 175:7 329:4,9 346:26 399:10 741:21 914:27 922:16 923:6 924:10 955:11,27 956:3 967:18,23 977:28 979:1, 12 983:13 991:11 1002:1 1010:14 1016:7 1033:4 1043:24 1049:13 1228:25 1278:12 1289:21 1296:1,2 1307:12 1313:11 1344:17 1350:1 1540:11 1542:26 1547:11 1557:17 1645:14 1646:24 1676:12 1814:12, 15 1826:15 1830:18 1834:11 1838:11

calm 967:23 1646:9 1647:10 1650:8 1812:4

calmed 1351:1 1647:11

Camacho 1362:15

camera 31:27 38:19 166:12

cameras 315:3 342:2 396:18 1630:17

camp 1904:2

campaign 357:13,19 358:8,12,23

cancel 729:28

cancelled 1851:8

cancelling 1851:9

cancer 1552:8

candidate 1217:19

candy 982:5

cane 1891:7

cannolis 1617:3

cannon 642:17

canvas 1604:9 1621:11, 15

cap 760:25

capable 1821:7

capacity 22:15 615:25 730:15 1534:19

car 361:23 368:14 738:9 748:14 1035:2,3 1060:8 1077:2 1282:26 1348:18, 27 1648:20

card 404:21 761:7 1031:25 1545:16,18 1566:3,6,12,14 1598:5,7

cards 1031:22 1545:11, 14 1816:19 1885:25

care 352:25 660:15 736:16 778:18 915:20 1263:23 1343:1 1552:16 1592:10 1642:18 1644:4 1686:5 1845:28 1891:15 1904:25

career 1529:23 1677:20 1864:15

careful 20:2,3 169:19 680:22 1001:14 1021:23 1317:20,26 1318:5

carefully 1595:17

caregiver 1552:13

caring 771:8

Carolina 997:27 1619:23 1656:2 1658:19

Caroline 1604:4

carried 392:15

carry 607:19 1597:4,22

carrying 1339:2

cars 969:22 1292:16

carta 1902:26

carte 639:1 641:13

cartoon-type 1600:9

cartoons 1600:10

carve 733:14 1208:21 1607:10,12 1613:3

carved 1899:20

cascades 1832:8

case 2:9 4:26 5:2 6:17 7:9 8:3,10 11:13,19 12:10,11, 13,16,27 13:9,10,16 14:3, 12,28 15:4,18,20 16:3,15, 18,21,27 17:10,16,17,20, 27 18:5,6 19:4,5,8,21 20:15 21:28 23:24 24:12, 16,21 25:25,26 26:17 27:12 28:18,26 30:18,19, 20,22,23 31:3 32:6 33:5,8, 15 34:10 35:12 36:12,15, 27 37:11,17,21,22,26,28 152:8 154:10,26 158:22 159:4,5,11,14,15,21,23,28 160:9 161:1,5,23,25 162:8 164:24 167:2,6,9,10,15, 23,24,25,28 168:1 169:27, 28 171:14 172:4,7 173:27 174:8 176:5 177:6 178:5 179:11 302:5 307:8 309:13 312:15 313:24,26 314:2 315:9 318:20,21,24 319:1,10 320:7,28 331:8 332:6 333:14,22,24 334:6 335:6,26 336:18,28 337:19,27 338:14 339:20 341:16 342:25 343:3 349:14 355:6,9,12,26

357:22 359:10 362:2 365:20 371:23 377:13 382:16 389:22 393:13,14, 23,26,27 394:1,9 395:22 396:2,8,16 401:5,23 402:2,10 403:13 404:17 602:5 605:4 606:28 608:9 609:24 611:2,4,6,8,28 612:19,24 613:4,16 614:20,21,23,25 615:1,25, 28 616:5,8 622:23 626:16 628:11,19 630:2,19,23 632:13 633:10,12 634:1,2, 26 635:1,15 636:2 637:24, 27,28 638:5,9,12,14,16 639:2,25 641:7,12,19 642:20 644:4,25 645:16 646:12 647:9 648:23 649:9 653:27 654:2,7,17 657:5,13,15,16 658:17,18, 19 659:3,5,12 661:2,23 662:9,22 663:12 668:20, 25 670:9 673:19 677:4,5, 25,26 678:13,15 687:27 690:3 691:10 692:1 695:7 696:4,5 701:8 709:16 713:21 714:15 716:23,28 717:4 719:12,16,24,25,28 727:16 730:24 736:17,27 737:5,18 742:1 750:26 753:20 754:4,12 757:5,6, 12 759:5,22 760:4,10,11, 13 763:2 767:19 774:12, 13,19,21,22 776:9 777:14, 25 778:12,22 779:18 780:5 902:5 908:24 922:9, 16,23 923:19 929:24 930:7 964:1 972:20 973:15 977:4 992:18 993:1,15 994:19,27 996:15,18,19,20,24 998:13 1010:18 1011:20 1018:10 1019:19 1034:9 1039:5 1047:8 1202:5 1208:19 1215:24 1216:1, 10,12,15 1217:23 1224:7 1225:9 1231:23 1232:12 1235:11 1255:11,26 1256:2 1261:11 1298:24 1302:24 1316:26 1317:2 1502:5 1505:15 1514:25 1525:23 1543:24 1546:15 1547:27,28 1548:10 1551:21 1552:10,14 1557:28 1558:3 1570:14, 15 1572:19 1586:24 1594:7,15,16,17,18,25,28 1595:13 1611:20 1614:25 1617:23,26 1626:19 1636:20 1641:6,7 1649:23 1653:18 1655:4,15 1656:12 1658:25,28 1659:2,6 1660:14 1662:2 1676:7 1802:5 1820:22 1821:9 1824:8,9,17,21 1833:25 1836:28 1845:25, 28 1846:14,22 1847:12,27 1849:1 1850:24,26 1851:4,5,19,26 1852:19 1855:8,13 1862:28 1863:2,8,12,14 1865:27, 28 1866:22 1868:16 1874:10,15,17 1875:27 1876:7 1880:9 1881:8 1882:2 1883:8,11 1884:13 1892:17 1893:26 1894:18 1895:1 1896:7,10,13,25 1897:15,16,28 1898:5,8, 16,17,27 1899:16,18,21 1902:8 1903:9 1904:27 1905:2 1906:1,25 1907:10,13,22 1908:22 1909:2,4,5 1910:28 1911:8,20 1912:4 1917:15,21 1918:9,15 1920:3,22 1921:26

cases 7:15,16,21 12:21 13:6,11 17:21 18:22 22:19,24,25 23:4 27:24 29:13,14 30:11,27 33:4 36:5,15 38:6,17,28 158:27 161:16,17 163:15 164:10, 20 171:7,24 174:24 175:8 176:3 178:8,10 319:11 325:4 338:21 340:22,23, 24 373:20 385:2 388:10 400:14 401:19,21 403:12 616:13 664:5,7,11 673:13 674:10,13 689:25 701:15 741:19 756:23,25 757:4 764:9 766:1 778:16 779:15 919:6 920:3 921:22 922:6,24 935:22, 24 961:10 993:20 994:25 1533:8 1594:28 1596:8 1844:1 1849:2 1857:23 1866:14 1870:23 1873:18 1883:9,14,16 1884:12 1893:13,26 1895:25 1897:4,24 1898:1 1902:2 1905:25 1910:15 1914:27 1915:1,4 1917:19,22 1918:5 1919:26 1922:19

cash 921:23

casual 609:2 1602:3

casually 382:18

catch 162:27 709:3 1046:19

catchall 1865:17 1906:14

categories 166:10 396:12 627:3 1881:14

categorizing 627:5

category 626:27 675:11 1881:17

catering 981:17

Catharine 302:10 602:10 750:17 778:20 902:10 1202:10 1502:10 1504:14 1581:17,19 1588:13 1802:10 1804:5

cathartic 1877:12

Catherine 1808:19 1848:10

Catholic 691:15,17 778:23,26 1525:15 1600:22 1851:7,8,19 1852:1 1897:18 1906:8 1921:3,9

Cathy 2:13,26 152:13,27 304:19 334:17 335:1 336:15 338:7 348:14 389:13 400:15 620:25 639:10 656:16 689:3,13, 16,21 690:6 692:19 693:2, 19,22 698:23 699:1,3,20 707:11,12,21 710:26 712:12 715:23 717:9,20 719:26 725:27 731:5 739:18,22,23,25 741:7 754:20 758:12,17 759:10, 20 761:4,28 764:14,21,26 765:6,9,13,21,26 766:12, 16,19,23 767:2,8,11,27 768:3,5 769:25 771:7 772:18 773:3,10 776:4,16 777:25 778:28 780:2,15 909:28 911:19 913:16 916:23 919:11 920:18,20 923:26 924:18 925:15 932:14 936:2 938:12,16 941:21 947:20,25 949:13 950:3,6,8,11,21,28 952:6 953:11 954:4 956:18,23, 27 959:25 960:1,9,14,19 961:3,6,23 962:9 963:9, 17,23 964:2 966:9 967:4, 5,23 969:23 976:14,18 977:8,14,22 978:27 979:10 980:16 981:2,15, 21,25 983:4,12,26 986:24 989:24 990:24,25,26 991:15 994:11 997:13,24 998:6,11 1001:13 1003:8, 20 1005:2,27 1006:23 1007:3,7 1013:7 1014:9, 19 1015:2,10 1017:2,8,13 1020:4 1024:18 1026:25 1027:8 1028:9,16,20,21, 23,26,28 1029:1,20 1030:1 1031:16 1032:1,3, 11,21 1033:18 1035:6,24 1036:25 1037:12,17 1041:5,11 1042:7,11 1043:6,22 1044:1,15 1046:8 1047:16,26 1048:9 1071:28 1072:24 1215:21 1247:24 1275:4,7 1286:26 1287:2,3,6 1288:20 1289:6,11 1290:9,15,27 1291:4,9 1300:23 1301:6, 10,14,20 1302:3,15 1304:13,17 1305:20 1312:27 1313:9,20,28 1314:12 1316:5 1341:28 1359:26 1360:3,19 1361:13 1507:2,22 1509:16 1514:23 1515:9 1519:17 1521:8,11 1522:19 1523:7 1525:16, 19 1528:1 1529:15 1530:21 1531:13 1532:4, 5,6,20,27 1533:13,28 1534:24 1535:19 1536:1, 20 1537:6,12 1545:15 1547:5,17 1548:11 1550:14 1551:9,16,19,23 1552:1,3,7,13 1554:20 1555:18,26 1561:11,16,24 1562:21 1570:2,11 1576:14 1577:13 1578:25 1579:18,21,25 1582:8 1587:28 1588:17,25 1625:1 1632:28 1646:17 1650:20,22 1827:7 1876:23 1877:7,15,22,25 1878:8 1879:25 1881:9 1882:2,20,28 1884:7

1885:21 1886:9 1887:20 1888:1,22,27 1889:7,22 1890:8,16,19,25 1891:20 1892:5 1893:11,16 1895:3 1896:5 1897:21 1899:18 1900:25 1905:9,10,15,22 1907:9 1911:4 1913:9,27 1915:15

Cathy's 2:12,24 4:6 7:20 152:12,25 154:11 302:9 304:12,20 339:2 602:9 604:10 686:10 704:22 705:5 707:5 740:23 750:17 754:20 902:9 906:10 957:5 959:21 967:7 978:7 982:10 985:10 987:24 988:18 989:6 1000:27 1002:2 1013:21 1029:8 1037:27 1040:25 1042:21 1202:9 1208:10 1290:21 1319:25 1502:9 1530:25 1537:15 1549:19 1551:12 1560:18, 21,22 1561:10,13,21 1562:7,11,15,18,21,25 1581:10 1652:18 1802:9 1806:10 1807:3,24,25 1843:11 1848:11 1875:17 1894:6 1919:2

caught 306:24 315:7 953:10 977:7

caused 374:2 392:26 729:28 954:14 1882:3 1890:22

causing 348:15 1901:10

cavalier 385:14

caveat 700:17

caving 991:16

CCP 622:22 624:3 721:13

cease 622:5 624:21,25

celebrate 174:7 648:17 743:24 745:20 755:2 758:4 776:15 939:25 1056:21 1245:8 1609:21, 25 1665:8,27 1826:12 1878:19 1884:16

celebrated 1545:6 1665:4,7

celebrates 1916:24,26

celebrating 159:16 324:2 739:6 753:4 769:21 776:18 1249:11 1572:13 1610:26 1666:3,21 1854:5 1861:23

celebration 169:5 612:25 613:3 614:27 762:27 938:21 939:1,20 1056:22 1243:14 1246:3,5,8,10 1249:19 1298:1 1361:25 1572:16 1576:2 1610:7 1611:10 1630:2 1664:13, 18 1665:14,19,24 1847:22 1901:20 1909:14 1922:8

celebrations 1021:16

celebratory 1682:20

celebrities 1893:5

cell 1076:8,9,11,13

center 736:17 758:1 760:22 764:22 776:2 1051:5 1260:18 1314:16, 19 1322:5,6,9 1357:12 1544:15 1595:15 1598:28 1607:10 1608:3 1615:4 1619:16 1627:6 1659:13 1830:1 1888:25

centerpiece 612:25 613:3 762:26 770:23 1243:14 1297:21 1298:1,3 1315:6 1357:26 1575:27 1664:13

central 616:24 763:1 764:20 1544:7 1870:15

ceremony 745:18 757:28 775:21 1056:13 1057:23 1239:15 1241:17,19,27 1314:14 1323:20,24 1337:22 1357:1,2 1811:14 1889:4

certificate 1057:12 1807:2

certifications 982:4

certified 620:28

cetera 27:19 605:16 608:6,7 610:13 659:2,3 721:8 742:9 906:19 1001:25 1054:3 1055:3 1217:11 1847:24 1914:4

Chadburne 36:15

chagrin 1878:27

chair 1641:1

chairs 1241:21 1300:18, 19 1642:24

challenge 404:10 688:14 751:27 1873:7

challenged 717:16

challenging 637:27,28 638:11 1831:27

champ 747:4

champagne 1619:12 1622:11 1682:16,19

Chan 152:22 154:20,21, 22,23 173:10 181:12

chance 181:1 311:1 340:28 341:1 375:28 605:2,5 606:20 607:22 631:8 747:10 754:7 781:9 1007:11 1073:28 1270:28 1271:3,19 1325:8

Chancellor 1902:12 1916:8

chances 1325:2

chandelier 1559:2

change 6:13 171:10,12 336:19 341:6 369:24 402:22 648:1 649:14 667:25 695:9 707:13 745:14 1018:6 1023:24 1053:7 1057:14 1323:27 1328:3 1329:21 1331:15 1529:14 1597:19 1661:10 1896:20 1900:21 1910:20

changed 14:21,24 668:9, 10 680:11 745:17 934:28 991:7 1005:1 1051:17 1073:12 1561:8,9 1662:9 1669:6 1854:19 1860:14, 15 1900:15

changing 27:21 697:2 912:20 1563:15

chaotic 1358:12

chapter 667:28

character 1551:12

characteristic 1866:4 1884:27

characteristics 1865:9, 15 1866:11,21 1909:13,16 1910:1

characterization 327:20 328:7 330:6 351:26 352:9

characterizations 351:10

characterize 345:25,26 349:5 351:22 352:28 353:23 626:25 1322:20

characterized 1819:21

characterizing 330:8 353:27 388:7

charge 380:18,23,24 731:7 1211:13 1587:14 1903:3

charges 376:19 1891:11

Charities 778:24,26 1897:18

Charles 302:24 304:19 602:24 902:24 1202:24 1502:24 1802:24

chart 722:3 728:2 1603:3

chase 404:4 1874:2

chased 1866:1

chat 368:6 382:24 1254:6, 21,23 1265:15

chatting 1276:16

cheap 1027:10

cheaper 1066:6

check 37:14 41:5 625:7 746:24 969:3 1058:14 1299:18 1333:2 1340:9 1555:16 1633:24 1634:1, 4,6 1645:18 1658:3 1834:15

checking 1011:20 1070:11 1867:19

checklist 745:9,23 746:25 1059:10,17 1236:8 1239:1,3 1240:9

checklists 1356:27

checkoff 1056:8 1057:27

cheesecake 1616:26 1617:1

cheesecakes 922:19 992:16 1616:28

chefs 1924:26

cherry-pick 357:1,11

cherry-picked 671:8

chief 722:21 779:21 973:15 1505:15

child 666:19 1050:22 1051:5 1897:14

children 633:22 666:8 958:4 1050:28 1589:5,6 1590:19 1592:1 1611:11, 16

children's 1065:12

chill 659:6 669:22

chilling 1868:14

China 1904:2

chip 926:13

chocolate 615:13 995:16 1557:13 1565:1,2,24 1617:7,8

chocolateers 982:5

chocolates 977:4

choice 15:3,7 622:3 753:9,10 1023:28 1828:17 1853:10 1880:4

choices 621:28 753:10, 16 924:6 1021:6 1336:14 1671:23 1674:7

choose 160:19 756:9 1238:3 1356:8 1362:28 1572:25 1576:7,8 1603:4 1663:13 1664:17 1853:8, 12,17,23 1856:5 1925:13, 14

chooses 728:11 780:3 1842:7 1853:21 1925:17

choosing 715:3 923:16 1074:4 1369:28 1576:10

choreography 1590:12, 17

chose 333:4 710:19 1355:27 1356:1 1607:16 1677:22

Chris- 1597:16

Christ 776:25 1551:5,6 1903:5

Christian 13:27,28 160:17 161:4 169:6 340:14,16 365:1 609:25 661:7 664:27 665:15,17, 18,23,27 666:1,4,11,17, 20,25,27 667:17 670:22 671:7,9,13 672:10,13,20, 25 741:8 743:13,14 759:28 760:1 763:10 764:17 768:14 936:6,28 937:6 938:4,18 940:16,27 941:3,13 953:26 958:23 966:10,16 1016:25 1041:12,17,20,23 1042:8 1247:20 1260:26 1261:3 1268:1 1315:18 1515:10 1519:2,7,27 1525:13 1550:26 1568:9,25 1569:22 1590:10 1597:4, 10,26 1598:11,22 1626:1 1631:15,16 1632:1,5 1633:19 1678:5,12 1679:7,16,20,24 1680:6, 14 1681:3,22,23 1682:4 1829:17 1848:28 1860:5, 8,11,13,19,23,25 1861:4, 8,9,10,11,18,19 1868:1,3 1872:16 1877:17 1878:15 1879:25 1880:6 1882:21 1888:21 1890:26 1894:18 1899:10 1903:3 1923:7,13

Christianity 667:27 1830:22

Christians 331:5,10 338:4 397:1,9 662:3 675:17,19,22 772:28 779:28 1221:2 1367:27 1628:18 1830:14 1878:24

Christmas 339:4 660:6 1029:13,14,19,21 1030:12 1031:19 1597:17,25 1626:28 1627:8 1628:6 1661:19 1900:9

Christmastime 1014:3

CHRONOLOGICAL 904:2 1204:2 1504:2 1804:2

Chuck 664:24 1650:26 1658:15 1664:8 1827:8 1864:13

Chuck's 926:8

church 29:2 715:24 764:16 773:3 1029:5 1528:3,4,20 1552:18,19 1600:23,24 1648:17 1649:7 1824:28 1881:24 1902:15,17,24,26 1903:7

churches 779:20,27 1649:8 1897:27 1898:5

churn 37:5

cinnamon 918:12 975:27 982:24,25 992:15 1617:13

circle 1004:1

circled 386:3 944:20 1337:6 1811:1

circuit 7:13 165:9 166:17 1898:4,6

circumstance 335:7 366:23 615:5 673:16 700:13 1626:4

circumstances 16:23 179:7 401:8 608:25 678:15 697:3 698:9 720:13 757:21 771:5 911:28 1660:15 1896:24 1907:20

circumstantial 156:22 160:5 164:27

circus 314:19

citations 176:20,21,27

cite 161:18 164:24 340:23,24 343:3 402:9 757:13 778:13 1849:5 1850:24 1851:3 1862:28 1863:12,14,23 1883:9,11 1896:6 1897:25 1907:10, 14 1909:4

cited 13:9 17:16 23:4 31:4 167:28 169:27 171:14 338:21 401:19 669:17 764:9 910:21 911:4 1863:2,3 1865:10 1871:25 1884:12 1892:17 1893:26 1894:1,18 1896:25 1897:4,25 1910:12

cites 37:17 664:7 670:19 1871:24 1896:12

cities 1529:2

citing 176:25 661:1 664:5,11,22 757:4 779:18 1905:25 1911:19

citizen 163:20

city 167:2 688:8 691:9,12, 18 1921:5,14

civil 11:6,8,9 12:27 17:11 20:20 37:22 156:12,14,15 158:20,22 160:8 161:26 162:1 174:8,17 178:7,9, 10,13,20,25 340:7 617:1 663:7,8 675:20 736:23 750:2 908:24 911:5 1353:7 1846:7 1870:5 1872:11 1883:20 1899:8 1900:17 1906:27 1909:25 1913:16 1914:17 1918:13, 17

claim 19:15 20:12,13 162:24 168:27 169:10 172:3 310:9 325:11 337:19 338:23 339:13 340:7 341:14 344:11 373:6 385:14 389:13 393:13 395:11,13 608:18 620:25 643:16 644:10 723:17 728:5 741:13 749:23 755:10 771:3 912:4 953:20 1867:8 1872:3 1882:26

claimant 688:15

claiming 393:5 647:16 1221:18 1890:5

claims 7:4 12:13,14 18:19 24:9,13 310:12 325:1,15 326:10 341:9 393:23 695:6,21 1317:16 1525:23 1823:27 1905:21

clarification 172:25 605:27 698:4

clarify 40:24 155:20,24 329:24 395:1 909:21 1019:23 1224:10 1257:25 1258:24 1639:16 1662:28 1663:3

clarifying 165:27 1673:8

clarity 639:9

clash 693:13 1897:12

class 637:26 743:23 747:3 752:17 950:8 975:6 1646:12,13,19,20 1647:4, 6 1812:14,17 1816:6 1866:2

classes 671:14 982:3,7 1027:19,25,26 1589:27 1590:1,8 1591:6,13 1865:7 1866:11

classification 759:21

classrooms 1818:11 1924:27

clause 29:12 401:2 653:22 688:2 1873:5,21, 22 1911:2,9,11,13 1913:8, 9 1915:21,22 1916:4

clauses 401:1 1915:20

clean 701:10 753:13 981:22 1596:11

cleaned 921:24

cleaning 919:6

clear 9:2 14:10,26 18:1, 13,21 19:4 23:3 29:24,25 31:28 34:23 157:4 165:11, 17 172:1,8 315:19 321:21 331:13 340:4 349:9,27 363:25 611:23 612:18 636:1 640:5 644:24 647:8 662:27 673:13 704:17,19 710:13 729:5 743:18 746:18 774:9 777:8 927:13 935:6 948:3,4 976:16 1003:8 1027:22 1032:4,28 1033:12 1055:12 1261:25,26 1265:24 1568:7 1577:6 1666:27 1671:9 1808:7 1815:2 1844:26 1847:3,11 1857:4,16 1858:7 1861:4 1863:27,28 1864:15 1866:23 1877:27 1880:5 1884:7 1895:7 1909:9 1924:18

cleared 987:1 1861:26

cleaves 776:24

clerk 315:25 316:1,16 317:2,13 736:5 915:11 973:19 1008:17 1049:17 1278:18 1326:4 1505:9 1510:14 1527:8 1552:26 1581:13,15,17,23,26 1582:1 1588:3 1807:5,14 1927:2

clerk's 316:26

click 1366:16 1513:14,21

clicked 1514:4

client 9:6 19:3,28 21:3 22:9 23:4 36:9 346:10 359:13,27 371:21 373:13, 19 374:17,25 375:6 385:7 386:24 387:20 388:9,25 391:23 392:3,5,27 611:14 613:7 633:16 634:3,28 638:8 641:16 642:15 659:13 660:6,11 661:15 687:23 693:9 694:9 774:23,25 930:9 1222:18, 26,28 1223:7 1564:7 1880:20 1892:26 1900:5 1901:10 1903:17,24 1904:2 1907:23 1910:28 1912:8 1923:23

client's 369:3 660:11,15 693:10,11,15 775:8

clients 8:17,19,23 10:12 18:15 21:15 22:2,6,11,18 23:1,6 31:2 40:17 170:7 359:23 362:20 364:20,26 371:25 374:16 375:8 382:17 385:6 389:2,9 392:19 393:16 620:24 657:22 686:27 687:27 723:19 730:2 772:6 774:27 1216:8 1223:16 1549:23 1594:11 1618:11 1620:19 1648:28 1649:2,3 1663:13 1821:12 1891:27 1901:8

clients' 616:9

climate 1880:23

clinic 1892:18

clinic's 736:22 1846:6

clip 1038:15 1246:23 1303:13,14 1304:9 1305:6 1510:9,18 1619:8 1620:24

clipboard 771:16 1301:4 1304:24,26 1305:1,2,4 1639:21 1642:10,11,14 1643:9,27 1891:5,8,14

Clipper 1528:26 1529:11

clips 660:14 1302:21 1585:1 1586:11 1619:4

clock 988:16,17

close 337:26 403:24 619:12,28 725:28 726:3 744:24 990:4 1021:8,26 1050:25 1229:25 1256:22 1291:25 1326:27,28 1530:28 1547:5 1636:2 1649:21 1830:25 1840:26 1842:5

close-knit 1878:3

closed 179:19 1319:25 1632:14 1896:27 1897:2 1898:5

closely 28:25 30:12 1848:20

closer 777:21 917:8 1594:7 1641:4 1655:3 1658:23 1912:24

closing 309:8 323:5 338:25 751:7,10 756:24 779:16 781:15,22 1655:25 1839:14,18 1840:8 1842:4 1843:14 1864:11 1876:28 1879:14 1895:13

clothes 1866:6

clothing 964:10 1538:24

Club 680:13 682:14,21 1000:21 1565:15,22 1613:28

clue 1624:23 1639:28

CMC 180:1,2,17

co-op 1898:14

co-opting 1894:13

coach 1868:20

Coast 29:16 619:11,15 704:9,11,15,18 705:21 715:16 716:5,23 717:9 736:16 737:6 755:23 778:12,16 1845:28 1846:25 1870:23 1873:9 1874:2,7 1892:17 1895:27 1904:23,26 1906:3,20 1920:3,18,24 1922:17,21

coat 1010:12 1019:4,7 1604:4 1619:25,28 1620:1,5,16,17,20 1657:19

coating 1019:10 1657:21

cobblers 992:17

code 5:5 18:23,28 19:2,8 22:8,12,28 23:2 31:13 36:7 166:23 167:4 170:2,8 171:18,25 312:15 340:6 375:25 381:2,4 391:6 663:20 733:3 904:5 911:5 914:27 1223:2 1652:4 1925:27

codes 167:18 1869:23,24

Coeur 746:6 1035:26,28 1060:12,13,19 1061:23 1066:7 1245:17 1247:12 1281:26 1282:3,6,14 1283:4,10,17 1299:22

coffee 308:7 992:24

cognizable 163:23

cohabitation 672:12

cohabiting 661:10 673:1

coincidence 766:3,7 1516:4,6

coincidental 1889:9

coincidentally 757:12 1833:6

Coito 36:13,16

Coke 1852:26 1853:2,7

cold 760:4 1273:27 1274:1 1594:7,16,28 1853:6

collaborating 1579:5

collaborative 1576:13

collapse 999:26

colleague 154:24 325:8 706:1 1585:26

colleagues 24:20 1893:13

collect 945:21 1235:10, 24

collected 944:3 1235:4

college 697:13 1050:23 1051:4 1280:13,14,17 1659:27

collegial 723:11

colloquy 1914:13

color 698:2 742:8 761:25 1013:3,4,5 1034:5 1057:1 1063:28 1072:8 1354:5,10 1594:12 1603:5 1608:5 1611:1 1616:23 1617:7,18 1621:8,26 1661:16 1880:18

Colorado 17:12 156:14 158:19,22 174:8,11,15 175:9 657:13 658:13 1900:17 1918:13,17

colored 1669:15

colorful 1026:22

colors 1020:27 1034:1 1063:27 1217:22 1272:14 1603:2,3,4,9 1604:8,13 1611:1 1612:14 1615:7 1616:21 1621:9 1628:26 1663:7 1669:5

columns 316:15,18 1077:28

combat 331:27

comedian 385:11

comfort 308:8 1077:6

comfortable 765:27 958:21,26 959:3 1041:21 1066:23 1075:15 1226:16 1228:19 1247:17 1278:26 1339:1 1359:6 1506:5 1653:26 1665:13,18,26 1666:3 1667:2 1668:28

comforted 1348:20

command 1593:1 1611:17

Commandments-type 668:15

commenced 339:10

commend 37:26

comment 7:5 10:7 40:19, 23 169:19 313:6,10 319:8 352:7 354:6,7 369:15,16, 18 371:1,14 376:26 381:6 386:27 391:25 606:14 618:27 620:21 631:11 633:2 640:22 649:22 653:9,23 658:26 668:16 683:6 684:26 685:13 686:18,28 698:18 907:18 909:2 912:18 943:7 1211:16 1217:18 1218:13 1225:19,23,24 1271:13 1289:2,17 1291:20 1364:9,15 1366:10,12,14, 18,23,25,27 1367:4,6,12, 17,19,24,26 1368:13 1506:21 1507:19,24,26 1508:5,11 1514:15,20 1568:2 1572:19 1582:4 1821:27

commentary 316:13 317:3 369:4,5 686:17 715:8

commented 361:9 363:28 391:25 392:3,5 1271:12 1308:19

commenting 369:18 1211:22 1222:4 1306:2 1308:26 1311:7,10 1354:6,7

comments 34:5 37:7 313:14,19 321:28 322:1 349:23 353:3 356:21 357:1,2,6,8 358:25,28 361:2,5,10 362:24 363:16, 17,19,20,24 364:3 369:12 370:7 373:9,12,15,21 375:3 378:17 391:17,20, 21 405:2,11,13 604:20,22 606:18 607:9,25 630:7 640:23 643:13 651:19 652:3 655:5 658:16 669:27 677:14 678:6 684:26 685:3 686:21,23, 26 694:17 696:13 772:25 781:24 906:18 955:11,17 1225:21,22 1255:1 1289:19 1290:21,23 1312:5 1317:7,8,14 1318:7,12,13 1353:14,26 1365:6,28 1366:24 1368:15,17 1507:13 1508:13 1509:24 1511:6, 14 1522:11,14,17,18 1523:12 1585:25 1822:2, 5,7 1833:16 1926:15

commercial 752:25 762:7 995:25 1852:2 1868:23 1869:19 1921:4

commission 17:11 156:14 158:20 174:8,17 334:24 643:18 716:24 1878:25 1900:17 1918:13, 17

commission's 657:14

commissioned 1635:28

commissioner 332:12

commissioners 331:18 658:13,17

commit 641:20

commitment 1880:20

committed 356:17 1851:10

common 30:16,28 31:2, 10 34:21,24,27 157:22 166:3,19 171:23,28 172:9, 13,17,22,23 177:4,11,16, 19 687:13 933:4,5 948:19 1014:4 1037:8 1317:27 1318:2 1533:15 1536:16 1567:4 1572:22,26 1811:12,18

commonly 176:3 1916:2

Commons 1916:8

commotion 991:1 1642:21

communicate 9:26 24:22 39:10 168:19 1003:18

communicated 21:10 307:10 1032:12 1541:26, 27,28

communicates 157:24

communicating 8:16

communication 9:5,9 22:16 24:24 28:22 38:20, 21 166:7,8 306:9 326:4 381:11 757:18 1907:17

communications 8:24 9:18 11:24,25 22:14 23:7, 8,26 24:7,10 26:8,9,24 28:8 30:14 31:19,21 34:9, 19 166:6 170:12 171:21 381:10,12 720:11 1223:13 1282:2,14 1285:2 1352:2

communicative 1915:22

Communist 1904:1

communities 747:26,27 980:28 1529:2

community 8:23 362:2 374:5 664:18 687:16 690:5,8 692:9 711:2 740:14 748:3 749:16 758:28 772:9,25 779:8 956:4 966:10 980:26 981:1 1016:1 1023:18 1029:1,5 1219:24 1233:7 1317:15,28 1350:21 1547:19 1628:8 1631:10 1649:9 1671:23 1824:24, 25 1859:3,9 1868:3,4,10 1888:10 1893:6 1917:27

comp 1562:4

companies 777:22 1000:12,14 1528:25,28 1926:3

company 621:16 725:3 918:12 1327:7 1330:6 1531:3 1537:8 1538:17

comparable 1834:28 1888:9 1906:4

compare 335:2 386:1,6 982:10 1831:9 1833:24 1863:13 1899:9

compared 340:20 385:7 1669:9 1918:19

comparing 31:14 334:24 335:23 382:17 1871:26,28

comparison 393:7 657:14 722:27 1890:8 1899:11 1916:6

comparisons 1901:1

compassion 771:8 1551:13

compassionate 1835:20 1887:20 1888:4

compel 4:15,16 335:26 1907:3

compelled 612:7,14 1915:4,9 1916:17

compelling 681:11 687:26 688:3,8,13,17,21 689:18 690:2 691:9 693:17 737:10 1873:15 1911:23,25 1915:1 1917:15 1920:21

compellingness 688:27 690:9

compensation 1261:11

competing 1906:24

complain 1670:8

complainants 22:22 168:28 169:17 404:12

complained 1670:13 1922:23

complaining 331:21

complaint 11:11 19:6 403:23 637:25 638:14 646:1,26 650:1 681:8 750:4 1234:4,8 1269:6 1352:23 1353:7,10

complaints 980:11 1634:15 1670:17 1834:19 1872:24 1888:11

complemented 1544:13

complete 344:11 351:4 399:12 403:25 661:28 662:15 915:5 979:6 1013:18 1260:3 1518:20 1571:24,25 1577:22,24 1673:25,27 1686:27 1883:11 1889:10

completed 313:20,28 314:3 341:12 1620:26 1663:9

completely 179:19 351:2 357:21 358:26 669:23 673:9 692:4,7 705:1 708:3 714:5 999:8,23 1215:24 1222:13 1223:25 1369:12 1876:20 1880:25 1887:7

completeness 1262:13 1571:13

completing 1021:19

complex 923:13 1886:1

complexity 741:27

compliance 777:27

complicated 318:22,23, 24 639:7

complicit 169:12

complied 750:24

complies 1569:27 1818:14

comply 619:10,27 703:27 732:3 737:15 742:21 743:7 744:15 753:7 755:4, 22,25 1924:17

complying 736:22 753:1, 2 1846:6 1903:27

comprise 619:13

compromise 730:28

computer 37:5 311:27 368:14 772:1,2 775:6 1208:27

computers 373:21 771:22

conceded 6:16

concedes 13:22 14:1

concept 333:20 611:23 612:8 707:3 759:2 763:15 764:20 1884:24

concepts 1894:16

concern 5:17,20 38:12 170:16 1552:16

concerned 5:19 6:19 305:27 306:2 318:2 328:8 329:14 351:10 352:24 643:3 774:15 924:25 1219:16,21,22 1344:10 1552:6 1578:23 1835:9 1860:19 1921:3

concerns 10:8 31:6,12 394:10 1920:4

concert 1221:6,21,22

conciliate 158:27

concise 1308:13 1586:3

conclude 606:10 734:7 1622:1

concluded 735:17 1927:21

concludes 390:21 1841:28

conclusion 177:14 325:23 326:8 327:15 344:3 375:21 1228:26

conclusions 733:7

conclusory 344:23

concurrence 704:19 1906:20

concurring 664:21 704:16 1916:23 1917:5

conditions 1329:7

condone 740:3 1073:14 1074:8,17,27 1342:22,24 1343:26 1344:3 1363:2,7 1515:1 1642:5 1890:20

condoning 392:23,26

conduct 27:17 38:14,17 161:28 324:2 347:21 362:13 364:8 365:13 612:12 657:7 706:10,14 741:15 754:10 757:16 1848:19 1857:11,14,15 1858:4,6 1862:7 1868:8, 17 1903:25 1907:15 1911:5 1926:4,5,8

conducted 39:3 161:3 656:20

confer 316:5 370:9 684:15 703:11

conference 178:6 179:11,16 1027:4,15,18, 24 1883:27

conferences 39:1 625:13

confidence 25:19 1271:18 1820:9

confident 35:4 308:23 1025:2 1068:3 1924:8

confidential 23:27 25:17 157:24 720:10 1905:5

confidentiality 1223:5

confidentially 167:15

confines 1883:26

confirm 715:24 1209:22 1260:22 1515:13 1516:10

confirmed 341:7 1248:26 1249:6 1537:13 1850:21 1860:5

confirming 1249:4

confirms 1358:16

conflagration 374:2

conflict 1682:3

conflicted 1536:6

conflicting 1828:26

conform 1534:10

confront 1214:15 1217:3

confronted 670:6 1547:10 1890:15

confuse 737:1 1672:2

confused 611:7

confusing 5:6 1828:28 1829:1

confusion 1882:3,19

congested 178:16

congratulations 612:21 1245:6 1279:28

congratulatory 610:3

Congress 1911:9

connect 1225:6

connected 1213:1 1323:6

connection 9:28 654:10 683:26 684:17 697:8 738:17 1215:25 1223:26

connections 772:10

connotes 1885:14

conscience 152:24 400:17 639:17 642:1 661:25 766:25 776:17 779:3 780:22 1304:18,20 1629:8 1893:21 1902:10

consciences 779:28

conscious 915:7 1836:1

consciousness 387:13, 15

consent 705:7 969:25 1636:7

consequence 696:21

consequences 779:5,6 968:8 972:12

conservative 1899:10

consideration 10:18,21 39:8,14 176:22 178:3,28 393:10 677:16 981:3 1863:22

considered 346:8 397:25 699:13 741:24 997:25 1034:13 1066:27 1618:2 1628:14

consist 1671:16

consistency 399:5 671:1 981:19 1669:8,11 1831:24

consistent 314:28 642:1 684:19 697:7 777:8 914:3 981:21 1038:21 1294:7 1533:10 1684:3,4

consistently 667:13 1872:19

consists 41:12 181:16 405:26 782:7 1671:13 1927:23

consolation 697:26

consolidate 34:3

constantly 697:28 981:19,23 998:11 1005:1 1597:18

constitute 752:26

constituted 731:1

constitutes 629:28 630:4 638:2

constitution 29:4 401:1, 2 774:10 777:17 778:5,7 1870:4 1881:22 1887:8 1902:25 1904:17 1913:9

constitutional 5:27 29:6 337:28 338:13 394:5 399:21 774:1 779:23,26 1534:11 1845:25 1881:7 1887:17 1894:8 1895:20 1899:23 1909:6 1911:23 1916:15

constitutionally 388:26

constitutions 736:21 778:3 1846:5 1906:18

consult 641:26 1553:14 1554:12,15,25,28 1623:27 1659:10 1660:24 1665:13, 18

consultant 625:17 1530:12

consultation 742:5,6 924:11,20 925:2,5,9 1645:14 1659:14,16 1660:28 1661:21 1663:20 1664:6 1668:22 1681:6,26 1815:9 1861:1,14

consultations 920:27 921:5,14 924:27 932:18 1663:18,23 1664:2 1669:3 1815:13

consulted 166:26 717:9 1555:3 1880:1

consulting 1529:28 1530:23 1548:5,9 1623:25

consume 682:28 689:1

consumed 308:16 758:15

consumes 1592:9

contact 694:7 743:4 1368:23 1541:17 1833:7, 14 1836:13

contacted 364:15,16 767:13

contacting 692:24

contacts 374:6 607:16 1325:6 1369:23

contained 1921:13

containers 992:22

contend 619:11

contending 1836:27

content 24:26 609:1,16, 20 612:11 763:23 770:5 1533:5 1547:1,11 1679:28

contention 327:10 645:28 656:5

contents 655:24 907:23

contest 629:5

contesting 336:15,16 678:24 705:25 715:20 720:3

context 5:5 13:1 20:9,20 22:2,14 23:1 27:24 28:14 30:6,8,18 31:9 33:12,15 159:17 162:15 167:26 334:12,19 335:17 338:22 359:24 366:5 371:7 385:10 389:21 392:16,28 615:9 616:13 617:13,24 618:1,12 632:4,25 636:25 638:26 639:22 640:1,5,20 641:11 642:5 647:2 677:19 688:17,25 689:25, 27 690:4,7 693:18,27 695:5 727:16 737:3 756:25 770:21 777:5 912:16 921:16 1006:19 1007:12 1218:19 1219:18 1262:3 1539:24 1542:14 1574:2,4 1647:23,28 1818:7 1875:27 1907:15 1921:1,27

contexts 382:19 669:20 1215:1

contingent 342:15

continually 625:10 626:15

continuation 6:21

continue 179:10 306:12 316:5 372:20 393:16 405:2,7 623:24,25 691:6 695:7 698:8 706:5 722:24 728:22 1017:16 1024:24 1056:4 1226:19 1236:8 1295:17 1302:4 1342:27 1349:21 1361:16 1509:11 1524:21 1535:23 1548:11 1571:12,17,21 1632:8 1641:18 1866:28 1926:9

continued 721:5,8 740:14 745:23 1059:11 1061:20 1206:2 1331:25 1504:5 1804:5 1809:10 1881:11 1888:3 1889:17

continues 393:14

continuing 6:2

continuously 639:17

contract 170:5 691:14, 18,21,22,25 692:1 1921:5, 13

contractor 1531:5

contractors 1561:9

contractually 1897:16

contradict 609:26 631:28 743:16 937:7 940:14 1568:26 1569:22 1600:20 1849:18

contradicts 1906:15

contrary 629:3,24 632:26 651:17 938:12 1251:19 1601:5 1883:7 1907:7,23, 25 1908:26

contribute 619:24 1554:6

contributes 1858:3

contributing 1574:19,22

control 320:21 368:27 758:19,26 1212:25 1255:7,9 1525:21 1856:19,20 1905:19

controlled 175:14

controlling 375:8 609:24

controls 1920:3

controversial 1898:21

controversy 6:15 365:21

convenience 1906:28

convenient 1567:28

conventional 677:19

conversation 20:5 24:26 322:10 326:3 718:9 950:19 976:18 977:8,13 1074:7,23 1226:3,6 1234:26 1290:13 1291:23, 28 1335:4,11 1339:3 1534:26 1539:20 1541:4 1543:10,14 1811:9 1816:26

conversations 20:1 956:10 1293:7 1334:1 1532:19 1817:3

converse 916:3,17

convey 757:19 1609:23 1907:18,24

conveying 1545:1 1909:10

conveys 1916:21

convicted 380:27 1880:3

conviction 390:23

convictions 1642:2

convince 353:16 1885:27 1896:23

convinced 640:16 695:9

cookie 918:12 1593:10 1602:11,13,14 1610:28 1616:12 1654:4

cookies 634:11 770:19 922:19 970:19 992:17 996:1 998:11,12 1062:23 1596:4,5 1600:4 1616:13 1625:16,17 1651:12 1653:28 1847:17

cooperation 1579:24

cooperative 16:18

coordinate 723:10 1591:3 1598:1 1610:12

coordinated 360:17,18 692:22 693:1 1212:18 1609:2 1891:24

coordinating 1624:26

coordinator 1591:4 1609:27

copied 1848:6

copies 687:4 689:2,6 1235:8

copy 316:12 382:6 384:21 711:26 912:27 923:19 1266:22 1309:23,24

core 30:13 611:6

Corinthians 1601:1

corner 1054:26 1209:28

Cornerstone 1635:7,13

corp 1530:22 1560:9,26 1561:18

corporate 15:9 730:2 774:26 1598:16 1649:2,3

corporation 2:13,26 152:13,27 302:10 602:10 737:13 740:24 902:10 1202:10 1502:10 1530:10 1802:10 1876:25 1884:15 1896:27 1897:1,3 1909:15

correct 30:26 35:16 37:16 160:13 173:18 315:22 346:10 355:5 367:10 635:23,24 638:5 662:24 698:3 701:19 702:18 703:18 704:1 710:18 711:8 908:25 918:22 920:10 922:14 923:16,27 925:10,14,21 927:3 930:22,23 931:2,8, 15 932:3,7,12,27 933:11, 18 934:26 935:9,16,19,22, 26 936:15 937:8 938:25, 28 939:18,26,27 940:11, 12,17,18 942:3,23 943:10, 19 944:11 945:2,16 946:3 948:13 949:10 950:20 951:11 952:12 953:8,21, 22 954:19,27 955:13,14 956:4,21 960:23 965:25, 26 971:11,12 972:5,6 973:15,16 991:3 1009:19 1019:26 1023:13 1031:14, 15,18 1032:8,10,14,20,24 1033:20 1034:3,6,7,14,28 1035:5 1036:24 1037:7, 12,17 1039:1 1040:7,10, 11 1041:18 1043:6 1046:1,5,6 1052:4 1054:16 1055:6,16 1066:18 1069:26 1209:23 1210:4,12,14 1227:5,12, 24 1232:22 1235:25 1238:10 1242:5,17 1243:2,12 1244:26 1245:2,7 1246:16,19,20 1248:18,19 1250:3 1254:15,16,18 1255:3,17 1256:15,26 1257:8 1259:27 1261:8 1263:5,6, 21 1264:1 1266:5 1267:4, 14,21,22 1272:9 1283:11 1299:14,23,27 1300:3,11, 28 1301:1 1302:7 1304:19 1305:26 1313:2,6,7,21 1316:26 1325:3 1330:26 1331:1 1359:12,17 1360:5,14 1361:5,17,22 1362:17,18 1366:23 1367:4,6,17,24 1368:2,18 1505:15,16 1512:7,8 1513:9 1514:16 1516:12 1518:1 1519:12 1527:4 1536:19 1545:22,23 1556:12 1557:27 1560:4 1561:14,25 1562:17 1566:10,16 1569:3,10 1577:8,9,12 1578:7 1584:15 1586:22 1596:16 1606:2,3 1638:3,17,18 1644:20 1651:14,20 1652:12,14,22,23 1653:22 1654:16,17,22,25 1655:2, 10 1658:6 1662:4,15 1663:20 1664:15,19 1665:10 1667:10,25 1671:3,17,19,20 1672:4 1674:24 1677:2,3,7,13 1680:7,15 1681:28 1682:7,12 1684:9,13,25 1685:3,17,21,26 1808:9 1809:19,22,26 1810:24 1811:3,25 1812:5,8,16,24 1814:5,6,13 1815:8,16 1816:3,7,24 1818:5,16,19, 21,24,27 1819:11,13,28 1820:4 1821:13,16 1826:6,10,26 1829:14 1832:14 1833:3 1836:28 1841:9 1879:6 1919:11,24

correcting 1208:13

correctly 913:11 965:21 1237:26 1896:9 1901:15

correspondence 722:7

cost 1227:26 1332:11 1634:20 1897:20

costing 766:23

costs 1547:25

cottage 1868:21

Council 1848:1 1864:8, 19 1896:18

counsel 4:24 7:5,11 8:22 9:19 24:10 32:3 33:25 34:9,21 35:22 36:4,12,19, 20 37:8,27 38:9 39:8,9,19, 27 40:7,14,26 157:12 165:23 166:9 173:6 176:9 177:1,25 178:2,17 179:14 304:13 305:4 306:9 315:9, 20,26 328:4 339:27 342:10 346:19 348:7 405:1 604:9,13,15 625:9 628:10 631:3 644:3 664:4 673:23 675:14,27 677:8,9 685:15 686:11,12 694:28 695:10,11 699:10 701:19 707:21 708:5 724:3 735:15 906:11,14 914:28 915:25 916:10,25 926:17 927:7,13,20 972:11 984:9, 16 985:11,26 1008:11 1036:7 1039:16 1046:15, 19 1048:3 1049:6 1054:15 1059:19 1077:23 1208:10, 20,21 1210:2,24 1212:7 1219:2 1244:15 1251:3,25 1266:21 1276:3,28 1278:9 1303:1 1306:20 1312:13 1319:22 1324:19 1325:18, 22 1505:13 1512:27 1513:4 1526:4 1541:24 1545:24 1581:10 1582:10 1637:16 1676:10 1686:26 1806:11 1808:10 1837:13 1839:12 1840:7 1841:3,12 1842:2,17 1843:12 1844:7 1875:18 1926:19 1927:17

counsel's 37:7 165:24 343:21 665:6

counsels' 4:21 618:24

count 309:3 612:15 1034:1 1592:25

counted 1004:26

counter 701:4 922:28 1064:5 1333:8 1340:13 1594:28

countermand 1547:24 1906:16

counterpoint 714:22

counties 178:24

counting 911:6,12,13

countless 995:13

country 173:16 774:17 1217:21 1264:6 1924:15

country-western 1632:2

County 2:2 6:17 152:2 154:7 178:8 302:2 602:2 902:2 1202:2 1280:5 1502:2 1802:2

couple 156:2 159:16 308:21 321:28 324:2 349:9 358:5,6,9 359:7 366:18 369:5 376:16 399:28 400:2,4,19 604:16, 24 605:6 617:21 618:6 629:4 661:11 666:13,16 694:2 695:11 718:17 735:19 738:28 739:26 741:4 744:2 745:3 746:3 747:13 748:20,28 752:10 762:18 764:7,22 765:13 766:14 767:10,16,27 768:1,6,14 771:7 780:3 910:8 922:5 932:7 947:9, 23 949:13,28 953:6,13 956:25 957:24 960:16,25 961:7,16,19,24 967:4 972:4 977:9 989:26 991:23 1004:12 1005:3,9 1023:17 1025:7,10,13 1026:2,8 1029:7 1033:28 1037:19 1215:28 1216:3,6 1225:22 1230:26 1231:2 1245:12 1254:22 1256:5 1257:15 1296:8 1349:5,7, 10 1531:19 1535:5,12,27, 28 1536:10 1537:13 1557:9,10,12 1558:27 1560:4 1570:6 1581:12 1582:11 1611:25 1612:12 1619:4 1624:7 1625:8,10, 14,22 1626:3,22 1629:15 1632:23 1633:4,27 1634:2 1638:25 1639:11 1644:19 1645:6 1649:22 1659:23, 24 1660:25 1665:20 1671:12 1676:1 1806:18 1812:3,7,26 1813:3 1815:10,14 1819:8 1820:18 1826:7 1829:7,8 1830:3,5 1831:6 1832:16 1833:5 1834:15,16 1859:16,17,23 1866:17 1867:22 1872:7 1875:5 1876:8,12,15 1878:17 1886:14 1888:7,28 1897:13 1904:22 1906:17 1912:6 1916:25 1921:10, 11 1926:17

couple's 1025:4 1847:19

couples 360:23 610:16 639:20 642:11 663:1,18 666:1 667:14,20 716:26 737:28 739:6 743:23 744:10,13 745:7 753:22, 23,28 764:27 765:8 766:3 773:8 776:4,28 778:25 925:10,14,18 928:26 932:11 940:2,11 941:5 948:19,26 959:7 961:11 986:24 987:24 1005:22 1012:9 1022:24 1023:16 1026:7 1037:12,16,27 1048:19 1329:19 1339:23, 27 1536:21 1537:8 1624:14 1634:11 1635:9 1638:11 1644:23,26 1664:11 1667:8 1671:15, 16 1676:2,25 1677:1,4,5 1681:2,7,25 1811:12 1816:9,27 1834:21 1835:28 1854:5,8 1855:11 1859:14 1860:16,21,24,27 1861:13,15,16,19,23 1866:27 1870:2 1884:8 1892:28 1910:16,21 1912:1 1921:12 1923:17, 19 1925:1,2,21

couples' 1674:24

courses 982:2,6

court 2:1,28 4:5,12,14,22, 27 5:21 6:3,5,7 7:10,12,22 12:8 13:21 14:10 15:6,25 16:6 17:3,5,14 18:7 19:24 21:4 22:2 23:10 24:23 25:4,9 26:18,27 27:11,20, 24 28:1 29:17,19 30:15,23 32:8,13,25 33:28 34:5,28 35:14,17,21 36:1 37:4,15 38:4,25,28 39:11,24 40:23,28 41:4,5 152:1,28 154:5,7,15,18,20,26 155:3,18,23,27 159:10,12, 18 160:9,11 161:2,27 162:18 163:13 164:7,12 165:9 166:12 167:24 168:9,18,24 170:27 171:1 172:11,15 173:9,19 174:11,16,24 175:8,22,24, 27,28 176:7,15,18 177:7, 10,18,20,23 179:23,27 180:6,12,23 181:2,4 302:1 304:7,9,25 305:2,4,10 309:10,16,20 310:27,28 311:10,13 313:14,17,20 314:9,12,16 315:1,25,27 316:6,11,20,24 317:6,11, 15,23,25 320:5,9,10 324:14 325:16,22,27 326:2,7,19,25 327:1,4,12 328:12,25 329:27 330:16, 27 331:16 332:20 333:8, 10,15,18,20,22,25,27,28 334:5,12,20,23 335:5,7, 13,16,18,20 336:11,18,27 337:4,9,16,24 339:12,14, 25 342:3,7,17,21 343:1,5, 15,23 345:7,10 346:19 347:7,10,14,22 348:6 350:3,11,16,22,25 351:12 352:12 353:5,26 354:6,12, 19 355:10,11,20 356:6,11 357:26 359:5,11,17,24,26 360:3,18,26 361:9,25 362:3,5,11,26 363:4,5,6,8, 10,13,16,26 364:1,6 365:3,8,22,26 366:5,8,13, 17,27 367:2,4,9,11,13,16, 20,22,23,27 368:2,11,15, 18,23 369:2 370:15,24 371:18 372:22 374:15,24 375:10 377:4,12,14,21 378:1,13,27 379:10,20 380:4,5,22,26 381:1,5,8, 24,27 382:11,20 383:3,17, 22,25,28 384:5,12,21,24 385:1,17,24 386:3 387:2, 8,15,22 388:6,15,19 389:16,24 391:7,14,19,23 392:1,3,6,22 393:11,26 394:11,20,28 395:4,18,20, 24,26 396:1,5,21 397:15 398:5,11,20,27 399:15,18, 27 400:12 401:20,21 402:10,23 403:7,11,16,20 404:2 405:1,6,21 602:1 604:7,9,19,22,24 606:4,9, 12,14 607:21 608:16,26 609:9,15 610:21,25 611:2, 26 612:1,4,19,24,28 613:19 614:3,5 615:6,18, 21 616:12,16,17,22 617:5 618:18 620:9,15,19 621:26 622:13,16,20,25, 27 623:3,13,16,20,28 624:6,27 625:3,7,21,26 626:2,17,24 627:11,14,22, 24,27 628:4,13 629:13 630:7,16 631:13,24 632:19 633:25,26 634:25 635:7,25 636:1,10,14,19 637:8,13,17,22 638:17 639:13 640:3,6,26 641:6 642:4,7,17 644:2,6,12 645:5,10 646:18 647:18, 21,24 648:5,25 649:16 650:2,28 651:10,12,27 652:7,13,15,22 653:1,3, 13,14,19,25,27 654:3,11, 14,15,18 655:4,12,20 656:6,13,18 657:1,4,9,11 658:1,2,7 659:16,17,23 660:22,23 661:3 662:9,14, 20 663:2 666:5 667:24 668:22,26 669:5,14,16,18, 28 670:15,23 671:2,11,15, 20,26 672:4 673:21 674:2, 4,25 675:26 676:6,13,16, 23 677:16,17 679:1,18 680:19,21,28 681:13,19 682:4,11,25 683:18 684:23,25,27 685:4,7,12 686:7,9,21,25 687:1,4,20, 28 688:7,12,16 689:3,8, 15,17,24,27 690:12 691:7, 18 693:27 694:20,22,28 695:12 696:9,19 697:6 698:1,9,14,20,23,28 699:3,10,21,26,27 700:4, 6,8,27 701:8,14,17,22 702:2,3,9,12,16,21,28 703:4,10,14,16,22 704:2, 7,14,19 705:15,27 706:28 707:10 708:1,5,17,19,26 709:3,7,12,27 710:6,9,12, 17 711:7,9,20 712:5,7,21, 25 713:1,15,18 714:26 716:2,5,7,9,12,14,20 717:1,22 718:6,27 720:6, 25 721:2,4,15,24 723:27 724:6,15 725:6,16,21,25 726:13,15,22 727:1,7,10 728:15 729:17 730:17 731:7,16,24,27 732:7,10, 18 733:1,12 734:7,10,17, 22,27 735:1,10,14,18 736:2,4,6,11,16 737:2 751:12,22 752:28 754:5,6 756:18,21 757:12 764:9, 23 768:11,17 769:11 770:15 774:3,13,14 778:22,23 779:12,19 780:10,25 781:4,7,23 902:1 906:7,9,16,23,24,28 907:22,24 908:16,20,21,

25,27 909:1,4,8,19,24 910:6,28 911:6,8,15,24 912:8,16,18,22,26 913:2, 5,9,13,26,28 914:21,28 915:16,24,28 916:28 917:7 926:6,9,10,17,23 927:1,5,12,24,28 928:5,7, 9,12,17 929:26 930:4,10 934:20,23 935:11,13 937:15 938:1 939:6,8,11 940:5,21 942:9,12,19 943:1,4,5,11,13,16 948:7 954:8,22 957:10,13,18,28 959:10 961:28 962:3,25, 27 963:6,15 967:14,16 968:16 969:2,5 971:2 972:8,10,21,23,28 973:3, 8,12,17,24,27 974:3,9,13, 15,20 975:1 977:20 978:2, 24 979:5,14,17,21,26 980:2 982:13 983:15 984:9,14,16 985:7,9,15, 18,21,22 986:10,13 987:16,20 988:3,10 990:11,15 991:27 1001:17,20 1002:21 1004:22 1006:15,25 1007:14,16,18,20,23,26 1008:3,7,10,15,22,28 1013:17,25 1014:15 1015:5 1016:8,20 1017:15 1020:18 1024:10,22 1026:14 1028:6,15 1029:3 1031:4 1033:6 1036:4,15, 20 1038:16,23,27 1039:13,16,18,24 1040:1 1041:1 1042:15 1043:27 1044:8,18,24,26 1045:9, 28 1046:15,19,22,27 1047:2,12,20 1048:3,13, 23,27 1049:1,5,10,15,19, 22 1050:1 1053:15,26 1054:8,11,14,18,24 1055:1,7,18 1067:25,27 1077:9,22,24 1202:1 1208:7,9 1209:7,11,15,22, 25 1210:6,14,16,20,27 1211:12 1212:20 1213:5, 12,18,24 1214:9,25 1215:5,9,26 1216:11,15, 25 1218:3,11,23 1219:5, 26,28 1220:4,6,9,19,23,27 1221:8,20,25 1222:8,16, 20,25 1223:1,20,23,27 1224:1,13,22,28 1225:5, 14,19,22 1226:2,5,13,22, 25 1228:28 1229:4 1233:25 1240:1,15,26,28 1241:4,13 1244:10,14 1246:25,27 1247:4 1251:3,11,15,26 1252:11 1253:3,6,23 1255:22 1258:1,6,11 1260:3 1261:17,22,24 1262:4,8, 10,12,16 1264:26 1266:17,20,23,25 1267:1, 8,10,12,15,20,23 1268:15 1274:17 1275:2,11,13,18, 21,27 1276:2,12,27 1278:7,9,14,23,25 1279:5 1287:23 1288:3,6,13 1289:23 1294:10 1295:14, 22 1296:3 1297:24 1298:12 1299:2 1302:28 1303:9,14,17,20,23,26 1304:7 1305:11,16 1306:20,22,26 1307:6,15 1308:4,6,8,13,24 1309:7, 22 1310:1,19,22,25 1311:2,12,21,24 1312:4,9, 12,18,21 1313:14,23 1314:4,27 1315:2,14 1318:17,27 1319:6,8,11, 17,20,21 1320:5 1321:20 1322:22 1323:15,18 1324:19 1325:11,13,16, 18,22 1326:2,9,15 1333:13,17 1334:7 1335:17,20,27 1343:23 1344:19 1358:22,24 1363:19,21 1364:8,15,20, 26 1365:1,11,13,17 1502:1 1505:7,12,21,26 1506:2 1510:11,21,23 1511:1 1512:18,21,27 1513:3,17 1514:10 1516:22,25 1517:20 1518:19 1519:22 1520:8 1522:27 1523:4,24,27 1524:4,8,10,13,17 1525:27 1526:4,12,14,16, 18,20,23 1527:1,13,19 1534:16,20 1536:26 1537:1 1540:1,4,12,20 1541:13,22 1542:4,8,27 1543:2,5,10,12 1545:24, 28 1546:2 1548:25 1549:8 1550:5,7 1552:22 1557:19,23 1558:2,8 1559:14 1562:2 1563:8, 18,21,26 1564:3,10,13 1567:13 1568:3 1570:20, 24 1571:4,14,21,25 1572:4 1573:8,11,16,19, 25 1574:1,6,10,14,27 1575:2,10,13,17 1576:22, 25,27 1577:22 1578:18,22 1579:11,13,20,28 1580:6, 11 1581:7,9,16,21,24,28 1582:2,17,22,24,27 1583:17,20,27 1584:5,9, 14,16,19 1585:8,11,15,19, 25,27 1586:3,6,23 1587:5, 7,13,16,20,24 1588:1,8, 15,19 1589:18 1596:13,17 1614:19,21 1637:7,8,12, 15 1643:5 1647:24 1650:7,11,16 1663:3,9,11 1666:11 1668:14,17 1669:23,25 1672:9,11,18, 21,24 1673:3,22,24,28 1674:11,16 1675:8,11,15 1676:10,15,21 1678:18, 21,26 1679:2 1681:12 1682:24,27 1683:10 1686:21,24 1802:1 1806:7,9,16,20 1807:4,7, 12,15,17,28 1808:7,13,16, 21,23,25 1809:3 1822:14, 24 1826:17,20,28 1827:2 1830:4,19 1833:17 1837:13,17 1838:3,13,20 1839:2,4,7,10,12,23,26,27 1840:11,14,18,22,25 1841:3,11,14,19,22,25,28 1842:15,17 1843:7,9,20, 23,25,28 1844:6 1845:26 1846:2,26,28 1848:2,28 1849:2 1850:26 1851:9, 15,25 1862:5 1863:1,2,10 1866:3 1870:11 1871:24 1872:23 1873:16,17 1874:1,14 1875:14,16 1876:22 1877:3 1879:13, 14 1882:28 1884:13 1885:19 1886:12 1888:14 1894:16 1895:6 1896:23 1897:5,7,12,24,26,28 1898:9,17,24 1899:1,4,25, 27 1900:8,16 1901:19 1902:3 1903:13,16 1904:5 1905:25 1906:2 1907:8 1908:6 1909:5,8 1910:4, 14,24,25 1911:8,11 1912:14 1914:21 1918:15, 21,23,25 1919:1,20 1920:15 1921:24 1922:18 1924:5,23 1926:12 1927:1,4,8,11,15,17

court's 173:27 177:13 329:5 355:4,13,18 373:28 377:6 392:15 612:5 613:18 631:22 638:4 677:15 678:27 687:6 693:16 710:20 721:7 758:8 909:6 916:11,28 1210:16

courtesy 306:10,13 379:25 735:6

courthouse 970:15 1825:3

courtroom 314:19,22 321:19 353:8,11 354:10, 27 364:9 370:26 376:2 391:9 396:18 629:4 646:23 656:11 698:2 915:4,10 916:1,2,4,12,19 972:14,17 973:18 1008:16 1049:16 1053:28 1055:8 1214:3 1278:17 1326:3 1563:14 1588:2 1883:25

courts 7:8 17:19,21 18:3, 9 36:6 38:27 159:25,26 161:14 164:16 173:16,25 176:3 394:2 668:8 688:6 689:22 764:5 1053:9 1865:12,13 1870:8 1873:3 1874:22 1892:3 1909:26 1910:8 1925:15

cousin 1367:5

Couture 1651:12,13

covenant 1827:19 1828:19

covenantal 677:19,20

cover 171:20 908:24 1019:5 1561:26 1563:9 1866:9

coverage 332:8 916:5,6, 15,16

covered 9:6,10 350:25 652:21 734:3 758:11 775:23,28 909:19 1223:21 1586:25 1866:10

covering 334:4 714:28 1577:7 1827:9

covers 170:11

COVID 622:7 1632:13 1635:15

Covid-19 155:2

coworker 980:10 1017:12 1038:10

coworkers 1030:28 1031:14 1591:2

Cox 1865:27

CPA 621:21 623:8 726:5,7 1528:21

cracks 1820:11 1860:17

crash 1515:23

crashed 1339:6 1547:20

crasher 1067:1 1339:7

crashing 946:9 951:11 1339:4

crazy 1317:22 1318:7 1349:2 1358:14 1646:14

cream 613:26 1617:3

create 7:24 30:16,17 31:11 36:6 400:17 402:5 608:6 740:8 975:24 1259:5 1302:5 1534:5 1601:14,15 1603:5,8 1608:7 1660:24 1831:27 1894:21,24 1905:27 1908:28 1918:8 1925:20

created 7:23 25:19 745:8 936:2 1003:20 1239:19 1240:22 1569:14 1600:27 1623:15 1628:25 1654:13 1811:23 1820:12 1863:25

creates 34:22

creating 36:5 982:26 1553:11 1602:27 1604:25 1611:14

creation 1551:2 1905:17

creations 2:12,24 4:6 7:21 152:12,25 154:11 302:9 304:12,20 602:9 604:10 686:10 740:23 750:18 754:21 902:9 906:10 985:10 1202:9 1208:10 1502:9 1560:22 1561:10,13,21 1562:8,11, 15,18,22,25 1581:10 1604:19 1652:18 1802:9 1806:10 1807:3,24,25 1843:11 1848:11 1875:17 1919:2

creative 762:25 769:26 770:16 777:7 982:23,26 1559:9 1880:27 1898:28 1918:9

credential 1589:14,15

credentials 626:6

credibility 353:17,18 354:9,26 356:6 363:22 364:10 369:9 370:28 371:4,16,24 372:6,23 378:11,20,22 381:23 383:14 385:19,23 387:21 1214:2

credible 13:7 17:8 371:25

crews 356:17

cried 748:16 970:2 1890:6

crime 19:24 20:6,22 378:20,21 379:13

criminal 12:13 13:9 20:9, 15,18 30:6 160:7 319:10 356:17

Criollo 767:28 769:8 775:26 1236:16 1248:28 1249:4,17 1256:12,17 1258:25 1515:15 1912:16, 23

Criollo's 1912:28

criticism 1551:17

Crocker 965:13 1000:6 1564:25,28

cross 329:23 330:16 642:12 991:27 1031:4 1219:9 1298:12 1358:24 1595:8 1887:26 1914:9

cross-examination 321:5,14 904:7,10,18 957:21 992:1 1031:7 1204:6,10,14 1244:17,20 1298:15 1359:1 1504:6, 12,16 1506:8,11 1552:22 1553:1 1650:16,18 1675:19 1804:6 1809:7,10

cross-examinations 306:25

cross-examine 957:18

cross-purposes 1878:6

crosses 760:28 1247:21 1597:7

crossing 731:10

crossroads 1529:26

crosstalk 699:11 1038:23 1365:14 1837:13

crumb 1010:12 1019:4,10 1619:25 1620:17 1657:19, 21

crumble 999:6,23

crunch 1238:24

crunched 1215:14

crusade 660:17

crushed 753:24 1856:26

crushes 1856:10

crust 1620:5

crux 166:18

cry 1077:2

crying 771:25 1076:26 1348:19 1646:15

cryptic 649:20,21,23 650:19

crystal 1354:11 1366:2 1607:13

crystals 1607:13

CSR 2:27 152:28 302:28 602:28 902:28 1202:28 1502:28 1802:27

cue 649:4

culinary 1035:11

culmination 1610:10 1650:26

culture 1660:20 1880:8

cultures 1660:17 1882:15

cumulative 320:2 366:7 398:23 692:17 1240:12 1255:21

cupcake 1594:25 1608:26 1617:16 1646:13 1647:4 1649:10 1659:12

cupcakes 634:12,22 770:20 922:19 961:22 1061:12,17 1075:19 1284:6 1300:17,28 1332:9 1346:22 1350:7,8 1595:19 1612:8 1615:10 1638:26, 28 1639:8 1641:6,8,9,11, 15 1847:17 1888:26,27

cups 308:7

curb 664:8

curiosity 718:24 719:4 1596:6

curious 1570:27

current 710:14 711:14,17

cuss 1073:25 1344:7 1811:24

custody 1926:22

custom 346:13 402:3 738:3,4 741:21,22,24 760:9,15 761:16 762:24 763:7 923:6,8,10,13,20,24 958:12 960:12 961:25 1018:13 1019:21 1020:22 1034:10,13 1572:9,12 1602:12 1611:20,23 1612:18 1615:15,19 1639:13 1643:18 1653:12, 13,15,17,20,25,27 1654:8, 10,15 1656:4,10,24 1659:18 1662:3 1663:19 1664:28 1665:3,6 1666:2 1670:25 1676:2 1684:1 1891:16 1905:17

customer 615:8 742:6,9, 14 752:6 918:16 919:5 923:15,16 924:10,14,17 930:8,21 934:11 935:25 937:3 938:6,7,9 963:13 971:10 993:24 1001:8 1021:3 1023:8,12 1024:20 1531:23 1567:21 1574:18 1603:4 1606:10 1660:28 1661:6,21,27 1662:6,12 1667:16 1829:12 1853:10 1863:20 1880:15 1886:24, 26 1909:11,12 1922:14

customer's 742:10,11 918:27 938:15 1652:26 1866:21 1909:13

customers 404:22 614:26 644:1 710:27 738:13 741:11 742:2 755:5,6 756:9,11 759:17, 18 918:21 920:28 921:18, 22,27 922:1 923:27 931:6 932:19 933:5,13,17,20 943:23 945:5 947:20 948:28 962:10,19 963:18, 21,27 964:25 966:13,17 971:27,28 975:25 978:20, 21 981:3,16 990:1,2,27 991:19 1001:7,26 1021:2 1034:4 1043:22 1044:2,6 1065:21 1533:3 1570:5 1599:18 1601:15 1618:17 1626:21,22 1629:4 1631:20,23 1635:25 1646:28 1652:22 1653:6 1662:1 1665:12,17 1667:14 1670:8,12 1821:17,20 1822:3,6,7 1850:7 1853:22,24 1856:5 1867:14 1879:1 1883:2,3, 5 1925:13,15

customers' 1021:16

cut 309:1 320:1 344:12 404:3 623:4 630:11 646:19,22,23,24 647:14 650:7 654:4,16 655:27 668:19,25 674:22 679:8 717:8 768:2 964:27 971:7 1237:19 1249:12 1304:9 1357:23 1515:20 1516:1 1523:16 1609:5,8 1610:3 1617:22,25 1630:22 1647:22 1833:28 1842:8 1866:22 1874:2 1893:16 1903:11 1923:3,4

cuts 387:7

cutters 1602:12,13

cutting 176:9 343:25 372:16,17 667:8 776:5 1243:17 1257:1 1297:15, 21 1324:2 1357:11,22 1576:2 1610:5,11,14 1650:27

Cynthia 302:28 602:28 902:28 1202:28 1502:28 1802:27

D

D-E-L 1049:28 1326:14

D/b/a 302:9 602:9 902:9 1202:9 1502:9 1802:9

DA 20:11 31:16,17,20

daily 723:2 760:7 1592:11 1595:2,3 1911:17

Dakota 1917:25

dam 1619:12

damage 7:4 349:1 644:10

damaged 364:7 365:15 369:13

damages 6:26 16:4,13 19:14 20:13,14 643:16 644:4,5,19,26 645:16 646:6,12,24,28 647:10,16 648:24 649:2 723:18,19 728:5 755:18,19 773:17 1261:21

dance 1243:5 1260:19 1323:21

dancing 1243:5

danger 1891:9

dangerous 169:16

Daniel's 609:5 1023:2,5 1622:4 1683:17

dare 1887:10

dares 1890:3

dark 1058:13 1360:26

Darlene 997:21 1012:24

darn 380:3

data 626:10,26 627:8 724:10,11,26 728:3 729:16 730:9 910:12,13

date 41:10 179:8,13,15,24 180:1,18 181:14 316:18, 19 367:4 376:5 392:17 655:23 721:5,10,11 746:20 911:2,6 944:6,15 1020:26 1036:10 1051:27 1052:10,28 1053:4,12 1057:19,20 1058:24,25 1060:3 1227:7,14,16 1228:6 1239:4 1254:3 1283:2 1328:5 1528:6 1569:2 1608:26 1659:12 1684:17 1824:23

dated 1051:27 1254:7 1265:20,23 1528:6 1552:27 1581:18,20

dates 40:16 180:16 721:3, 8 1010:1

dating 1052:6

daughter 1030:13,16 1603:23 1614:2 1629:24

daunting 1845:24

David 2:4 4:3 152:4 154:3,6 1365:24 1620:13

Davis 960:13

day 26:4 171:9 305:12,13 307:25 309:3 319:23 320:9,10 331:28 339:23 344:9 360:22 378:14 380:8,10 381:13 400:8 606:7,9 611:12 614:23 648:18 661:21 694:2 696:22 701:10 704:20 710:28 712:17,20,24 721:12,13 731:13 746:8 748:19,27 753:11 759:17 766:2,6 781:26 911:3,7,9, 12 914:9 944:7 946:16 970:12 987:3 989:19 992:13 993:11 1004:27 1011:4,9 1015:26,27 1021:20 1025:24 1030:1,5 1039:10 1050:20 1054:5 1057:4 1062:2,17 1064:9 1066:14,25 1067:16 1069:24 1073:7 1074:1 1208:14 1211:18 1214:6 1227:18 1229:26 1230:27 1238:20,28 1240:8,10 1241:9 1243:23 1244:5 1246:18 1254:17 1285:27 1286:2 1287:16 1288:16 1293:22,24 1296:8 1298:8 1300:5 1303:5 1305:22 1306:7 1310:13 1324:6 1328:9,28 1339:9 1340:23,24 1342:5 1349:5,15 1351:3,26 1356:18 1357:6 1358:11 1359:7,11,12,16 1363:14 1542:17 1565:27 1566:2 1575:19 1592:17,18,20 1598:6,12 1599:7 1607:6 1610:25 1633:10 1639:15 1642:4 1644:19,23 1645:4 1647:21 1812:26 1822:26 1827:15 1833:6,12 1869:8 1898:12,15

day-of 1591:3

days 178:20 179:2,3,20, 21 309:5 334:21 339:4 362:12 377:25 385:9 714:21 721:11 747:27 911:2 948:19 982:2 1027:28 1293:26 1313:26 1592:11,13 1650:28 1822:11 1851:11,24 1884:14

dba 2:12,24 152:12,25 1562:7,25 1843:11 1848:11

de 30:17,26 33:6 36:5,9 746:6 1035:26,28 1060:12,13,19 1061:23 1066:7 1245:17 1247:12 1281:26 1282:3,6,14 1283:4,10,17 1299:22

dead 618:9 744:12 755:9

deadline 606:4 911:11 914:2

deal 10:20 29:15 31:12,25 38:2 324:27 329:15 345:21 346:18 350:26 355:14 375:15 399:20,24 605:9,20 606:16,24 633:27 650:26 657:3 704:15 715:2 735:20 747:19 748:17 780:6 989:28 1032:22 1208:14 1221:27 1229:4 1536:5 1624:9 1646:10 1825:15 1846:11 1921:21 1925:25

dealing 32:14 173:16 314:16 321:22 375:13 674:9 699:14 731:13 739:16 778:17 1001:12 1212:10 1522:7 1548:3 1552:15 1642:28 1849:9 1866:15 1873:4 1888:4 1908:10 1921:6

deals 174:5 1679:16

dealt 174:3 333:27 639:21 674:13 738:11 778:22 1347:23 1812:2,7 1846:23

dear 1855:21

death 616:1 1255:16 1648:19

debriefing 1293:6

decade 1669:5 1868:24

deceitful 1667:10 1670:17

December 32:19 33:3 175:24 367:8 745:16 909:26 1053:9,15,19 1056:12 1244:26 1245:3 1330:26,28 1331:14 1627:24 1656:17 1872:5

deception 1887:25

deceptive 767:3

decide 5:24 10:20 32:3 160:16 162:22 334:6 335:6 337:1 371:2 396:5, 15 637:6 650:9,13 654:7 663:10 668:20,22 675:1 676:1 708:8,9 719:11 724:2 753:7 761:23 769:11 932:25 1034:5 1060:18 1065:16 1234:3 1237:7,18 1332:12 1618:28 1895:9

decided 339:19,21 392:22 657:4 717:13 718:13 745:16 746:5 747:18 748:8 749:8 953:19 1029:2 1053:9 1238:18 1248:27 1290:11 1292:18 1345:11 1359:8, 16 1529:22 1560:19,20 1677:18 1873:16,17 1892:26 1925:15,16

decides 742:7 755:25 1073:8 1569:26

deciding 340:2 641:7 717:16,17 1355:13 1873:23

decision 4:23 5:7,22 6:2, 3,5 7:20 9:17 15:25 17:3 21:26 31:28 37:6 40:1 156:15 158:21,25 162:22 334:1 339:9 341:11 377:19 402:27 403:8 610:12 636:17 639:12 688:25 690:6 696:3 729:13 742:9 755:28 774:4 915:7 926:2 938:8 1046:13 1063:11 1263:28 1520:19,28 1570:3,8,11 1829:11 1899:2 1909:22 1914:21 1918:20 1923:26 1925:22,24

decisions 7:10,19 22:1 354:16 980:15,16 1299:26

decisis 7:17 22:20

declaration 31:18 325:13 328:18 329:28 332:26 336:6 342:14 345:2 347:5 350:8,22 384:11,14,19 607:16 618:21 654:12 655:16 656:7 907:1,14 909:27 913:1

declarations 23:19 35:10 910:4

declaring 1545:5 1871:12

decline 323:27 774:26 1908:24

declined 324:1 952:7 956:2 1346:27 1522:19,20 1523:18 1548:18,19 1812:25 1826:11,23 1838:16

declining 940:1,10 955:12 1813:12

decor 1062:21 1247:20 1300:10,14 1340:12 1522:8

decorate 931:8 997:25 1010:12 1014:6 1018:27 1019:27 1025:12 1030:27 1592:3 1620:18 1867:27

decorated 923:2 983:2,3 998:11 1010:17 1015:18 1025:6 1314:17 1596:4 1616:13 1617:18,24 1657:23

decorating 920:12 975:6, 10 976:1,3,21 977:3 982:20,28 994:23 997:23, 24,27 998:7,12 1009:23, 26 1012:12,13,15 1013:5, 8,12,22 1014:4 1018:26 1019:1 1040:12 1591:6 1593:10 1602:16 1646:13 1647:6 1654:5,6 1658:1

decoration 680:7 932:27 937:11 938:28 1064:23 1523:9 1653:28 1654:3,4 1670:24 1671:1,3

decorations 1616:24 1682:16

decorative 1621:18

decorator 983:11 987:8 997:6,21,25,28 998:10 1010:5,8,11,16,21,22 1013:1,6 1020:9 1021:6 1023:18 1032:23 1033:3, 15 1301:22 1515:15 1540:27 1628:11 1657:22, 27 1658:4 1831:20 1869:1

decorator's 1592:3

decorators 751:3 920:3 931:7 982:4 987:2 997:4, 20 998:16 1010:6,19 1012:16,18,23 1019:17 1035:23 1040:21 1657:1, 28 1659:6 1818:1 1831:25 1850:17 1869:4,9

deem 653:14

deeming 1908:23

deep 657:25

deeper 6:12 158:17 354:21

deeply 160:20 753:25 1642:2

deer 1327:13

defamatory 356:16 1269:20 1270:5 1525:11, 19

default 305:16

defeat 28:18 651:13

defeats 608:18

defend 332:19

defendant 2:14,23 7:26 12:13,19 13:23 152:14,24 164:4 181:5 324:22 325:14 343:4,9 356:15 363:20 369:20 379:8 395:9 637:21 648:10 699:2 717:22 916:22 1582:8 1841:12 1867:21

defendant's 4:15 11:5 156:7 157:15,27 169:2 1920:9

defendants 4:11 13:12 16:10 17:7,17,24 18:7,25 22:26 23:27 24:14 26:1,5 34:15 36:21 154:28 156:16,17,20,28 158:7,11, 18 160:3,27 161:19 164:21,26 165:5 166:22 168:11 172:27 302:11,24 304:19,22,24 331:15 332:14,28 333:4 334:10 348:16,18 352:13,27 356:18,28 357:6,11 358:8, 16 368:27 371:7 373:6 376:12 382:7 393:26 403:17,18 404:12 602:11, 24 607:15,27 608:12 610:6 619:9,25 620:20 621:28 622:4 655:11 669:17 677:21 680:1,4 683:13,22 690:20,28 692:7 694:4 695:26 706:5 752:20 753:20 756:17 902:11,24 972:27 1202:11,24 1214:14 1225:27 1261:20 1333:15 1502:11,24 1557:22 1802:11,23 1844:28 1846:11,14,18,21 1850:24 1851:3,18,19,23,26 1852:8 1853:27 1855:7 1858:26 1861:28 1862:16 1863:17 1864:7,21 1865:9,18 1871:3,24 1873:25 1896:26 1905:25 1920:27 1924:6,19 1925:12

Defendants' 326:10 331:11 395:9 399:21 404:5 603:11 612:20 619:4 628:11,27,28 629:2, 6,22 643:11 651:16 652:1, 16 676:25,26 677:18 679:19 688:25 709:1,9 736:28 752:22 754:3 755:8 757:8,10 758:14 904:16 1207:2 1267:25 1297:23 1363:22 1365:2 1504:10 1511:3 1514:11

1587:18 1804:4 1847:9 1851:27 1857:11 1858:4 1862:9 1871:2 1872:3,8 1875:8 1907:10,12

defended 404:11

defense 5:12 7:26 8:7,8, 9,20 9:15,16 12:17 14:25, 27 15:2,5,14,23,26 17:4,7 18:8 26:28 28:24 29:24,25 35:22 40:12 152:24 156:9, 18,19 159:2,6 162:9,10,13 163:4,7,8,10 164:22 166:3 173:6,12 310:10 315:20 328:3 337:7,17,19 339:27 342:10 343:25 344:11,18 350:17,21 354:24 355:7 365:23,26 372:19 383:27 393:13 395:24 401:3 405:8 604:22 605:10,20 606:17 611:22 616:25 617:9 625:9 626:14 628:24,26 630:9,15 631:24 651:14 652:25,27 653:5,10,20 661:22 662:14,15,18 665:6 668:17 673:28 696:10 702:16 708:20,22 713:6 719:11 757:12 906:25 914:15,16 930:14 943:8 973:15 1210:24 1215:16 1219:2 1220:24,26 1221:4,10,24 1246:27 1527:6 1583:2 1587:27 1837:27 1839:9 1840:1,6 1841:22 1845:17 1862:22, 23,25 1864:26 1865:1 1867:7,10 1871:22 1873:2,5,6 1911:4

defense's 608:19

defenses 18:19 24:9,12, 18 310:11 311:7 324:24, 27 357:23 371:10 695:6 740:20 752:20,23 755:8, 16 1844:28 1871:2 1875:9 1894:2 1896:16 1911:23 1916:16 1920:4

define 630:4 939:22 1218:8

defined 5:5 1674:6 1885:17

definition 19:2 667:25 668:10,11 738:3 1827:16, 17,22,26,28 1828:21,22 1858:2 1865:4 1882:23

definitional 668:9

definitions 1828:28

defusing 374:26

defy 770:14 779:5

Degeneres 1255:12

degree 10:27 160:24 392:11 1528:15,16 1895:17

Del 769:6 944:20 1250:22 1255:11 1337:6 1811:1

Del-rio 1220:3

Del-rios 369:7

Delano 917:22

delay 178:26

delete 361:6

deli 992:21

deliberations 11:25 18:2 25:19,23,28 173:5

delicate 1923:21

delicious 1243:27 1892:13 1912:12

deliver 735:26 964:6,26 1021:12,15 1034:19 1543:19 1556:20 1557:14 1566:20,22,27,28 1624:27 1625:2 1658:10 1842:4

delivered 767:7 932:2 933:26 945:1,5 1015:18, 19 1025:5 1026:4 1288:23 1337:11 1356:16 1522:3,5 1535:14,16 1538:1,6 1542:13 1556:24,28 1557:26 1558:11,20,25 1560:6 1566:4,12 1625:3 1632:27 1635:27 1666:22 1835:5

deliveries 933:23 934:1,5 1021:10,19 1034:16,21,23 1531:16 1537:23,24,27 1538:10,18,22,25 1567:1 1593:19,21

delivering 639:15 1539:8 1542:16 1571:10 1637:26 1638:2 1819:8 1832:27 1869:16

delivery 706:21 746:20 932:5 944:21,23 1022:1 1034:2 1035:1,3 1301:15 1337:6,9 1556:15 1570:28 1572:9 1624:6 1640:9 1658:9 1809:24 1811:2 1832:17

deluge 373:19

delving 6:12

demand 622:13,18,22 623:2 624:2 625:6 627:15 628:1,2,15,16 721:3 732:2,4,12 755:24 910:27 912:11 913:22 1548:6

demean 719:7

demeaning 1680:26

demeanor 1886:22

demonic 609:20 763:24 976:13

demonstrate 370:17 371:27

demonstrated 158:7

demonstrates 1861:21

demonstrating 6:10

demonstrative 1586:11

denial 11:20 353:25 357:4 369:1 371:9,10,17 610:4 748:23 750:22 751:25 956:12,15,20,28 1230:9 1232:15,18 1236:4 1321:26 1351:12,26 1355:7 1526:2 1858:8 1861:22 1883:11 1890:14 1900:14

denied 19:13 174:11 331:1 341:4 348:1 352:20, 21 354:2,4 356:12 358:6 608:11 615:16 632:22 636:9 640:17 653:7,14 655:18 665:16 694:2,6 708:11 743:8 748:19 750:18 753:28 939:17 951:8 953:7 954:8,17,24 956:7 971:21 1213:15 1230:17,26 1261:22 1293:27 1294:8,25 1296:7 1331:10 1344:22 1348:1 1349:5 1354:25 1358:5 1522:15 1526:8 1543:5 1826:19 1847:13 1848:12, 15,27 1849:13,20 1856:13,15,23 1857:2 1860:3 1867:10 1913:17 1919:17 1921:11

denies 340:12,13 361:20 610:15,19 743:23 752:5 1847:16,18

denigrates 777:4

denigrating 21:10 1924:4

deny 318:10 321:27 323:25 324:24 325:7 345:16 349:2,23 355:5,18 356:11 361:19 397:16 398:21,24 617:11 618:14 630:13 631:25 632:27 633:1 635:12,28 637:6 643:25 650:2 651:1,18 663:17 666:4 671:13 672:14 676:11 677:1,12 678:18 682:25 700:9 708:5 720:20 744:10 753:22 939:11 972:4 1307:6 1850:4 1860:20 1862:24 1866:27 1870:19, 27 1889:11

denying 324:6 340:17 376:6 638:27 640:7 665:12 688:10 907:2 1355:2,5 1522:24 1523:1

department 2:4,7,20,21 4:3,5,9 5:10 6:9,16,24 8:14 13:22,25,28 15:15,18 20:26,27 21:15,17,19,22 37:23 152:4,7,21 154:3,6, 8,10,23 155:8 165:13,14 166:7 168:28 169:12,16 178:8,9,12 302:5,20 304:11 602:5,20 902:5,20 1202:5,20 1234:5 1280:6 1502:5,20 1802:5,19 1843:10 1857:8 1911:20

Department's 8:16 21:8 23:12

depended 1518:8

depending 180:24 305:17 369:15 389:28 695:8 719:15 770:22

920:21 924:2 959:18 997:10 1004:27 1011:9 1065:23 1597:20 1617:22 1634:23 1657:26

depends 308:27 727:12 1518:27 1612:9 1655:19 1657:24 1658:21

depict 1614:18

depicted 610:5 743:21 1594:4 1602:9 1618:19

depicting 743:5 1670:23

depiction 609:2,21,28 610:13 615:3 1558:25

depictions 609:7,19 665:14

depo 691:1 713:27 933:28 1054:20 1258:19 1658:17 1668:24 1673:1, 16 1674:13 1678:11,16,26 1872:14 1886:21

depos 647:23

depose 4:17 10:8,10,15, 21 36:19 158:12 336:9 341:10 620:5 709:20 710:19 711:18 712:1 713:6,7,14

deposed 19:19 20:21 34:15 39:19 306:18 621:6, 19,24 624:14 625:27 627:20,27 647:7 713:24 714:4,8 718:6,16 722:13, 17 730:25 732:24 910:8, 16 1039:1 1883:28 1922:28

deposing 34:16 37:1 713:12 718:10

deposit 1339:8 1555:9,28 1556:9,13

deposition 33:25 36:22 306:16,21 307:6,11 335:1, 22 338:8 342:6 346:6 347:15 358:10 361:12,16 378:9 379:16 380:27 605:15 626:5 627:20 635:9 642:6 646:26 651:8 656:26 657:17 659:19 665:10 667:18 669:26 670:1 672:3 675:2,18,23 694:15 712:23 713:10,12, 19 718:1 721:28 722:4 730:18 731:17,25 734:3,4 907:27 908:1,12 910:10 913:12 954:10 1031:11 1036:3,8 1039:4,17 1218:12,22,25 1246:12, 23,28 1252:21 1257:24 1261:10 1264:17,27 1302:24 1304:25 1316:21 1317:7 1325:24 1361:10 1510:10,14 1514:14 1517:1 1518:16 1552:24, 25,26 1563:2,6,11,20 1564:2 1565:27 1566:2,15 1570:18 1573:8,10,20 1575:8 1578:27,28 1581:13,18,19 1643:21 1654:28 1655:6 1662:22 1673:21 1810:26 1828:5 1856:17 1901:2 1913:13, 15 1926:18,25

depositions 10:17 16:20 19:22 33:20,23 34:28 35:7,8,14,19,23,25 36:18 39:16,23,26 40:2,3,5,8,16, 21,25 41:2 306:17,27 370:22 392:10 649:7 661:5 669:25 687:13 728:1 733:26 780:28 907:25 910:17 1218:27 1649:22 1900:25

deposits 1556:3

deprived 1919:21

depriving 780:9

depth 156:4 177:11 740:22

describe 392:12 645:26, 27 935:5 975:4 984:1 1003:14 1010:10 1013:21 1017:27 1019:1 1020:17 1294:6,12,15 1295:18 1297:20,27 1298:3 1327:27 1353:1 1357:25 1593:15 1602:8 1611:21

describing 357:16 383:17 718:20 751:15 1253:15 1821:4

description 317:1,14,16 905:6 1205:3 1206:3 1207:4 1304:5 1805:5 1816:26

descriptions 317:15

deserts 1882:9

deserved 1353:23

design 346:8 607:13 608:21 609:27 610:9,12, 17,19 611:10 615:3,10 635:27 636:2,8,26 640:25 665:11,13 718:18 736:9 739:4 742:5,19,21 743:3, 12 744:4 746:27 752:4,6,8 760:22 761:18 762:21 764:22 918:9 920:27 921:2,5,14 923:12 924:11, 20,26 925:5,8 931:19 932:18,22 934:9,11,13,26 935:21 936:2,4,23,27 937:11,17,24 938:18,24, 28 939:2,16,22,24 943:18 945:22 948:11 949:9 950:15 958:16,20,27 959:6 960:27 961:5 975:24 976:8,16,24 982:6, 27 1016:12,14 1020:21 1021:5 1022:13,18,26 1025:21 1026:7 1032:11 1033:28 1064:23 1065:2, 17 1272:17 1273:8 1274:28 1275:5 1287:20 1336:15 1339:25 1350:6 1354:27 1360:20,21 1523:9,10 1532:2 1558:11 1569:21 1570:13,16 1576:9,11,19 1592:4,5 1595:15 1598:2,25,28 1599:12,23 1600:18 1601:11 1602:17 1604:25 1605:12 1621:19 1622:25 1623:5,7,15,26 1624:4 1626:1 1629:3 1632:19 1654:9,11,18 1659:10,13, 14,15 1660:23,24,28 1661:21 1663:8,18,20,22, 24 1664:1,6 1665:13,18 1668:22 1669:3,16 1670:24 1671:1,3 1674:28 1675:26 1678:7 1679:6, 21,25 1680:3,5,7,9 1681:6,26 1683:20,23,26, 27 1685:28 1815:9,13 1829:16 1830:1 1831:25 1860:9 1861:1,14 1878:13 1879:19 1880:18,28 1885:12 1886:2 1888:25 1916:24

designate 726:4

designation 1910:17

designed 776:18 1544:14 1551:2 1572:12 1606:28 1625:18

designer 931:7 1559:24

designers 751:2 1576:15 1924:23

designing 1605:15 1612:15 1665:23 1877:21

designs 741:26 762:24 936:15,18 1020:2,5,6 1025:26 1558:21 1559:18 1568:25 1678:4 1682:11 1684:12 1825:23 1905:13

desire 309:26 348:13 399:14

desires 1046:9 1047:17, 27

desk 1627:18

dessert 626:28 634:17,22 770:18,21,25 775:25,27, 28 776:12 1259:1 1516:18 1543:25 1544:9,13,15,16 1609:8 1614:25,26 1615:5,6 1616:17 1617:10,17,24,26 1634:25 1664:15,16

desserts 1029:17 1567:23 1615:5,6

destroy 365:1 374:17 693:15

detail 645:26,27 707:4 737:24 744:12 1272:13 1300:6 1577:14 1616:1,10 1879:17 1895:17

detailing 1273:8

details 360:7 738:18 746:17 945:22 946:2 1019:9 1026:11 1287:13 1288:21,24 1290:10,15 1338:1 1657:27 1658:5 1663:13 1888:13

determination 175:18 1534:6 1569:17

determinative 394:5 756:26

determine 678:4 908:22 1301:15 1618:26

determined 8:19 161:7

determines 1653:14

determining 687:25 1536:3

detestable 1547:1

develop 169:3 762:12 1327:20 1613:22

developed 23:6 639:18 912:10 1032:21 1051:7 1545:15 1590:12 1617:28 1632:18 1633:14 1817:17 1905:28

developing 680:25 1614:9

development 13:14 14:18 24:16 981:11 1050:22 1051:5 1528:24 1529:1 1570:7

develops 36:13

device 717:2 1327:7

devoted 1548:7

devoting 1560:17,18

devotion 1883:4

devout 741:8 1041:12 1515:10 1879:25 1882:21

devoutly 160:18

DFEH 14:28 18:26 28:5,7, 23 29:9 32:28 34:1,17,24 36:19 40:26 157:3,20,24 158:1,12,23,24 159:22,24, 27 164:28 165:23 167:16 168:22 170:15,17,18,24 171:19,27 172:1,9,18 173:21 174:20 175:24,26 181:3 304:15,16,17 331:3 332:25 333:12,13,28 334:13 335:19 341:26,27, 28 342:12,23 343:18,19, 20 346:2 347:4,8 373:7,13 375:1 377:6 381:9,15 383:8 391:18 394:27 395:8,12,17 396:17 397:4, 7,12 398:9,10 399:26 404:8,13,19,26 604:10 612:8,12 619:2,8 620:4 622:10 637:21 638:10 644:16 645:13,15,16 646:11,12 653:22 654:1 655:21 656:20 657:7,21, 26 659:15,26 662:5,27 663:7 669:17 681:4,9 686:10 706:6 708:28 709:14,17,23 713:27 718:12 741:13 749:20,27 752:19 755:10 757:15 768:4 779:2 780:14,28 906:10 914:27 953:20,23 954:11 985:10 992:4 1049:13 1208:10 1219:14, 19 1220:14 1221:1,6 1222:6 1223:26 1224:4 1225:12 1234:4,8,9,11,14, 17,23,24 1235:1 1266:12 1268:9 1278:12 1317:2 1352:22,24 1353:3,6,10 1368:28 1369:3,8 1553:6 1555:4 1581:9 1649:11 1650:3 1806:10 1807:27 1808:18 1821:4 1850:2,5 1854:1 1864:4 1871:22,24 1872:3,10,13,23 1875:17 1879:28 1883:9 1884:23 1885:11 1891:26 1893:20 1900:2,23 1901:7,14 1904:14 1907:14 1913:11, 14 1915:9,14 1919:2 1922:24 1923:27 1925:24 1927:7

DFEH's 157:9,17 159:23 165:7 343:2 366:1 394:18 401:14 681:6 780:11 1353:10 1845:13

diabetic 1061:19 1336:9

diabetics 1332:21 1335:9

diagram 1640:23

diamond 1272:14

dictate 706:4

dictated 1022:26

dictates 777:8

die 1341:13 1889:20

died 1883:21

Dieguito 2:25

Diet 1852:26,27 1853:2,3, 6,7

difference 6:23 27:16 671:11 724:6 731:12 1604:20 1649:10

differences 30:7 688:19 1921:2

differently 5:25 37:21 352:4 369:3 395:5 402:9 695:24 960:24 961:24 963:10,20,26 1617:22,25 1626:18 1633:20 1645:9 1831:16,17 1847:2

differs 958:10

difficult 12:25 30:5 39:17 163:25 164:19 332:18 392:11 681:27 1551:28 1612:27 1622:17 1640:8 1832:11

difficulties 37:28 38:11

diffuse 392:18

dig 1295:27

digging 363:14

digits 1055:1 1258:2

dignity 647:1 753:26 1856:10,19 1857:2 1870:3 1919:22

dimensions 701:4

dining 1627:6

dinner 1051:12 1610:13

dipped 1617:5,6

direct 156:21 160:4 164:27 309:1 311:18 314:22 321:4,5,13 323:18 364:19 714:14 904:6,10, 13,18 917:12 957:26 974:17 986:16 1009:1 1034:16 1037:24 1050:4 1204:6,9,13 1226:26 1227:1 1249:3 1258:27 1279:8 1285:1 1308:13 1326:17 1504:12,15 1520:8 1527:22 1541:16 1546:5 1547:9 1567:11 1570:4 1582:7 1588:23 1637:18 1638:7 1835:11 1837:20

directed 357:13 358:13 686:27 687:23 688:27 689:4 690:3 694:24 1216:8 1255:2 1568:13 1576:13 1646:3 1824:28 1863:18 1916:2

directing 1568:22

direction 8:6 173:19 1529:26

directions 1857:21 1858:10,14

directly 362:14 364:8 365:13,15 368:20 375:4 693:4 695:20,25 781:21 955:10 1074:21 1542:14 1557:28 1920:3

director 1528:4,7

dirty 1619:25,28

disability 1906:13 1914:27

disadvantage 23:24 24:2

disagree 30:13 653:17 1045:2,6,14,25 1224:5 1263:1,15,19,26 1305:20 1316:13 1824:19 1919:19

disagreed 1677:15

disagreeing 380:4,5 1007:3

disagreement 1002:12

disallowed 359:4

disappear 1351:26

disbanded 1529:12

disbelief 1347:19

disclose 24:26 702:7 720:10

disclosed 166:1,12 622:16 711:10 713:23 719:24 721:21,27 726:28 732:6 766:13

disclosure 8:25 166:24 622:10 721:2 733:22

discontinued 1548:13 1560:15

discover 7:26 20:7

discoverable 20:1 24:20 31:21 165:25

discovered 616:6 1329:22

discovery 8:8 12:28 13:5,6 17:20 20:2 27:9,22 28:2,3,4,5 34:13 154:28 155:16 156:8,20 157:8 159:4,5 160:3,24 161:3,20 163:19 331:13 340:28 341:5,22 620:2,3 624:18 644:15,17,20,22 645:18, 22 646:14,17 711:13 714:15 718:9,15 719:13, 14 721:7,22 722:12 723:24 750:7 911:11 913:24 1224:8 1275:24 1276:17 1505:13 1900:24 1922:25 1927:4

discreet 689:16

discretion 11:16 12:15, 17,22 156:22,26 160:6,15 161:13 162:20 163:1,11, 17 164:14 1914:23 1921:15

discretionary 691:22,26, 28 1921:14,16

discriminate 400:23 658:15 691:24 780:21 1023:20 1626:17 1629:5,7 1845:8 1862:17,24 1866:5 1893:28

discriminated 167:8,11 172:14 332:25 333:12 335:9 343:19 357:17 371:12 401:15 647:3 690:16 747:21 1294:27 1348:6 1353:21 1514:23 1515:1

discriminates 341:26

discriminating 175:2,3 1629:9 1630:16,18 1653:4

discrimination 15:16 17:2,27 27:16 30:20 33:8 156:24 160:7 162:26 164:28 167:12 174:27 175:3,13,15 332:4 337:6 360:16 382:17 385:6 388:10 395:12 401:26,28 402:4 612:12 632:24 648:10,15 662:16 674:14 688:23 690:2 736:24 737:3,11,16 756:22 764:10 771:3 772:24 773:27 780:18 964:3 1073:18 1219:21 1221:19 1233:16,23 1260:28 1261:5,8 1295:26 1345:26 1524:16 1551:10 1651:5 1846:8 1861:3 1862:22,23 1863:4,11,13,14 1864:26 1865:11,17,22 1882:26 1883:18 1884:5 1891:1,23 1893:8 1894:3 1895:19,23 1903:19 1908:14 1909:21 1910:6 1917:7 1918:14 1919:21 1920:23

discriminatory 17:20,23 169:12 337:12 387:19 388:24 676:28 752:2 1681:8 1883:6 1910:9

discuss 39:9 315:13 760:26 956:19 1060:15 1231:22 1338:5 1593:24 1678:1 1835:11

discussed 333:24 352:19 394:3 607:6 622:19 625:9 649:18 657:20 684:17 730:17 734:2,4 775:26 915:1 916:4 985:19 993:10 1015:8 1212:23 1231:13, 20 1232:8 1249:9 1342:1 1351:15 1356:12 1369:13 1587:9 1593:23 1681:21 1835:16 1914:19

discussing 393:28 757:3 760:21 1295:25 1568:28

discussion 38:19 345:23 369:19,26 370:20 388:9 390:21 395:6 405:2,5 607:24 628:8 636:25 651:23 652:23 654:19,21, 25 668:13 670:21 673:22 686:14 723:10 914:12 915:5,27 985:23 1253:28

discussions 37:27 38:15,16,17 39:7 177:15 312:6 348:21 721:18 723:5 1832:23

disease 974:11 1903:21

disentangle 1862:10 1894:11,13

disfavored 693:19

disguised 334:2 339:23 359:9 611:27

disingenuous 347:19

disjointed 1827:11

dismiss 174:12 673:18

Disney 1559:19 1633:5

Disneyland 1027:6,7,9 1031:28

disparaging 661:6,13 1901:3

dispense 1806:23

dispensed 755:15

dispersed 1647:12

display 746:13 926:3 933:13 942:17 1019:27 1020:2,10 1021:4 1022:10 1062:28 1063:10,14 1594:9,10 1595:13 1596:1,2,7

displays 939:2 1064:26

disposal 178:2

dispositive 177:7 611:28 630:6 634:2

dispute 11:14 27:5,6,7 35:18 162:7 400:13 626:9 704:10 706:6 722:7 743:25 744:1 756:27 912:10 913:14 1670:18 1808:19 1876:1 1877:18 1878:10 1879:18 1880:14 1893:12 1904:14 1911:6

disputed 40:5,25 371:23 639:11 737:21 908:5 1265:4

disputes 652:2 1816:25 1817:2

disputing 705:2,8,9,10, 22 706:2,13 707:11 715:13 1212:2

disqualification 38:18, 22,23

disrespect 1344:9 1831:8

disrespectful 954:5

disruptive 1547:6 1551:26 1878:5

dissemination 9:21

dissent 1915:28

disservice 30:9

distance 1291:28 1329:9 1605:27

distasteful 694:21

distinct 752:12 1883:8 1894:16 1895:27

distinction 330:18 346:17 348:22 352:1 365:11 384:27 401:17 667:16 750:18,21 752:12, 16 1848:12,15,19,27 1849:11,13,22,26 1850:3 1859:12,18,21 1862:6 1884:11 1909:9

distinctions 1909:26 1910:3

distinguish 1628:27

distinguishable 1904:25

distinguishing 371:6 1885:13 1905:23

distracted 1223:20 1612:7

distraught 1076:1

distress 16:11,13 348:17 393:5 643:15 644:10,16, 19,24,26 645:12,15,20 646:11,12,28 647:9,10,23 649:1,2,5,10 683:23 695:21 723:23 755:18 1261:12,20 1524:3,5

district 6:7 12:11,14,20 14:5 19:25,26,28 20:2 31:15 174:11,15 175:9 177:6 331:11 340:6 341:20 1223:10 1224:6,7

distrust 1915:27

dive 158:17 1216:27

divert 1548:2

divide 735:3 1839:24 1840:2,25 1842:6

divided 995:9,19,20

dividing 321:2

division 2:3 152:3 302:3 304:3 308:12 602:3 604:3 686:3 750:3 902:3 906:3 954:14 985:3 995:4 1202:3 1208:3 1278:3 1502:3 1505:3 1581:3 1802:3 1806:3 1843:3

divorce 776:26 777:1 941:9 970:4 971:20 972:3 1629:18 1630:12 1675:21 1680:23,24,26 1902:14,17

divorced 666:8

DJS 1924:25

doctor 1920:12

doctor's 1920:5

doctors 1904:27 1905:6, 13,20 1920:16

doctrine 157:7 160:14 166:4 172:23 177:5,11,19 1915:9

document 178:2 322:28 323:2,4,6,18,19 332:23 624:22 645:7 646:27 905:7 907:23 908:20 929:5 937:13 940:20,23 1067:9 1217:1,4 1219:7 1240:4,7,18,22 1252:15 1310:12,21 1311:21 1364:13 1555:15,16 1569:14 1601:27 1639:21 1683:9 1805:6,7,8,9,10, 11,12,13,14,15,16,17,18

documentation 727:25 912:7

documented 1555:12,19 1556:9

documents 4:16 26:20, 24 28:7 32:2,4 34:13,14 40:11 156:25 180:11 322:10,12 323:4 335:28 336:2 390:18 604:25 619:22,23 620:1,6,9,13 624:24 649:28 655:14,28 669:9 726:27 750:15 909:25 914:19 1218:19 1219:6 1234:14 1235:2,5, 11,19,24,26 1323:15 1369:3,7 1526:24 1530:10 1807:4,8

dollar 380:20

dollars 626:20,21,22 1320:2

dome 1595:19

domes 1595:19

Donald 1216:4 1220:7,10

Donuts 975:8

door 15:28 21:21 964:15 968:28 1287:3 1542:20 1610:3 1622:23 1627:16 1647:1,12 1853:24,25

doors 771:21 779:27 967:23 992:24 993:7 1006:2,4,6,8 1071:21 1550:2 1840:28 1881:11 1889:16,27 1890:1

dotting 731:10

double 388:28 389:5 715:19 992:24 1822:23

double-check 1658:10

double-sided 356:27 995:27 996:3

doubled 1651:28

doubly 1898:20 1915:25

doubt 720:15 764:6 772:7 780:5 1266:3 1334:28 1916:21

doubting 695:27

dovetails 682:16

downs 1919:3

downtown 1636:3 1652:2 1817:13

dozen 634:21 779:14 1644:28

dozens 1313:8,9,19,27 1314:11

drafted 1917:20

drafting 32:20 1531:13

drained 1304:2

drama 1590:12 1828:5

draw 687:11 733:7 1045:25 1264:9 1518:5,22 1519:2,8,11,18 1520:4,16, 21,24 1640:22

drawing 609:20 674:12 931:10 1274:24,27 1519:14,25 1558:18

drawn 1217:21

draws 329:12,13 330:11

dream 1030:24 1574:20

dress 1059:16 1607:18 1660:22

dresses 1059:4 1238:23

drew 931:18

drill 718:1

drilled 342:8

drinking 376:18

drinks 1357:15

drive 22:3 964:12 1075:16 1648:20 1849:27

driving 21:25 738:8 746:8 1061:28 1075:22 1332:26 1668:5 1906:13

drizzle 1617:6

drop 768:13 1329:14

dropped 404:7 714:3,4

drove 748:6 934:2 1061:11 1062:16 1346:20

drug 609:2 1533:6 1602:3 1680:20

drunkenness 609:5 1602:4 1682:11,20,23

dual 676:27

due 179:5 331:10 347:2 616:9 663:25 723:28 728:24 1652:4 1911:17

DUI 376:20,22 377:7

dumb 1030:7

dumbfounded 1612:25

duplex 716:25 717:1

duplicative 1900:24,25

duration 1883:1

duties 17:1 21:19 170:6 918:6 920:2 1010:10,15 1011:16 1017:22 1283:22 1591:22

duty 10:11,14 15:15,23 22:5 29:4 31:20 162:19, 20,21 714:13 918:6 1896:1 1904:28

E

E-I-L-E-E-N 1326:14

e-mail 24:22,25 26:17 991:14 1069:10,13 1282:6 1546:21 1814:9

e-mailed 1547:2

e-mails 18:1 23:28 24:20 25:18 26:16 392:12 955:24,27 967:19 991:14 1002:5 1069:16 1208:28 1235:7 1546:28 1551:26 1600:3 1646:22,23 1814:15,25 1815:3 1833:22,23,26 1834:3,6

earlier 175:8 177:15 305:14 336:8 395:6 608:1 617:25 656:1 657:20 668:24 697:7 708:14 748:19 752:4 766:2 767:6 910:16 951:11 1028:3 1071:11 1212:7 1244:25 1246:13 1249:23 1256:28 1314:15 1315:5 1316:23 1364:10 1369:2 1644:19 1685:5 1833:11 1911:19 1919:5

earliest 1550:26

early 14:9 27:15 634:26 660:4 719:28 975:7 993:15,21 1011:6 1059:11 1530:24 1531:22 1537:23 1545:14 1548:6 1633:10 1840:27 1877:5

earnest 32:18 1331:21

earning 725:2

earnings 620:25 623:23 724:20 910:24 912:4 913:8

Earth 776:22 1903:5

ease 1906:28

easier 386:4 400:12 620:12 1211:5 1594:12 1848:8

easily 401:6 1549:27 1634:26

easy 164:13 370:19 729:3 986:4 1623:18 1873:8

eat 338:9 661:9 667:7 670:3 1536:17 1596:11 1610:9 1641:8

eating 670:24 1901:4 1914:1,3,4

eclairs 922:19 1617:2 1847:17

economic 773:17 1893:3

economy 1870:19

edible 1040:18,20 1603:26,27 1605:17,21,23 1606:1,7 1607:24,25 1616:8

editorial 169:18

education 1529:17

educational 1528:14 1589:11

Edward 1584:28

EEOC 18:22 22:19,21,26 30:6,8,19,22,23,25 31:1,3, 7,9 33:4,9,16,17 36:4

effect 329:6 662:17 935:9 1549:26 1569:2 1608:7,11 1623:17 1863:23 1901:11

effective 38:19

effectively 40:12

efficiency 996:5

efficient 320:11 618:11 632:5,10,20 1276:18

efficiently 306:3

effort 381:20 986:22 1037:11,15 1654:23 1837:26 1895:21

efforts 393:16 1876:24

egg 682:9

eggs 999:11 1018:2

eight-inch 1620:15,26

eighth 7:13 1309:15

Eileen 2:15 152:15 302:13 602:13 646:2 648:9 666:15 690:15,21, 26 692:12 694:3,5 738:7 739:2,28 740:5,11 741:16 744:22,26 745:1,5 746:9 747:23,28 748:6,12,26 749:1,7,13 750:19 769:10 772:21 902:13 944:2 945:9 946:8 950:12,25 951:9 952:6 954:24,26 955:2,6,10,15,23,27 956:7 971:17 1050:14 1051:1,28 1052:7 1060:15 1062:12 1064:6,16 1070:8,28 1072:13,21 1076:15 1077:4 1202:13 1204:12 1213:14,18 1214:28 1215:12 1220:3 1228:23 1230:8 1234:3 1242:1,19 1244:6,26 1245:13 1250:2,22 1252:17 1253:15 1254:6,8,11,24 1275:16 1280:15 1283:10, 22 1285:14 1286:9,14 1287:11,15 1288:9,15,25, 28 1289:7 1290:20 1291:4,6,9,21,25,26 1292:26 1293:13,16,22,26 1295:16 1296:13 1298:4, 19 1299:26 1300:9 1301:2,3,8 1304:21,23 1305:3 1306:6 1307:20 1313:5 1314:9 1315:7 1319:24 1322:18 1323:4,8 1324:8,9 1326:1,13,19 1334:17 1342:17 1343:16 1344:25 1502:13 1504:5 1510:14,27 1512:22 1520:13 1587:2 1606:25 1615:21 1624:19 1639:26 1641:2,22 1643:3,4,9,11 1802:13 1809:20 1812:21 1813:4,12 1814:8 1826:12 1838:15 1844:23,25 1845:1,7,18 1848:13 1849:20 1850:1 1852:8 1856:20 1857:11 1859:17, 22,23 1860:21 1871:4,6, 14 1886:25 1890:17 1894:26 1912:26 1919:12

Eileen's 690:24 747:17 749:4 949:20 1064:14 1070:20 1224:16 1251:24 1292:27 1643:16 1810:15 1813:28 1838:9

elaborate 615:14 761:22 762:11 763:27 769:2 1064:25 1516:21 1517:6 1831:4

elected 711:28

election 1004:17,19 1215:24 1217:17

electronic 1002:6

elegant 1831:4 1886:1,3

element 365:23,26 367:17 381:7 385:22 400:22 404:14 1220:24 1228:26 1848:10 1850:2 1857:9,10,20 1858:18 1864:28 1896:11,24

elementary 1529:25 1590:9

elements 310:9,13,21 311:5 362:7 604:28 750:16 752:21 754:12 757:18 1576:11 1848:4 1864:5,20 1907:17 1909:20 1911:3

Elena 960:13

elephant 1029:16

elephant-in-the-room 637:19

Eleven 1583:15

elicit 330:23 339:1 349:28 633:15

eliminate 317:23 630:27 631:1

Elizabeth 1036:9

Ellen 1255:12

eloquent 769:19 1895:11

eloquently 1885:7

else's 345:25 351:14,22 352:6 369:4

embarrass 379:3 665:21 667:2 673:25

embarrassing 336:1

emblem 1916:26

embodies 1901:19

emotional 16:11,12 348:17 371:13 393:5 643:2,15 644:10,16,19,24, 26 645:12,14,15,20 646:11,12,28 647:9,10,23 649:1,2,5,10 683:23 695:21 723:23 755:18 970:1 1261:11,20 1524:2, 5 1877:12 1893:4

emotions 1076:25 1524:16

emphasizing 719:28

employed 919:10 991:2 1009:20 1010:1

employee 361:23 620:27 623:7 705:17 706:17 710:17 715:17 716:6 717:10,11,12 719:2,25 758:21 759:4 767:27 922:1 959:5 967:20 976:10 1014:9 1017:1,6 1028:9 1038:2 1063:16 1249:12 1300:24 1333:16 1531:6,17 1553:6 1554:4, 6,17 1561:2,7 1562:21 1566:11 1579:23 1592:25 1625:25 1627:27 1636:7 1652:6 1659:22 1660:11 1677:26 1684:10 1893:18 1927:7

employees 35:9 336:20 343:22 361:17,26 373:22, 23 404:22 619:16 622:2 704:23,25 705:4 706:22 707:5,12,17 708:3 710:15, 16,27 711:14,17 712:4 713:16 714:11 715:27 729:8,11 741:2,4,5,11 742:3 744:13,15 749:4 756:11 759:5,8,12,13,14 774:27 920:15 921:17,26 932:10 937:24 939:28 940:9 958:26 963:24 968:2,21 969:13 978:13, 15,28 979:11 980:11,13 986:23 987:23,26 990:8 995:23 998:4 1002:10,14 1004:14,24 1007:3,6 1011:19 1014:12,17,25 1019:25 1024:2,14,15,26

1031:20,22 1035:10 1037:15,26 1042:4 1043:6,10,16 1232:26 1519:25 1520:2 1547:8 1553:12 1592:1,22 1598:12 1612:4 1623:3 1624:23 1625:1 1630:22 1636:20 1637:2,28 1646:16 1648:3 1651:19, 22 1652:8,11,15 1653:9 1670:6 1677:8,24 1817:26 1818:23 1820:1 1850:7,16 1859:1 1868:2,24 1869:2, 3 1876:27 1877:26 1883:2 1887:25 1889:25 1905:18

employer 378:9

employers 635:21 1532:8

employment 2:8,20,21 4:5 152:8,21,22 154:11,23 302:5,20 304:11 602:5,20 643:18 644:3 716:24 902:5,20 993:28 1002:11 1009:13 1011:13 1012:18 1013:16,23 1014:10 1015:2 1021:13 1026:16 1029:9,19 1030:14 1202:5,20 1502:5,20 1528:19 1802:5,19 1843:10 1857:8,22 1911:19

enacted 1026:5 1865:6

encompassed 21:5 1858:18

encourage 957:3 1230:23 1660:13

encouraged 684:1

encouraging 698:7

end 17:2 19:9 26:4 306:8 309:13 319:23 334:6 335:6 336:28 339:22 340:14 348:12,15 349:14 355:11 380:8,10 396:2,15 404:4 611:2 616:8 632:12 654:7 661:22 668:20 710:24 737:5 738:19 754:23 756:4 769:9 975:12 977:8 989:4 1002:11 1010:28 1011:12, 14,27 1021:13 1030:15 1034:19,22 1050:25 1054:5 1061:9 1066:20 1068:5 1071:2 1229:15 1236:21 1249:24 1272:27 1275:16 1285:8 1286:21 1293:10 1298:8 1331:3 1334:13 1335:4 1351:2,3, 5 1352:1,24 1529:11 1575:22 1580:1 1628:7 1637:24 1640:10 1649:21 1651:21 1827:15 1858:16, 23 1872:27 1918:14 1920:22 1924:19 1925:9, 11

endeavors 741:9

ended 639:14 738:24 746:21 768:25 911:2 925:17 961:8 1053:14 1061:8 1062:1 1067:19 1075:23 1076:20,26 1229:14 1230:8 1236:14 1249:18 1269:1 1284:14 1296:27 1330:25 1355:13 1360:15 1529:24 1536:4 1832:21 1871:17 1913:4

ending 737:10 983:27 1331:12

endorse 1315:20 1571:8 1884:20

endorsed 364:3

endorsement 1571:1 1572:8,17 1664:11 1875:1 1925:6

endorsing 754:21

ends 10:13 165:1 371:9 1215:13

Enedina 1367:20

energy 1528:25,26,28

enforce 5:8 15:22 23:13 32:22 693:14 1860:14,26 1861:12 1872:25

enforced 737:26

enforcement 159:13 331:4 907:10 908:8

enforces 637:2 1860:13, 20

enforcing 341:5 688:8 1911:28

engage 613:7

engaged 161:28 387:18 1541:3 1835:12 1868:16

engagement 633:20 634:14 641:21,24,26 642:9 1676:18 1830:28 1876:17

engagements 1676:4

engages 388:25

engaging 382:18

England 1902:12

enhance 1325:2,7

enjoin 174:10

enjoy 1030:22 1263:10 1350:7,8 1357:24 1539:16 1855:24

enjoyable 1030:19,20

enjoyed 1018:23 1031:13 1834:23

enjoys 1896:28

enlarge 1652:4

enlarging 1652:1

enlighten 348:20

ensure 29:17 758:19

ensures 1870:12

entangle 1862:8

enter 655:15

entered 612:22 655:24 1558:14 1624:10 1822:8 1830:2

entering 608:13 1848:21

enterprise 15:9 759:9 1560:11,14 1561:1 1869:20

Enterprises 1560:9

entertain 612:1 613:14

entire 661:23 753:20 919:16 924:20 925:1,5 1211:23 1279:18 1308:20 1311:16 1543:3,4 1605:22 1607:6 1627:7 1638:1 1680:3,8 1807:7,8 1903:10

entirety 1267:21

entities 157:5

entitled 156:20,21 165:1 324:22 657:1 1264:2,6 1844:18

entity 1561:11

entry 1926:24

enumerated 994:18

enumerates 608:24

envelope 10:13

environment 959:13 977:18,21 1030:19,21 1529:7 1883:24

epithet 389:9,12

epithets 385:15

equal 659:2 735:2 741:16 743:9 744:17 750:19,23, 24 751:20 755:27 756:14 759:2 773:24 774:24 778:9 918:26 1228:24 1229:11 1346:28 1358:18 1535:7 1652:21,25 1653:2 1844:17,19 1845:6 1848:12,15 1850:5,23 1851:22 1852:17,21 1853:26 1855:6 1857:5 1858:9 1863:6,15 1866:20 1867:25 1868:12 1870:6, 20,27 1872:1 1905:11,16 1907:2 1912:1,24 1924:14 1925:16 1926:9

equality 1331:11

equally 692:3 735:3 737:9 769:19 1358:17 1840:26 1923:11 1926:2

equate 1883:16,22 1924:3

equipment 988:18

equitable 6:13

equivalent 661:2 1628:15,20

eradicate 1903:22

eradicating 688:22 690:2

eradication 1903:18,20

ERIC 302:3 304:3 602:3

604:3 686:3 902:3 906:3 985:3 1202:3 1208:3 1278:3 1502:3 1505:3 1581:3 1802:3 1806:3 1843:3

Erin 997:8,23 1012:24 1014:21 1024:28 1027:17

errands 748:13 1076:19

error 1879:6

escape 756:17 1884:4

escorted 969:22 991:23 1286:17,22 1341:26 1647:6

Esq 2:21,24 152:22,25 302:21,22,24,25 602:21, 22,24,25 902:21,22,24,25 1202:21,22,24,25 1502:21,22,24,25 1802:20,21,24,25

ESS 1590:13

essential 160:12 710:22 712:6 737:22 778:17 1866:24 1896:1 1904:25 1911:3

essentially 5:13 15:11 30:15 32:8 173:22 174:21 175:7,10 176:13 680:23 715:12 1545:18

establish 1309:5

established 1361:20 1550:27 1569:7 1857:8 1903:5

establishment 740:26 1906:26

establishments 1844:21

estimate 305:8 307:20 308:13,25 319:4 606:10 913:18 1066:3 1227:25 1323:28 1338:12 1357:21 1537:26 1538:9 1539:7 1553:27 1656:3 1833:1 1840:8

estimated 1825:5

estimates 735:7

estoppel 645:2

Estrada 1366:28

eternal 779:4,5

ethical 22:5

ethnicity 962:11,20

Etsy 1361:11

evangelize 1878:24,26

eve 1369:8

evenhandedly 765:20

evening 367:7 782:1 946:16 1229:18 1686:22, 25

evenly 1839:26,27

event 368:16 379:3 398:23 629:23 640:12 724:12 742:11 757:2 764:8 767:4 910:25 933:18 934:6 937:2 944:7, 15,26 945:2,5,12 1020:26 1021:21,27 1026:18 1217:1 1239:4 1245:3 1255:27 1263:8 1297:21 1334:25 1337:2,12 1351:13,15 1517:28 1529:19 1530:1,3 1539:22,23 1541:8,17 1542:12,17 1544:1,7 1545:17 1548:11 1572:8, 14 1573:3,4 1575:23,27 1576:6,7 1590:25 1591:5 1664:27 1665:9,27 1666:1,3,21,25 1667:16, 17,20,22 1676:3 1810:20, 22 1847:18 1876:17 1895:9

events 379:6,9 614:12,18 633:18 712:18 753:4 755:2 908:10 1022:12,18 1026:24 1302:6 1316:25 1539:8 1571:11 1591:3, 13,16 1608:17 1631:1 1632:14 1665:7 1666:7,24 1675:27 1825:26

eventually 386:25 767:26 1035:3 1250:5 1302:13 1528:23

everybody's 402:24 1217:22

everyone's 34:4 633:27 926:15

Evid 904:5

evidence 13:7,13,20 14:14 17:8,22,26 18:6,18, 23,28 19:2 22:8,12,27 23:2 31:13 36:7 156:22 160:5,28 161:4,15,19 163:18,23 164:8,9,17,23, 27 166:23 167:4,13,18 169:3 170:2,8 171:11,18, 25 173:25 174:13,16 175:15,16,26,28 312:8,14 318:6,8,13 319:1,11,14,19 320:2 322:3,5,9,22 323:5, 26 324:7,19,21,26,28 325:2,3,4,16,17 327:9,11 331:3,9,12,14,25,26 332:21,23,27 334:3,6,27 335:4,11 336:10,27,28 338:26 340:4 341:15,17, 21 342:11,27 344:1,13 345:2,21 347:4,13,25 348:10,19 350:9,15,21 351:24 353:11,12 355:9, 10,12,17 356:16,23,26,28 357:12,14 358:18 359:18, 19 362:4 363:2 366:12 368:4,21 371:11 373:12 375:25 376:3,4,12 389:11, 26,28 390:10 391:6,16 395:27 396:2,10,12,15,23, 25,26 397:17 398:7,13,15 399:7 400:21 404:14 607:8 609:14 617:15,16 618:13,20 619:20 624:12 629:3 630:5 632:9,15,26 640:4 646:17 651:17 652:2 653:13,15,21 654:6, 9,14 655:11,13,15,24,25, 26 656:8,9,10,11,14 657:5,8,13,15,27 658:3,8, 10,11 659:18 661:4 662:6, 11 668:18 669:2,6,10,11, 12 674:27 677:17 678:19 679:19 680:8 681:15,16, 20,23,24 683:12,19,20 687:1,20 689:12 690:4,9 692:19,27 694:26 695:9 696:27,28 697:25 704:4 708:7,10 719:11 726:20 733:3 751:7 754:26 906:15 907:23 909:17 914:27 915:12 926:20,28 928:19 929:21 930:18 940:20,23 942:23,28 943:3 955:19 1054:1 1209:6 1210:12,17,19,25 1212:22 1217:2,5,13 1218:4 1219:7,8 1223:2 1225:15 1226:1 1239:22 1240:25 1241:6 1250:27 1251:5,18 1266:8 1267:26 1311:22 1324:20 1363:18, 23 1365:3 1505:18 1510:27 1511:4 1512:13 1514:8,12 1580:2,4 1586:10,12,13,17,21 1587:11,17,19 1620:11 1621:7 1808:8,15 1824:3 1826:16 1830:3 1841:18 1843:16 1855:9 1857:4 1863:20 1871:14 1874:27 1883:7 1889:5 1907:24 1922:2 1927:14

evidence.' 645:23

evident 1599:27

evidentiary 18:4 155:24 309:6 312:22 325:12 347:23 607:6 613:11 656:3 669:1 699:14 1212:24 1214:27 1686:28 1842:1

evilness 1682:21

evolve 697:1 1615:23

evolved 719:24 1533:2 1601:28

evolves 390:1 695:9 696:27 719:11

ex-parte 38:20,21

exact 334:26 692:22 923:18 1020:8 1071:14 1256:4 1264:18 1290:23 1606:17 1642:3 1662:20 1901:27 1916:24

exaggerated 664:28 1268:2

exam 309:1,2 957:26 1034:16

examination 321:2,4,13 344:2 356:13 642:18 653:6 904:6,7,10,11,13, 18,19 917:12 971:4 974:17 985:16 986:16 1006:17 1009:1 1048:13, 16,27 1050:4 1204:6,7,9, 10,11,13 1226:9,20,26 1227:1 1268:17 1279:8

1312:2 1320:7 1324:24 1325:26 1326:17 1504:6, 12,13,15 1505:18 1520:11 1527:22 1546:6 1577:3 1582:7 1588:23 1637:19 1804:6,7 1826:28 1827:5 1838:5,22

examine 631:3 650:7 1251:28

examined 911:22

examining 1046:25 1258:9

examples 362:25 366:9 372:12,13 373:1 382:8 639:23 687:22 923:3

exceed 639:1 957:26

exceeding 645:17 646:13

exceeds 1567:10

excellent 758:28 766:19, 21 1593:20

exception 158:6,7 688:10 769:4 907:13 942:20 1586:17 1894:25

exceptions 693:6 1683:7 1885:16,17

excerpt 1036:13

excerpts 338:7

exchange 622:14,23 624:2 628:19 725:5 732:11 1029:16 1057:25 1068:10 1239:15 1244:28

exchanged 172:22 951:24 1241:23 1579:26

excited 738:8 739:9 746:9 969:4,5 1062:18 1853:4

Excitement 1052:23 1238:25

exclude 319:19 321:18 322:3,4 323:26 324:7,21 326:18 331:2 334:9 350:12 356:24 366:11 368:23 376:28 389:24 390:18 391:16 395:3,27 607:11 613:20 618:20 619:2 620:9 653:13 677:17 681:16 695:1 702:11,14 709:1,9 732:27 764:2 913:19 915:4

excluded 319:14 326:20 332:21 368:5 376:23 380:16 389:23 613:21 704:5 705:2 916:2 972:13 1212:8

excluding 319:11 325:17 372:27 376:3,4,25 632:25 652:1,17 679:18 683:19, 20 695:3 697:25

exclusion 629:2 651:17 676:26 696:15

exclusively 761:28 762:4 1612:20

excuse 338:5 340:13 382:27 734:13 742:1 972:13,18 1662:6 1680:5 1847:19 1857:7 1861:20

excused 972:10 1007:16, 18 1049:2,5 1325:13,16

executive 9:13 164:15 926:1

exempt 736:21 1846:5 1921:15

exempted 1845:14

exemption 754:1 1906:12,14 1914:25 1921:14,16 1924:21

exemptions 691:22,26, 28 692:4 756:16 1906:9, 12 1914:24,26

exercise 10:3,14 12:17 28:10,13 29:10,12 30:3 40:10 162:28 163:16 400:28 401:2 688:2,15 693:15 752:21 774:11,14 1845:16 1846:23 1868:14 1870:5,6 1873:4,21,27 1874:9 1881:20 1887:5 1896:28 1898:19,22 1911:2,9,10 1913:8 1914:22 1915:19,21 1920:16 1921:1

exercised 12:14 156:23 160:5 163:11

exercises 12:22 1915:21

exercising 162:20 1868:15,20

exhaustion 749:28

exhibit 313:19 315:16,20 316:21 322:22 323:15,17, 23 325:13 342:14 345:4 382:7 383:26,27 384:6,14, 17,19,20 385:16,26,28 390:13,20 398:4 608:23, 26 609:9,13,16,17 656:7 657:18,20,26 699:5 736:1 748:21 758:9 759:24 760:18 761:6 762:16,17 775:16,19 905:6 907:1,2, 13,14 926:6,26 927:2,4,6, 13,15,21 928:10 930:16, 17 934:16,20 942:8,9,21, 22 943:9 944:1 946:2,18 951:26 1008:4,6 1022:5,7, 9,21 1023:4 1054:12,14, 20,22,23,24,28 1055:2,4, 5,7 1064:11 1067:25 1068:8 1070:19 1077:24 1205:3 1206:3 1207:4 1209:17,28 1210:1,7 1211:10,16 1212:5,19 1224:11,14,16,23 1225:3, 4,14,28 1229:19 1239:21, 22 1240:26 1241:2,5 1250:17 1251:14,28 1252:1,6,8 1253:22 1254:2 1256:16 1257:14 1259:3,15,21 1265:3,4,11 1267:12,23,25 1276:6 1282:5 1309:21,26 1318:24,27 1319:2,11 1324:20 1334:16 1337:1 1349:9 1362:4 1363:19,22 1364:8,17,18,20,27 1365:2,6,16,20 1505:9,10, 19,23,24 1506:16 1507:27 1510:27 1511:1,3,19,24 1512:12,18,21 1514:11 1568:18,20 1581:22,26 1583:1,3,4,6,8,10,12,14, 17,18,21,24,26,27 1584:9, 22,23,27 1585:2,5,6,10, 12,13,15,20 1586:14,16, 20 1587:13,16,18 1594:3 1596:14,15 1598:27 1599:24 1601:10,26 1602:7 1608:14 1610:18, 19 1615:16,17 1618:8 1620:13 1622:8 1633:28 1634:5 1640:26 1669:23 1682:14 1683:14 1685:6, 10 1805:5 1806:27 1807:2,7 1810:9 1813:6 1825:17 1830:2,5 1831:10 1879:2 1927:6,12

exhibit-by-exhibit 1251:20

exhibits 315:9,11,13,24 316:4,9 322:17,19 323:22 341:16 384:7,8,9,10 387:25 390:3 405:20 608:1,4,5 613:27 616:20, 21 619:4,18 620:13,20 624:8,11,28 685:2 687:2 689:2 693:23,24 695:1 699:4 726:12 736:2,4,5,6 757:24 764:24 905:2,5 910:13 926:3,18 927:7 943:3 1008:1 1058:11 1077:8,11 1205:2 1206:1 1207:2 1209:6,9,27 1210:11,17,18 1215:1,2, 10 1225:7 1251:4,9 1253:19 1258:7 1281:8 1579:25 1582:7,11,28 1583:15 1585:3,4 1586:6, 9,16 1587:14 1594:1 1596:13 1637:9 1639:14 1805:2,4 1806:25 1807:1, 8,11,12,19,20,28 1808:1, 14 1841:6,8,15,17,19 1895:5 1927:13

exist 306:11 724:24 728:23 730:7 910:23 1884:6

existed 23:5 700:25 1002:4 1834:13 1882:8

existence 1554:7 1874:10 1877:5

existing 13:20 176:21 652:18 741:28 1920:2

exists 170:11 1345:26,27 1910:10 1914:26

expand 156:16 401:14 1530:1 1865:14,25 1866:9

expanded 1553:22

expansion 156:10 159:1, 19

expansive 404:26

expect 19:23 306:8,9 309:16 312:9 321:21 323:5 324:17 344:2,23,25 346:24 349:12,28 350:3,4 370:9 630:20 649:20 682:27 684:5 695:14 739:11 1229:27 1263:26 1521:3 1593:27 1595:27 1639:4 1659:5

expectation 23:26 305:25 1223:5 1285:13 1867:18

expected 373:15 711:18 1287:16,26 1873:2

expecting 37:25 309:24 346:20 349:4 378:23 399:12 1055:15

expedite 313:3 925:28 1582:6

expedition 13:19 17:13, 24 18:9 161:21

expeditious 631:5 943:6

expeditiously 399:16 401:6 684:5

expenses 16:20 725:9

expensive 360:11 1060:21 1245:19

experience 339:2 352:22 687:8 696:22 706:24 746:11 918:11,16 960:26 968:27 970:5 979:4 982:8, 19 983:1 996:12 1066:8 1211:20 1216:21 1230:16 1237:5 1263:12 1292:18 1293:11 1295:3 1296:13, 16 1323:3 1327:24 1333:6,26 1347:26 1349:18 1535:10 1536:15 1540:6,15 1549:28 1590:3 1591:9 1651:3 1821:18, 21,22 1836:6 1838:10,15, 24 1856:21 1867:16 1882:28

experienced 346:3 360:15 373:19 617:2 648:15 657:6 693:27 722:15 992:11 995:18 1322:19 1352:16 1551:18, 24 1659:7 1811:19

experiences 380:1 978:1 1347:22

experiencing 393:18 969:14

expert 387:26 622:11,14, 23 623:11 624:3 625:20, 21 626:5,8 721:2,3,21 722:5,11,14,28 724:13 725:4 726:1,4,28 730:10, 25 732:1,2,25,28 733:21 909:23 910:24,25 911:17, 21 913:7,20,21 937:14 1534:15,19 1550:6

expertise 966:4 1657:26

experts 167:19 622:9,10, 19 625:9,11,12 626:15 628:19 721:19 732:5,8,14, 17 913:25

explain 16:8 323:14 360:2 377:10 618:5 629:8 663:24 679:21 685:1 689:17 704:6 771:10 912:13 938:6,7 1215:20 1220:19 1284:17 1348:16 1353:6,7 1354:26 1513:5, 17 1524:13 1564:8 1608:15 1623:18 1679:9

explained 653:25 729:12 767:8 1001:10 1355:24 1364:15 1512:28 1525:17 1632:19 1878:23 1923:5

explaining 689:25

explains 764:28 1524:14

explanation 158:15 166:15 693:21 1656:4 1661:20 1865:22

expletives 336:2

explicit 609:1 743:4 1670:22 1679:28 1921:14

explicitly 1920:28

exploded 759:7

explore 647:14

exploring 678:9 707:4

exposed 916:7 1547:11

Exposition 1036:26

express 330:11 392:23, 25 612:13 654:26 754:20 956:6 968:21 1229:26 1262:25,28 1534:24 1887:21 1907:7 1908:16, 28

expressed 5:17 6:1 21:9, 14,16 338:2 361:11 748:2 952:6

expresses 764:26

expressing 15:13 397:10 694:5 724:25 1002:12

expression 613:1 669:22 779:9 1868:7 1870:10 1908:25,26 1925:1 1926:3

expressions 950:24

expressive 612:12 754:9,11,23 770:17 1894:20 1895:15 1901:23, 25 1905:22,26 1915:23 1916:17 1924:20 1925:7

extend 33:6 1914:28

extended 701:5 745:22 1057:22

extending 171:20 180:10

extension 341:1 663:26 676:4 707:14 750:8 1598:17 1911:18

extensive 355:10 716:1 724:5

extensively 730:19 731:15,19

extent 8:15 9:1 356:26 374:19 375:9 397:11 638:20 647:15 650:6 651:21,23 660:10 674:25 680:17 683:21 722:6 725:11 734:1 1330:15 1534:15

external 166:7

extra 12:6 626:22 746:1 911:3,7 996:15,17,21 1309:23 1620:19 1816:22 1859:5

extrapolate 724:11

extrapolates 725:13

extravagant 995:17

extreme 338:3 340:9 1919:16

extremely 28:8 36:19 669:16

eye 763:19

eyebrows 719:1

eyes 403:2 1605:19

eyewitness 712:18

F

F'ING 1311:16

F-R-E-I-T-A-S 703:3

face 12:16 15:21 161:11 374:8 606:1 643:7 650:22 723:23 752:3 915:10 968:7 973:18 1008:15 1049:15 1278:16 1326:3 1548:12 1551:16 1588:2 1830:23

Facebook 357:3,16 358:7 363:27,28 694:3 748:21,22,28 775:10 954:25 955:9 1211:17 1224:16 1229:24 1230:19 1232:18,21 1235:7,23 1249:22 1250:1,2,22 1251:23 1255:2,4 1305:25 1306:6 1307:10,21,23 1308:19 1314:10 1325:5 1353:15,27 1362:3,4 1363:13 1365:7 1369:9 1506:21 1508:5,7,23 1509:26 1510:28 1512:2, 23 1513:2,9,18,20,23 1514:3,27 1812:28 1813:4 1821:24 1891:28

faced 637:23 747:20 1600:16 1918:16

faces 1813:17

facial 950:24 1849:21,25 1859:12,18

facially 1914:17

facie 1867:8

facilities 1844:20 1852:15,16

facility 751:4 1817:12 1852:15

fact 7:24 11:28 12:5 16:4 31:9 171:10 326:18 328:14 333:2 335:24,25, 27 336:7 339:2,18 345:27 353:8 357:15,21 359:21 362:8,9 370:12,17,25 371:23,28 372:4,25 373:27 381:22 388:6 390:16 395:10 610:6 621:23 636:16 649:11 651:11 672:12 680:4 682:8 691:3 696:2,3 701:9 704:9 705:24 712:4 722:3 724:17 725:20 727:4,5 729:15 730:3 756:24 760:23 761:4 769:5 773:13 775:10 776:11 780:24 907:23,24 908:6,7 910:23 912:12 914:7,22 959:21 961:19 977:23 1035:10,27 1036:22 1042:26 1043:23 1044:16, 19 1048:2,7,10 1221:17 1246:3 1248:5,20,26 1249:6,17 1262:24 1263:18 1265:26 1266:1,4 1296:12 1298:27 1299:16 1304:21 1312:25 1317:13, 27 1319:28 1359:5 1369:6 1507:2,7 1509:5,11 1511:7,10 1514:27,28 1516:17 1536:20 1589:21 1601:17 1808:23 1834:14, 21 1835:3 1846:11 1859:10 1866:8 1876:1 1877:4,11 1878:3,20 1881:18 1882:3,5,19 1883:6 1884:20,21,25 1885:28 1892:19 1893:5 1896:11 1901:4,25 1903:2 1912:3,22 1919:16 1920:7

fact-intensive 1875:27

facto 30:17,26 33:6 36:5, 10

factor 708:8 1329:5 1885:13 1905:23 1908:14, 15 1909:28

factored 1329:14 1576:18

factors 689:17 1578:15 1914:19

factory 1869:11 1876:26

facts 6:4,12 11:22,23 13:14 14:18,21,23,24 15:18,21 24:12,17 27:6 28:26,28 34:11,18 35:13 36:27 164:5 318:21,23 328:16 335:24 342:20 366:22 402:22 633:9,24, 28 636:2 639:3,5 641:11 670:9 674:13 677:5,7,26 678:15 733:19 736:27 737:20,23 740:17 744:18 751:15,17,21 752:17 756:25,26 758:11 1676:8 1810:8 1824:8,9 1826:16 1847:3,5,12,26 1866:16 1875:27 1900:14,21 1922:20

factual 6:10 32:10 155:24 631:1 643:3,4 696:4 1879:6 1919:24

factually 1879:13

failed 164:22 165:2 336:3 624:21 654:1 732:3

failings 668:13

fails 966:8

failure 378:13

fair 2:7,20,21 4:5 152:7,21 154:10,23 160:2 302:5,20 304:11 347:16 351:18 353:2,21 401:9 602:5,20 643:18 644:2 668:12 697:5 698:13 716:24 723:24 902:5,20 936:9 978:28 979:10,15,20,21 1034:18 1202:5,20 1228:16 1330:1,2 1331:21 1502:5,20 1614:11 1623:24 1649:19,26 1667:17 1672:14 1673:5, 12 1674:17 1802:5,19 1821:20,21 1824:11 1828:10 1836:20 1843:10 1857:8,22 1858:8 1900:4, 7

fairly 312:4 1275:15 1914:21

fairness 980:10,20

faith 338:18 340:10,11,12 629:24 661:12 670:7 674:19 688:26 693:12,28 705:12 707:8 715:20,21, 25,28 716:8 720:16 741:14 761:13 764:17 912:1 954:1 978:7 1040:25 1041:6,16 1550:24 1600:25 1670:27 1870:15 1877:16 1879:27 1901:5,6 1904:4 1917:3, 26

faithfulness 1883:4

faiths 1911:17

fake 923:1 1547:16

fall 166:5 374:19 745:14 1538:13 1872:6 1899:1

fallout 991:21

falls 25:4,6 911:11

false 339:28 352:15 361:13,16,21 362:20 647:6 662:25 711:3 1045:26 1515:21 1854:24 1880:22

falter 688:28

familiar 609:16 710:25,26 711:1 966:23 1283:1 1349:18,26 1350:9 1625:11 1888:14 1920:9

families 1825:1

family 740:13 745:19,22 746:2 953:27 977:26 1042:1,8 1050:15 1057:21,22 1061:18 1229:25,28 1230:2 1239:13 1241:21,24 1245:9 1263:22,26 1280:2 1316:17 1345:19,21,23 1346:1,13 1354:2 1512:10 1513:12,14,18 1514:6 1544:5 1550:28 1551:1 1591:24 1598:15 1627:20 1823:12 1871:12 1896:27

family-like 1878:3

fan 672:17 1035:17 1889:17 1925:3

fancy 925:24 1022:15

fanned 1889:21

farther 990:12 1574:3

fashion 27:13 155:5 764:6 1883:6 1884:1

fashionable 764:4

fast 607:3 775:3 1055:24 1253:6 1530:26 1548:7 1589:17 1637:10 1656:3

faster 400:13

fat 324:5

father 776:23 1552:11,17 1592:10 1660:18 1902:20

fathers 1881:20

fault 952:19 954:1 1303:28 1856:23

faux 1879:10

favor 377:2 1253:11 1317:16 1364:1 1910:11 1912:8

favorable 1544:4

favorite 712:2 1237:20 1558:12 1592:4 1604:10 1606:28

Fe 2:26 152:26 302:26 602:26 902:26 1202:26 1502:26 1802:26

fear 1331:11 1644:8

fearful 969:21

feature 936:18 1514:15, 20

featured 743:20 1255:24 1823:5

featuring 609:4 743:3 1670:22 1671:1 1682:11

February 35:27 41:2 367:11,12,14 368:5,18 376:3 683:19 1552:27 1573:18 1581:20 1647:24 1678:11 1820:25 1825:2

fed 1243:19 1258:28

federal 30:10,15 31:10 174:10 176:3 688:1 736:20 778:2 1529:8 1846:4 1849:10 1906:18 1913:8

feed 1609:5,11,14

feeding 776:6 1238:8 1609:10

feel 30:9 308:11,22,26 319:4 320:3,8,9 323:3 355:21,22 394:10 400:20 606:22 617:15,18 618:8, 11 641:12 649:27 650:6, 11 669:15 681:9 699:22 700:12 718:28 740:10 773:3 909:15 926:13 958:20 968:6 978:27 979:10,13,15,17,21 1005:22 1033:1,13 1045:16 1052:22 1057:4 1066:8,22 1068:1 1074:26 1075:5 1234:23 1247:17 1262:4,14 1271:4 1276:21 1283:28 1295:5,8,10 1298:8 1328:2 1336:10 1338:27 1340:6 1345:5,20 1352:15 1509:6,9 1559:24 1571:7 1572:11,17 1573:2 1574:4 1579:5 1625:1 1626:17 1631:10 1632:12 1636:28 1638:5 1649:18, 25,27 1665:1,13,18,26 1666:9 1668:28 1834:27 1837:21 1844:4 1900:2 1901:7 1924:8

feeling 629:14 649:24 677:11 947:22 1294:19 1344:13,26,28 1346:5 1348:24 1354:3 1508:16 1859:5 1889:25

feelings 352:22 980:19 1077:3 1229:26 1244:4 1294:6 1345:13 1642:15 1859:8

feels 400:16 606:17 700:4

fees 1577:11

feet 1291:19 1639:2 1642:23 1644:11 1686:13, 18

FEHA 172:6

fell 721:11 744:25 747:13

fellow 980:10,16 1612:4

felt 5:12 175:23 338:20 339:8 354:3,4 357:16 639:16 658:22 675:24 707:24 738:16 744:24 749:5 765:23 952:19,20 953:9 954:4 968:22 969:28 980:11 1005:10 1007:7 1024:2,14,26 1073:16,17 1075:1 1228:18 1229:25 1230:16 1255:7 1263:8 1293:27 1294:2,7 1295:7 1323:1,5 1340:8 1344:4 1346:27 1348:22 1351:25 1352:11, 16 1359:6 1507:11 1509:3 1534:10,28 1535:21 1536:6 1632:15 1856:14, 18 1918:13

female 1611:15 1625:26 1629:4 1820:5 1885:13

females 1361:5

Ferguson 1012:24

fertility 1611:9

festival 1631:6

festivities 1323:28

fiancé 1349:14

fide 336:4 351:9 355:8 362:9 1867:14 1871:20

fiduciary 170:6 1896:1 1904:28 1905:6

field 977:5 1683:4

fielded 991:10

figure 26:13 314:5 370:2, 10 399:8 739:12 748:10 1335:8 1554:22 1633:1 1646:10 1679:5 1835:23 1840:9 1923:10 1924:2

figured 780:14 906:19 1668:25 1809:28

figurines 1015:20

figuring 308:20 1551:20

file 40:11 333:5 340:7 908:21 909:22,25 913:2 914:19 953:20 1015:25 1685:16 1872:5,7

filed 4:22 6:22,25 11:6,10 19:5,6 20:12 174:10 176:17 180:9 315:16 316:8 317:12 331:22,27 332:28 333:4 338:7 339:3 395:11,13 604:17 606:28 646:27 655:21,23 658:23 659:15 660:18 663:25 721:4 749:23 750:1 908:16 909:28 910:4,22 911:25,27 912:1,23 1269:6 1352:22 1353:11 1868:16 1872:4,24 1899:8

files 15:20 16:21 335:21

filing 23:17 606:3,26 607:27 1531:10 1858:15 1891:10

filings 7:2 176:17

fill 765:14 975:26 998:13 1019:4 1072:25 1334:19 1639:18,24,26 1657:17

filled 738:18 746:17 747:6 929:17 930:2,24 944:12, 18 945:9 946:5 994:23 1639:22 1642:11 1680:8

filler 632:10

filling 924:5 930:20 931:13 994:25 1064:6 1256:24 1290:27 1301:3 1334:13 1350:6 1616:3,4 1618:27 1657:12,18,21 1663:14 1810:16

fillings 613:23 738:22 739:13 1061:12 1236:26 1237:24 1238:4 1332:9 1356:8 1595:21,24 1606:16 1612:8 1618:9,13 1641:9 1663:6 1869:9 1880:18

final 4:23 34:5 37:10,13 165:10 180:28 667:15,16 668:27 1019:7 1290:14 1575:18 1604:4 1620:5,7, 16 1621:24 1877:23 1901:17 1905:12

finalized 607:28 1810:4

finally 33:19 37:9 158:11 608:2 744:25 1068:6 1242:22 1244:5,7 1328:4 1358:4 1576:19 1585:12 1598:4 1607:28 1617:20 1845:14 1906:1 1910:15 1917:18

finance 621:22 625:17 731:8 1528:16

finances 623:8 910:11

financial 621:1,3,14 722:21 777:19

financially 621:4

financials 1593:18

financing 1530:18

find 27:2 170:10 172:11 310:2,24 315:9 322:1 330:4 348:24,27 370:20 372:3 395:15 399:4 630:23 650:8 651:3 671:3 676:19 695:3,18 764:19 777:27 933:6 949:20 1025:4 1026:1 1054:1 1059:25 1075:18 1230:25 1269:20 1281:16,20 1293:13 1312:8 1329:15 1330:16 1349:4 1369:12, 13 1518:6,23 1519:1 1542:18,19,21 1544:6 1553:25 1565:10,13 1622:28 1624:23 1630:9 1855:13 1866:24 1867:13 1872:11 1885:4 1888:16 1889:1 1924:4,11,18

finding 18:3 347:24 354:21 390:16 629:1 632:23 640:10 651:15 653:21 676:25 683:12 1068:6 1529:25

findings 620:7

finds 666:13 707:17 1903:23 1923:18

fine 308:9 314:27 316:17 317:10 322:27 376:17 378:10 380:22 389:6 402:26 625:11 628:3 651:26 652:12 678:22 718:20 743:8 767:1,2,15, 19 911:20 917:19 943:2 963:2 974:2 984:2 1007:9 1009:5 1043:10 1245:27 1276:26 1283:8 1284:1 1304:6 1308:15 1311:5 1519:2,4 1526:25 1537:3 1563:24 1578:24 1588:18 1589:19 1602:2 1605:7 1620:28 1622:1 1662:23 1853:5

fined 378:10

finger 690:20

fingerprints 701:10

fingers 324:5

fingertips 670:20

finish 178:20 306:5 308:16 309:9 380:12 401:18 714:21 738:23 764:25 990:13 1208:23 1610:13 1621:17,19 1647:5 1673:23,28 1675:10

finished 405:18 610:22 760:3 931:13 934:5 1065:15 1066:9 1310:6 1312:4 1620:25 1647:2 1658:1 1823:24

finishes 11:8

finishing 1637:25

fire 759:10 914:1

firestorm 1889:11,15

firm 170:22 687:14 689:13 693:11,28 779:19

first-come 922:9

first-served 922:9

firsthand 657:6 983:21

fishing 13:19 17:13,23 18:9 161:21

fit 18:19 22:18 161:14 1530:11 1554:22 1816:22 1832:28

fits 1680:26

fitting 1916:10

five- 1629:22

Five-and-a-half 962:8

five-five 1292:3

five-minute 1008:8 1675:12,13 1875:14 1918:26

five-nine 1292:10

five-star 775:3 1547:19

five-tier 1599:15

five-tiered 1633:6

five-year 660:16 730:9 1351:9 1552:7

fives 1252:11

fix 678:4

flag 1864:16 1916:26

flame 1889:12

flames 1889:17,21

flash 926:6

flashing 1251:27

flat 1880:22

flat-footed 306:24

flavor 924:5 958:14 1237:20 1356:9 1595:19 1616:8,23 1618:26 1619:13,14 1630:5 1831:15

flavorings 1619:18

flavors 738:22 739:13 746:24 749:11 930:25 932:26 995:9,11,13,17 996:8 1034:5 1063:27 1065:25 1066:11 1067:15 1073:8 1074:5 1237:18,23 1238:9 1296:22 1332:12 1335:7,9,12 1342:7 1355:25 1356:3 1515:14 1564:25,27 1565:3,21 1595:21,23 1606:6,12,15 1616:21 1617:1 1618:9, 11,13,16 1630:2 1663:6, 14 1685:25 1880:18

flesh 776:25

flew 1814:21

Flex 983:27

flexible 977:27 997:14

flip 1252:8

flipped 1648:20

floating 1837:7

flooding 361:24

floor 2:22 1260:19 1524:11 1875:23 1919:9

floral 159:16 1559:24,27 1591:2 1604:27

Flores 1366:28

florist 159:15

florists 1924:24

flours 1000:18

flow 1006:9,11 1561:19

flower 1058:18 1529:19 1559:23 1606:26

flowers 159:11 745:24 1022:8 1043:14 1059:15 1065:3 1238:23 1241:22 1256:19 1257:4 1272:27 1281:4,11 1314:17 1320:25 1539:19 1543:25 1605:28 1606:2,7 1612:14 1832:8 1912:17

flowing 1272:3,11

fluent 670:19

fluid 1654:23

fly 1354:13,15 1366:7 1920:16

focus 22:27 23:9 30:27 159:7 165:5 400:11 401:4 635:3 719:26 740:28 742:28 744:18 762:18 763:11 920:12 936:13 937:10 1028:21 1032:13 1059:19 1225:12 1331:27 1350:12 1529:27 1551:15 1599:17 1611:25 1646:7 1835:15 1838:7 1847:3, 12,26 1868:17

focused 27:16 32:21,23 740:18 1330:8,10,14 1626:13 1654:27

focuses 157:28 743:2 1877:15

focusing 32:17 719:28 981:5 1599:20

fodder 642:17

folder 946:6

folks 34:16 35:9,11 37:1 304:25 305:22,23 308:11 309:11,12,23 311:18 313:26 320:21 350:11 355:22 370:9 380:8 389:17,27 390:3,6,25 399:2 617:17 632:15 677:24 679:13 683:11 684:1 696:13 697:11 700:9 906:19 909:5 927:9 981:5 1053:27 1055:3 1210:7 1243:19 1580:6 1586:26 1668:1 1812:18 1839:23 1844:11 1863:9

follow 17:1 323:20 404:25 763:7 765:25 780:21 934:14 959:5 1622:25 1629:8 1684:3,4 1818:17,20,22 1869:13,26 1874:7 1878:12,14 1913:25 1914:1,11 1925:26

followers 1551:7

fondant 958:14 1019:7 1064:21 1603:28 1604:26 1605:14,22 1606:8,20 1607:2,4 1608:5 1616:7 1618:27

food 981:16 1029:17 1357:3,15

foolish 720:26

foot 1642:22

footage 618:4

football 1868:20

footnote 177:11,13

for-profit 691:16 737:13 1852:2 1869:19

force 612:9,13 770:2 779:28 1045:2,5,13,24 1262:24,28 1263:3,7 1898:9 1908:22 1926:6

forced 619:9,12,27 621:15 624:20 753:6,10 768:22 1046:8 1047:16,26 1320:1 1517:27 1519:8, 11,18 1903:11 1904:3

forces 1915:11

forcing 613:7 716:19 1853:16,20 1894:10 1905:26 1925:22,24

forefront 1551:22

foreign 1909:6

foremost 1884:3

forensic 725:4 730:13

foreseeable 1212:18

forever 171:8

forget 171:26 675:15

986:4 1056:9,17

forgot 985:20 1818:6

form 24:23 313:28 327:14 348:23 666:14 674:13 712:10 738:18 739:1 746:17,18 747:6 751:10 765:14 910:13 924:1,15 925:20 927:8 929:10,11, 18 930:2,7 931:1 934:1 945:18 946:5 950:11,28 960:12 964:2 965:28 986:5 1019:9 1040:13,16 1064:8 1067:6 1070:22 1237:16 1287:12 1288:21 1290:28 1291:2,4 1334:17 1349:22 1522:4 1540:14 1611:27 1615:20,25,26,28 1616:12,16 1639:13,15,19 1643:18,22 1645:22 1685:14 1831:18 1832:15, 21 1833:2 1870:10 1873:11 1891:16 1903:6 1905:21 1915:5 1920:19

formal 1556:6

formality 27:4

formally 942:27

format 177:27

forming 728:19 1882:7

forms 1067:5 1235:8 1615:15,18,23 1617:27,28 1631:22 1641:16 1860:15

formulated 688:5 690:1

formulating 1553:20

fort 964:23

fortunately 674:23 759:5 1649:21 1880:12

forward 6:10 15:4,24 16:23 17:4 21:21 23:24 35:19 36:26 40:4,6 312:26 350:21 635:19 641:4 758:8 771:16 779:15 781:11,14,21 911:13 914:14 1014:28 1057:8 1535:24 1550:10 1588:9 1675:7 1806:17,20 1837:9 1871:11

Foster's 975:7 982:17

fought 1883:20

found 168:9 174:1 175:28 331:17 387:24 395:17 402:21 612:19 616:12 675:18 690:18 747:13 759:10 771:7 929:3 948:15 969:24 986:27 1031:16 1074:10 1247:24 1349:6 1352:5 1369:8 1560:17 1608:22 1623:1 1641:12 1850:27 1851:1, 4,9,16 1853:3 1863:10 1867:10,12 1882:7 1883:10 1910:8 1923:1,17

foundation 322:24 344:19 353:3 354:4 619:7, 20 665:8 700:24,27 928:16 937:28 961:27,28 962:4,23 963:14,15 969:5, 10 1016:6 1214:16,21 1219:8 1223:26 1240:2,4 1251:9 1309:4,6,10 1314:3 1333:18 1512:25, 27 1526:25 1540:19 1550:26 1557:17 1578:8, 23 1676:13 1838:12,13 1880:27 1897:15

foundational 668:4,14 673:7

founded 740:24 1600:26 1884:3

founders 774:15 1887:7 1898:20,25

founding 1881:18,19,20

four-page 913:6

four-star 1547:19

four-tier 929:8

four-year 1351:8

Fourteenth 1911:13

fourth 1285:19 1845:12 1919:2

frame 959:28 960:5 995:2 1553:22 1554:10 1569:5 1577:27 1592:26 1634:3 1819:5,14

framed 162:4 325:11 399:22 979:13 1043:27 1308:24

Framers' 1915:26

framing 679:26

Francisco 918:12

frankly 12:25 27:20 327:21 402:27 617:4 638:18 639:24 660:26 673:10 715:1 717:19 722:10 723:4 733:13 913:2

fraudster 327:15,23 328:5,26 330:5,21,28

fraudsters 326:23,26,27

free 28:10,13 29:10,12 30:3 361:27,28 362:1 400:28 401:2 608:19 611:21 616:13 688:1 698:5 736:19 752:20 754:2,3 757:18 773:14,20 774:11,14 779:8 1005:22 1250:7,8,11,13,14 1255:18,19 1257:7 1306:2 1368:16,18 1625:25 1844:17 1845:16 1846:3, 23 1868:8,14 1873:4,5,21, 22,27,28 1874:9,15 1881:20 1887:5 1893:2 1896:28 1898:16,18,22,23 1901:24,26,27 1905:20,24 1907:17 1911:2,9,10 1912:4 1913:8 1915:12, 19,20,22 1916:3,9 1920:14,16 1921:1,27 1925:10

free-speech 612:7

freedom 152:24 669:22 736:19 774:10,19 1572:25 1599:5 1845:16 1846:3 1870:6 1881:22,23,25 1904:15 1910:18,24

freedoms 1855:24

freely 610:7 1878:26 1879:2 1888:23

freewheeling 610:26

freezer 1019:5 1620:4

Freitas 703:3

French 1565:1

frenzy 1219:25

frequented 1626:25 1834:22

frequently 38:7 39:3 163:25 1572:18

fresh 403:2 1238:24 1314:16 1595:1 1619:18

Friday 153:4 154:1 179:27 303:5 304:1 605:25 606:11 607:25 616:4 617:17 653:25 1027:23 1208:13,18,21 1538:15 1803:5 1806:1 1843:1

friend 951:21 1009:21,22 1057:17 1058:8 1073:20 1222:3 1366:2 1367:18 1368:21 1507:25 1513:27 1514:2

friend's 742:16

friendly 382:28 946:12 953:17 970:26 977:9 1063:24 1066:21 1073:13

friends 9:27 35:11 382:2, 28 388:3 389:19 740:13 744:25 745:19,22 1030:28 1051:10 1052:5 1057:22 1071:24 1212:3 1229:25, 28 1230:2 1241:23 1263:22 1280:10,18 1286:12 1294:12 1298:9, 19 1316:22 1317:9 1327:19,22 1345:19,21 1346:2,13 1354:3,11 1508:14 1512:10 1513:12, 14,18,23 1514:4,6 1856:15 1871:13

friendship 744:24 1051:7,14,16 1295:3

from-scratch 1019:22

front 13:5 632:19 706:8 711:25 714:12 720:17 738:12 741:19 919:4,17 925:23 967:22 977:3,25 987:10,12 989:21 990:23, 28 991:15 992:26,28 993:5,8,13 1003:26,28 1005:26 1006:12,13 1010:13,18 1011:19 1012:1 1020:15 1046:16 1057:25 1241:23 1252:6 1265:13 1273:9 1303:27 1309:27 1335:23 1365:24 1546:22 1593:5,6,8

1594:6,23 1612:4 1615:20,26 1617:23,26 1618:10 1623:13 1624:25 1630:10,11 1637:24 1638:7,21 1643:16 1658:9 1663:21 1683:28 1684:2,8 1825:3 1855:27 1871:12

front-end 742:3 921:15, 17,21,26 922:1,5 1877:20

frosting 613:23 614:11, 17 680:12 682:13,21 746:15 761:25 923:2 924:6 930:25 932:26 942:6 1000:24 1001:2,3,5, 11 1019:11,14,20,22 1064:19 1073:9 1075:19 1256:24 1272:17 1557:13 1606:11 1612:25 1613:24 1619:12

frostings 762:5,7,9,12 1000:25 1019:24 1035:7 1061:13 1074:5 1236:26 1332:10,20 1578:13 1595:21 1596:8 1613:26 1618:13 1880:24

frown 938:23

froze 373:22

frozen 982:18

fruit 1619:13,18

fruitful 1611:18

fruitless 38:10

frustrated 1345:3

fulfill 705:5,13

fulfilled 925:13

fulfilling 1870:14

fulfills 1572:8

full 162:7 178:28 329:6 356:26 366:2 383:13 391:27 399:12 628:8 725:4,5 741:15 743:8 744:17 750:18,22,24 751:20 755:27 756:13 759:2 773:23 774:24 778:9 911:26 914:11 918:26 965:17 966:20 992:22 993:20 995:14 1014:22 1065:23 1228:24 1229:11 1358:18 1530:16 1535:7 1549:18,26 1652:21,25 1653:2 1832:8 1844:19 1845:6 1848:12, 15 1850:4,23 1851:22 1852:17,21 1855:6 1857:5 1858:16,24 1863:6,15 1866:20 1867:25 1868:11 1872:1 1900:4,7 1905:16 1907:2 1911:28 1912:24 1922:24 1924:14 1925:16 1926:8

fully 155:6 309:24 399:11 621:24 1536:5 1543:21 1547:23 1550:20 1898:28 1901:15

Fulton 691:9,12,19,21 692:4 693:4,7 778:21 1897:11 1902:4 1906:1,3 1914:20 1920:25,27 1921:3,5,9,13,17

fumes 1854:12

fun 991:24 1591:14 1603:1,19 1619:3 1628:12 1631:4,13 1647:6 1660:22

function 10:3

Fund 152:24

fundamental 340:14,16 609:25 611:3 638:15 665:15,17,18,23,27 666:1, 3,11,17,20,24,27 667:22, 27 670:22 671:6,9,13 672:9,10,13,20,25 737:19 743:13,14 936:5,28 937:6 938:4,18 940:16,26 941:3, 12 958:23 1551:3 1568:9, 25 1569:22 1678:5,12,15 1679:7,16,20,24 1680:6, 13 1681:3,23 1682:4 1829:17 1860:5,8,11,13, 19,22,25 1861:4,7,10,11, 17,19 1872:16 1904:16 1923:7,13

fundamentally 630:15, 21 693:9

funds 1837:26

funny 648:28 1042:9 1899:25

furious 775:3

furtherance 907:9

fuse 374:2

future 23:6 722:20 724:12 725:2,15,18,24 727:6,20 728:9,13 733:6,24 734:5 761:11 780:6 913:21 1550:4 1819:4 1820:19

G

G-RATED 1032:13 1600:11

gained 918:19

Galleries 1055:26 1241:18,19 1337:13 1807:23

gallery 1242:10 1323:13

gambling 1683:19,22

game 351:18 353:21 606:26 1029:15

gamut 922:20

gang 385:2

gap 632:10 1210:21

gasoline 914:1

gasping 665:3

gather 747:19

gathered 941:26

gathering 924:14 1294:14 1531:16

gatherings 9:27

gathers 921:1

gave 14:5 17:15 369:28 390:4 624:28 627:19 713:19 722:2 738:17 739:21 911:3 956:23 969:26 1066:26 1072:25 1252:17 1353:18,24 1369:9 1508:22 1583:28 1633:24,25 1660:5 1676:22 1816:18 1820:9 1917:15

gay 324:2 358:6 361:17, 24 364:16 373:22 386:13 401:11 402:1 607:15 743:23 748:20 753:21 759:11,13,14,17,18 768:14 771:28 772:9,12 776:27 778:25 780:3 925:10 940:2,10 941:4 949:13 953:6 978:15 1043:6,7,8,9,13,15,16,18, 19,22 1044:2,4,6,10 1220:11 1230:26 1250:25 1296:8 1312:28 1316:25 1327:28 1331:7 1339:27 1349:4 1367:21 1508:25 1627:26 1628:2 1629:5,12 1644:22,26 1653:4 1664:10 1671:15,21 1672:3,16 1673:7,8 1674:23 1676:1,2,28 1677:4 1812:7,26 1813:3 1816:27 1847:19 1848:19, 20,23 1854:4 1855:10 1858:27 1859:1 1861:19 1862:6,14,17,20 1870:1,2, 9 1883:1,2,3 1884:16 1887:11 1889:13 1892:28 1897:13 1898:11 1899:17, 18 1906:5 1909:1 1921:10,11 1925:2

gays 361:15 694:12 752:14 1250:24 1252:27 1253:11 1506:24 1507:3 1508:25 1509:2 1836:22 1849:9 1889:24

gazebo 1614:25

GE 1528:26

gee 1906:17

gel 1603:2

gender 174:7 1007:4

general 318:4 319:8 355:14 373:2 614:22,24 649:8 679:28 688:4 700:20 936:9 977:19 982:18 1035:21 1231:14 1569:13 1870:17 1876:26 1922:5

generally 28:24 305:10 318:18 403:28 653:28 688:9 758:23 980:26 982:11 992:13 1003:14 1231:12 1285:7,11 1540:26 1578:7 1652:19 1870:21,24 1874:11 1914:18 1921:8 1926:1

generate 316:12,15

generated 12:10 619:22

generic 684:8

generous 1027:8,9,18

Genesis 668:1 763:13 764:15 776:19 1600:26 1611:18 1879:5,9

gentleman 320:7 381:13 967:6 970:7 1542:23 1622:21 1629:21

gentlemen 304:10 320:28 386:11 396:28 398:2 642:19 1579:14

gently 771:15

geode 1607:8 1613:3

George 1584:28 1620:23

German 977:4 1565:1

germane 356:4 642:21

gestures 1668:5

get all 12:2 34:18

get along 374:10 703:19, 20

get-out-of-jail-free 404:21

gift 1029:16 1031:25 1597:5,7 1609:20 1610:24,27 1627:9

gifted 1017:5,6 1627:8

gilding 618:8

Gimme 739:27 746:4 747:15 748:6 750:26,28 766:22,27 767:13,17,20 773:10 778:10 961:13,16 1032:26 1061:8,9,10 1074:11,12,28 1075:16,20 1228:10,23 1229:10 1245:12 1247:12 1248:6, 12 1270:26 1271:7 1284:6,9,14 1289:13 1290:17,22 1299:22 1301:21 1324:8 1332:5,18 1346:20,24 1347:14 1349:24 1359:23,27 1360:4,12 1521:9 1523:8 1537:9 1555:9,13 1556:1, 10 1626:23 1634:1,9,11 1635:6 1641:22 1816:9, 13,27 1817:9,12,20,22,26 1818:3 1834:13 1850:10, 12,14,15,19,22 1852:20 1857:7

Ginsberg 1886:11

Ginsburg 768:10,12

Gionis 171:14

giraffe 1327:14

girl 987:9 997:28 1051:22 1603:22 1646:20

girlfriend 1043:14 1051:20 1052:9 1232:10

girls 967:22 994:7 1011:28 1302:14 1592:15 1641:28 1642:14 1646:15

give 12:4 24:1 173:7 176:23 177:25,26 178:28 179:11 305:13 310:14 312:10,18 313:5 314:2 317:9,11 318:28 319:26 320:5 326:19 330:17 334:18 354:14 355:28 356:25 363:5,26 375:27 380:11 381:2,3,24 383:9 393:25 395:18 400:8 606:19 621:15 641:28 643:9 649:7 656:18 668:26 691:26 700:20 713:24 720:27 721:3 723:7 724:7 735:1,18 751:21 759:25 761:11 766:16 772:6 906:19 911:24 915:12 947:20 973:20 995:15,16 1008:18 1021:18 1031:25 1038:16 1039:9 1049:18 1211:7 1233:17 1246:18 1271:18 1276:13 1278:19 1287:15 1295:27 1303:4,7 1312:28 1326:5 1338:12 1363:4 1508:7 1522:1 1527:9 1534:6 1574:4 1576:27 1588:4 1595:4 1602:17 1618:11 1639:19 1649:22 1656:3 1678:22 1680:28 1685:9,12 1819:5 1823:3 1825:15 1842:3 1844:7,14 1887:3

giving 342:19 351:6 357:2 371:7 628:7,24 697:19 712:26 722:14 724:26 734:15 750:5,6 781:20 1321:7 1342:27 1599:6 1833:1

Glad 1648:2

glass 701:5 1595:18,19

glitch 915:22

gluten-free 1018:14

goal 358:16 1682:13

goals 1554:23

God 668:1 741:8 764:14 768:15 776:18,23 777:6,9 779:5 915:14 938:22 973:22 1008:20 1041:28 1049:20 1278:21 1326:7 1356:20 1527:11 1550:26 1551:2 1588:6 1598:24 1600:27 1601:6 1609:24 1611:14,16 1628:25 1680:10 1827:18,19 1828:19 1878:10 1879:4 1886:13 1903:4 1913:22

God's 609:26 673:2 743:16 763:11 937:7 940:14,27 1041:27 1568:26 1569:7 1598:8,13 1600:20,26 1679:17 1849:18 1877:16

Godly 1599:4

gold 1272:2 1517:12 1607:4 1625:16

good 4:8 21:27 27:1 29:13 31:3 154:13,22,26 164:18 173:11 179:22 180:5 181:9 304:9,18,21, 23 309:10 313:8 319:26 346:15 356:23 357:7 358:25 363:5 374:14 375:22 380:3 400:17 604:9 605:26 609:22 632:2 635:28 639:17 679:17 686:9 692:10 697:14 713:28 725:21 727:16 735:9 736:11 739:12 742:26 749:3 758:27 761:11 762:24 781:25 917:14,16 922:2 923:2 935:1 947:8 957:23 966:25 974:19,22 977:12, 21 985:9 986:10,19 992:3 1009:3 1031:9 1033:3 1050:6,7 1057:5 1058:8 1060:14 1066:21 1068:4 1077:7,12 1227:3,4 1228:5 1234:18 1237:6 1241:26 1244:22,23 1258:22 1271:19 1279:10, 11 1298:17,18,19 1326:19,20 1340:8 1354:11 1356:11 1359:3 1506:13,14 1516:13 1520:13,14 1527:24,25 1529:13 1530:3 1544:25 1547:19 1553:3,4 1555:6 1588:25,26 1589:5,22 1595:26 1599:4,10,18 1601:21 1619:23 1631:17 1641:25 1648:1 1650:20, 21 1653:20 1663:21 1686:15 1809:12,13 1821:18 1827:7,8 1835:17,24 1836:1,5 1840:12 1847:21 1852:28 1856:21 1865:22,27 1866:8 1867:15 1873:8

good-looking 1238:6

goodness 998:1 1627:11 1631:6

goods 340:13,17 346:11 607:14 611:12 619:24 640:1 740:27 753:3 757:17 759:27 920:3,13 921:19,27 922:8,11,20 931:2 932:19,23 935:16, 18 961:25 981:17 1062:23 1554:23 1596:25 1653:14 1654:3 1665:7 1669:18 1847:17,18 1868:26 1870:20,27 1876:10,13 1907:16 1926:4

Google 169:28 933:6 1281:22

gore 1679:28 1680:20

Gorsuch's 1916:22

gory 976:12,13 1599:6 1600:2

gosh 1835:23

gourmet 1000:13 1596:4 1616:4 1618:13 1653:28 1654:4

governing 688:28

government 12:1,3 19:8

157:4 164:14 613:8 663:20 674:19 687:26 688:3,21 690:10 693:13 719:2 728:28 750:2 1828:22 1868:13 1906:11 1911:23,25 1914:28 1915:11,13,27 1916:1 1917:15 1920:22

government's 1827:28 1873:15

grab 967:5,6 1029:25

grabbed 771:16 1029:27 1304:25 1642:13,17 1643:27 1686:4 1891:5,13

grabbing 1304:28 1305:2 1891:8

gracious 942:10

grade 1309:15 1590:15

grader 697:16

graders 697:17

graduated 917:22 1589:12

graduation 980:26 981:8 1656:8

graduations 1549:25

grafting 1894:15

grandchildren 958:6 1589:9,10

grandkids 1552:5

grandma 1591:11

grant 10:20 155:6 313:5,7 327:12,16 328:28 329:1,3 376:22,25,28 604:17,18 611:26 613:20 624:9 643:12,24 651:28 652:15 686:13 716:2 720:19 906:21,28 1902:17 1914:23

granted 5:16 10:10 155:6 330:28 332:21 340:28 374:28 376:2 624:11 644:8 663:26 684:19 697:7 750:7 1824:12

granting 10:26 327:18

grasping 657:24 665:4,5 1268:5 1270:15

grayish 1057:1

great 38:2,12 164:2 169:22 316:24 317:6 722:16 754:18 757:22 1301:22 1357:3 1530:5 1539:19 1547:18 1580:10 1589:16 1592:7 1595:22 1602:15 1605:24 1650:21 1870:7 1878:24 1881:4 1895:11 1902:10 1907:20

greater 621:14

greatest 10:8 1834:25

greatly 767:23 775:9

Greece 1882:15

Greek 338:19 661:8 670:2

green 1025:24,27 1605:20 1625:9

Greene 2:27 152:28

greet 1599:17

greeted 949:17 1287:2 1341:19

greets 739:18

Greg 669:26 693:10 1265:7 1362:5 1650:24 1686:3 1823:7 1914:8

Gregory 2:21 4:8 152:22 154:24 302:21 304:15 602:21 902:21 1202:21 1502:21 1802:20

grew 1042:8 1527:26,27 1531:1 1591:16

Grijalva 386:8 387:6 769:7 1058:8

groceries 1011:22

grocery 982:18 1274:13

groom 634:9 739:24 747:12 770:9 775:17 965:7 1072:10 1287:10 1301:7 1342:16 1343:21 1349:17 1597:14 1608:25 1610:1,23 1618:26 1635:28 1640:19 1645:16, 23,25 1660:8,13,14,21 1667:27 1684:24

groom's 938:11 982:24 1610:21 1612:1 1645:15 1820:2

grooms 1608:21 1661:7

gross 351:28

ground 355:24 1307:17

grounds 1224:8

group 381:28 382:1,5,12 383:6 388:2 659:18 1287:7 1289:20 1291:2 1528:5 1647:3 1673:9 1833:18 1845:28 1889:12 1890:22

groups 382:4 387:28 749:16 1003:25

grow 1009:6 1588:27

growing 1016:25 1057:8 1548:7 1560:18

growth 1530:24,26

guarantee 758:26 1324:27

guaranteed 736:20 1846:4

guarantees 774:10,11

guards 1850:13

guess 25:4 178:13 318:16 321:12 330:18 351:6 368:7 382:11 388:8 624:6 641:26 649:16 652:22 655:1 659:18 677:22 733:7 734:24 762:2 763:14 765:1 1004:13 1022:15 1052:20 1064:22 1071:22 1076:28 1213:15 1225:5 1260:25 1284:1 1292:17 1293:6 1295:7 1303:13 1323:5 1532:26 1555:6 1559:1 1565:20 1571:23 1586:5, 14 1605:6 1623:10 1634:5,7 1822:23 1830:24 1832:7 1886:15 1900:13

guessing 164:16

guest 1034:1 1539:26 1567:21

guests 1034:26 1065:23 1073:1 1238:3 1241:21 1242:17 1356:6 1539:14 1549:20 1567:20 1609:20 1610:25,27 1616:14

guidance 7:18 8:4,5 25:8 39:16,20,23 355:23 643:8 735:19 1003:16 1624:3

guide 4:22 678:2 696:3 1920:24

guided 7:9 403:5 677:7

guideline 1015:16

guidelines 10:9 742:26 1015:8,11 1339:26 1623:12

guides 10:6 1557:25 1920:28

guiding 1846:25

guilt 387:14,16

guilty 347:20

Gulag 1904:1

gunslingers 628:18

guy 1071:24

guy's 1891:7

guys 306:12 308:25 309:20 311:15 314:2,27 315:10 318:20 319:26 320:7,14 323:21 355:26 370:1 379:22,25 390:27 403:3 607:1,2 610:22 628:17 631:4 632:20 684:14 697:15 703:10 719:20 735:1,3,10 739:16 978:5,15 980:25 1019:14 1022:26 1055:10,21 1070:11,17 1071:11 1072:15 1209:2 1214:17 1244:28 1245:3,8,13,17, 27 1247:8 1248:12 1249:9,11,13 1250:3,6 1254:18 1256:8 1276:13, 15 1287:4 1290:25 1299:9,21 1301:25 1304:14 1306:1 1315:11 1317:24 1318:6 1319:14, 17 1331:6 1341:2 1342:17 1343:27 1346:23 1347:15, 16 1348:11 1359:7 1360:15 1361:15,16 1365:13 1368:17 1369:3 1541:13 1686:3 1833:11 1840:11 1913:4

guys' 1070:12 1341:3

H

habit 382:15

Hail 1048:9 1886:23

hair 698:2 1239:12 1250:7,11 1255:19 1866:6 1893:2

hairs 162:6

hairstyling 773:15

half 307:23 309:5 734:20, 25 738:26 748:14,16 750:11 758:16 770:8 980:9 997:3,4 1065:22 1072:6 1228:3,4,8 1351:8 1530:28 1602:11 1604:1 1613:1 1614:8 1628:7 1629:26 1641:3 1644:28 1840:9,20 1871:28 1877:4

half's 305:11

halfway 947:11

hall 305:28

Hamlet 1916:4

hamstrung 20:28

hand 9:18 38:25 177:12 316:1 336:14,17 390:3 658:27,28 681:14,16 696:16 726:13 771:17 915:10 947:21 967:7 973:18 989:26 998:12 1005:11 1008:15 1049:15 1278:16 1326:3 1516:8 1588:1 1607:12,13 1608:8 1642:13 1643:15,26,28 1644:1 1649:28 1658:10 1891:4,6,14

handbook 958:19 976:10,20 977:1 1531:12 1553:20,23 1554:5,7,13

handbooks 1553:11,15 1554:17

handed 385:16 938:16 995:8 1639:22,23

handful 360:21 686:24 766:5 1216:17 1868:21

handle 307:15 308:5 310:17 318:11 333:16 343:6 349:10,22 399:16 631:2 653:2,3 659:19 765:27 921:8,23 967:21 1266:21 1276:17 1316:26 1552:1 1645:25

handled 306:2 337:12 344:25 375:7 385:2 656:25 669:26 684:5 711:1 910:10 938:12 953:11 1305:21 1555:26 1645:26 1646:1,2 1664:1, 3

handles 620:28 1593:17

handling 308:2 321:4 1285:5 1551:19 1902:8

hands 1004:1 1231:21 1636:16

hands-on 758:18 1632:11

handwriting 944:8,14 1070:20 1810:12,16,27

hanging 683:7 1249:10 1865:28

happen 19:21 307:10 312:16,21 319:10,15,16, 17 322:8 364:25,26 366:23 372:7 374:6,7 375:2 630:20 633:17 634:4 639:23,25,28 640:11,12 672:17 697:3 724:11,12 727:6 765:18 772:11 781:6 952:14 953:5,6 965:9 991:20 1029:18 1239:8 1286:18 1332:6 1344:16 1352:14 1558:6 1567:22 1622:28 1624:14,18,20 1646:11 1660:4,5,12,13 1676:27 1811:18,21 1819:19,27 1837:5 1864:3 1884:2 1891:19

happened 20:23 171:8 326:3 329:28 337:15,22 352:23 359:20,22,23,26, 28 360:5 361:22 366:3 367:1 369:1 371:16 379:7 380:25 395:12 623:19,21 633:16,23 635:26 636:4 639:24 641:28 651:9 658:26 663:13 670:14,16 680:10,11 692:28 693:10, 24 694:9 700:23 706:25 707:23 711:5 712:9 722:17 724:18,19 725:12 727:18 729:20,27 732:15 748:2,16,18,27 749:14 765:3,8 766:1 772:14 780:5 906:27 954:4 960:21,22 970:18 987:3 989:23 990:4,10 1001:27 1003:24 1061:25 1066:25 1069:27 1071:5,17 1072:3 1073:10,15 1075:8 1076:3,22,25 1212:17 1218:23 1229:26 1231:15 1233:15,23 1234:19 1251:8 1256:1 1286:8,14 1287:6 1288:19 1289:4, 10,27 1291:5 1292:14 1293:4,5 1294:4 1305:26 1306:8,14 1307:11,22 1324:16 1339:14 1341:16, 25 1342:9 1345:8,24 1346:15 1347:20 1348:4, 9,14 1349:26 1351:1 1358:8 1526:2 1535:18,20 1558:6 1623:1 1624:28 1627:12 1638:17 1640:5 1642:9 1644:7 1645:3 1646:6 1648:5 1667:28 1670:11 1812:1 1824:6 1825:14 1854:20 1857:14 1877:4 1887:27 1889:25 1891:12 1919:22

happening 319:27 329:19 334:26 362:12 640:14,15 673:15 690:15, 16 728:20 781:6 915:7 967:11 968:23 991:6 1251:16 1290:9 1358:8 1645:10 1648:6 1824:6 1889:19

Happily 1633:7

happiness 1052:23 1855:26

happy 355:18 700:5 766:23,28 772:15 926:12 950:25 961:20 970:20 977:15 1028:1 1244:8 1245:14,18 1247:16 1248:23 1260:23 1298:10 1301:24 1312:8,23 1319:28 1515:25 1516:14 1597:11 1628:12 1633:23 1637:6,7 1856:22 1877:13 1892:5 1899:18

harass 348:16 665:22 667:1 1232:25 1293:18 1814:9

harassed 642:27 656:26

harassing 955:24,27 1230:5 1814:12 1834:9 1914:7,9,11,14

harassment 392:11 688:26 772:27 774:27 1354:19 1523:17 1525:17 1650:4 1814:26 1815:4 1877:8 1892:1

harbor 1911:14

hard 24:19 319:6,28 345:19 373:9 607:4 610:28 640:10 715:1 729:16 747:23 753:9,10, 16 771:15 997:16 1018:19 1038:1 1045:16 1051:25 1225:10 1235:8 1517:7,14 1622:10 1644:17 1683:12 1873:20 1877:7 1884:23 1890:12

hard-and-fast 1684:26

hardened 1019:6

hardship 1915:1

harm 373:26 392:26 753:26,27 755:17 772:15 775:13 912:5 1001:14 1890:5,8 1901:9

harmed 774:25 1912:7 1919:17

harmonious 959:12

harmonize 1882:21

harmony 1637:1 1917:26

harms 393:4,8,12,17 620:23 723:21 1856:10 1890:9 1892:9 1893:15 1912:7

Harris 1896:7,13

Harrison 176:2

harsh 1898:3

hashtag 1215:15 1225:24

1363:25

hassle 1518:28

hate 176:11 364:19 371:21 683:12 687:22 967:26 1212:10,23 1312:25 1315:22 1367:27 1523:17 1525:10

hate-filled 1546:27 1551:25

hateful 361:1 392:12,19 686:26 1255:1,6 1317:6, 14,22 1318:6,13 1511:6, 14 1833:15 1836:21 1838:26 1877:7 1887:12, 13,14 1889:22

hates 694:9 1250:24 1252:27 1253:11 1508:24 1509:1

hatred 664:17 752:1 1859:2,4

hazardous 1330:5

hazy 914:9

head 318:28 732:9 1003:8 1012:20 1027:1 1305:16 1544:8 1640:18 1665:22 1865:20 1902:16,23 1903:11

headache 1076:28 1890:7

headed 1341:6 1346:23

heading 1348:13

health 753:14 975:18 1001:12 1280:6 1532:13 1552:6,12 1562:13 1652:4 1818:18 1869:23 1905:1 1925:27

hear 10:28 11:1 154:14 155:7 160:25 173:9 178:10 179:14 305:15 313:9 318:8 321:10 322:13 324:9 330:7 331:6 332:22,24 333:3 334:5 336:28 341:2 344:2,23 346:20,22 349:4,13 350:16 353:6 355:11 359:24 362:3,6 364:23 376:25 377:1,19 378:3 398:12,13 399:12 606:22 607:25 617:9,16 618:13, 16 630:15 631:27 638:25 640:19 650:27 651:25 653:19 655:5 677:6,10 678:19 685:13 692:19 699:24 705:3 708:7,10 715:8 720:23 731:18 733:6,22,25 735:21 751:14 764:14 769:27 770:27 771:1,5 777:18 930:12 950:18 967:3 990:5 1068:26 1216:26 1218:6 1219:9 1262:10 1288:7 1293:13,16 1296:11 1312:5 1319:18 1648:2 1830:8 1866:16 1875:21 1877:24

heard 41:9 181:13 318:13 333:1 355:3 375:28 385:1 399:2 606:13 617:15 625:14,27 629:4 668:18 674:4 678:6 683:4 684:21 690:25 714:26 720:14 724:2 749:18 761:25 768:13 776:23 910:6 961:15 964:1 990:7 1029:28 1035:25 1048:24 1062:3,7 1073:20 1214:21 1218:4,9 1219:8 1261:6 1350:18 1515:12 1536:12 1546:23 1547:12 1589:1 1593:14 1811:15 1823:20 1833:17 1852:13 1864:11 1875:20 1877:3 1896:9

hearing 155:1,3 159:20 176:12 178:8,10,22,23 332:28 346:24 367:8 374:25 625:18 635:13 638:17 650:5,11,25 669:2 700:12 727:13 911:6,16 916:8,14 1518:28 1821:1 1823:27 1904:20

hearings 305:12 367:15

hearsay 345:5 370:13 619:6,19 655:19 665:8 968:25 969:2,9 987:14 990:9 1017:14 1024:7,21 1028:14,24 1211:10 1212:6,21 1214:12 1222:1,2 1223:25 1224:18 1233:24 1239:28 1267:6 1289:22 1296:2 1308:23 1311:11,20 1312:14,19 1333:11 1334:6,8 1335:16 1343:22 1523:23 1536:24 1542:25

heart 367:24 393:23 664:18 752:1 763:20 764:17 934:22 969:26 1341:14,15 1835:20 1859:5 1880:4

heartburn 986:2

hearts 982:25

heat 681:12,25 719:3 762:7 1021:24 1035:19

heavily 1040:26 1041:7 1920:27

heavy 1580:5

Hebrew 338:20 661:8 670:2

held 13:24,27 15:13 160:18,20 329:17 330:9 403:10 405:5 612:28 641:17 696:13 709:24 717:1,18 752:28 754:5 760:16 995:28 1004:5 1056:16 1224:6 1253:28 1564:12 1642:2 1676:11 1808:20 1837:16 1850:24 1870:23 1874:16 1878:2 1883:17,23 1884:18 1888:6 1898:9 1901:6 1904:12,14 1908:26 1909:26 1910:4 1911:11 1912:6 1921:7,26

hell 375:6

helped 679:6 738:12 745:26 749:20 1000:3,4 1010:18 1017:25 1063:11 1299:13 1531:16,25 1532:1 1821:9

helpers 1538:28

helpful 30:5 166:17 176:15,19 178:1 310:1,3, 6,13,18,24 315:9 316:16, 26 317:1,8,16 323:16,20 374:27 401:9 605:16 606:27 700:4 716:9 912:16 913:5 1352:5 1553:19 1656:23 1658:13 1806:23 1926:15

helping 967:22 988:24 1057:28 1059:25 1281:3, 16 1327:11 1331:28 1343:2 1349:15 1576:9 1598:16

helpless 1348:22

helpmates 668:2

helps 696:6 931:27 946:23

Henry 1902:13,19

heralds 1918:10

Heritage 1590:14

hero 1902:10

heroes 362:2

hesitated 1874:23

hesitation 1349:23

heterosexual 611:18 661:11 764:7 963:21,27 1299:7 1859:13 1878:17 1884:10

heterosexuality 1884:27

heterosexuals 338:17 401:12 1884:26

hey 163:8 778:23 1070:8 1332:27 1341:1 1345:25 1633:26 1922:5

hidden 1269:7 1823:19, 28

hide 383:9 385:22 988:24, 25,27 989:1 1345:24

hiding 1369:15

hierarchy 7:17

high 29:4 36:19 158:12 917:22 1329:16 1538:8 1547:17 1589:12 1590:6, 10 1821:14

high-pressure 983:4

high-top 1300:17,21 1640:28 1643:12

higher 778:3 1902:24 1906:2

highest 780:25 1873:11 1920:19

Highland 1589:12

highlight 166:21 1851:12,18

highlighted 347:7 659:1, 9 907:4,6,7 1851:17

highlighting 605:16

highly 342:1 360:23 389:2 625:16 633:17,23 675:18,24 691:2 692:17 1557:20 1883:16 1889:8 1896:20

hijack 1303:28

hip 699:17

hippie 1866:1

hippies 1866:2

hire 33:14 959:5 1035:15

hired 710:23 725:4 959:1 975:10,11,12,23 976:9,21 981:10 983:4 992:7 994:3 1009:18 1010:4,13 1035:10 1041:11 1043:6,7 1628:13 1868:23 1883:2,3

hiring 33:10 759:13 1009:24

Hispanics 389:21

historical 623:14 724:27 727:3 729:15 730:2,9 733:5,20

historically 728:7 1899:14

history 335:26 360:20 672:17 763:17,19 1009:13 1881:16 1882:6,8 1898:26 1916:1

hit 156:3 171:14 632:2 718:28 723:13 729:23,26 730:4 733:16 738:16 748:15 764:4 1513:26,28

hitch 1357:6

hits 1547:27

Hobby 1896:25 1897:1

Hodges 1870:11

hold 178:11 363:13 610:21 618:18 625:3 650:21 664:25 674:4 709:3 987:16 1003:25 1036:5 1038:23 1042:15 1046:15 1223:23 1324:19 1339:12 1524:8 1541:24 1672:9 1855:21 1887:10 1898:13 1911:16

holding 156:11 159:20 173:4 687:14 964:23 1004:1 1891:22

holds 161:4 1561:21 1904:12

hole 318:3 397:21,23 1063:13

holiday 911:3,7,11

Holland 1814:21

Holly 994:7

holocaust 338:5

home 975:8 1028:3 1029:8,28 1036:23 1040:6 1060:16 1061:13 1235:9 1236:25 1332:10,26,28 1338:18 1521:19 1610:15, 17 1626:28 1627:1 1632:27 1633:11 1647:9 1677:17,18 1849:27 1868:21 1869:5,26

homeless 1595:5

homemade 981:22 1019:13 1619:16

homeowner's 168:1,3

homeowners 168:21

homework 1874:6

homosexual 323:28 611:18 771:23 963:18,24 1600:12 1859:13 1884:10 1894:19

homosexuality 667:5 718:23 1260:28 1261:4 1316:14 1846:17 1882:18 1884:28 1920:13

hon 2:4 4:3 152:4 154:3 302:3 304:3 602:3 604:3 686:3 902:3 906:3 985:3 1202:3 1208:3 1278:3 1502:3 1505:3 1581:3 1599:2 1802:3 1806:3 1843:3

Hone 940:6

honest 379:18 990:26 1263:5 1601:20

honestly 19:20 160:17 329:17 330:9 610:28 613:14 696:13 733:9 1004:8 1007:9

honesty 385:20 961:1

honeymoon 749:25

honor 4:8,13 11:2 27:1,14 30:5 31:24 32:17 33:2 34:6 35:24 37:3 39:13 40:25 154:13,17,19,22 155:10,19 156:2,26 158:4, 14 161:13 163:3 164:3 166:16 168:1 169:23 173:11 176:5 177:3,22 179:25 180:4,7,22 181:10, 11,12 304:18,21,23 309:9, 19 310:25 313:13 314:11 315:24 316:18 317:19 319:28 324:10 325:10 326:6 329:24 331:8 332:16 333:7,17 337:24 338:25 342:4,13 343:17 346:18 349:24 350:9,14 353:22 354:11 356:10,22, 27 359:6 361:23 362:19 363:12 364:12 366:26 367:8,21 368:10,17,22 370:13,22 371:6 372:21 373:17 377:3 378:8,26 379:12,28 382:6,25 383:8 384:3,10,26 385:27 387:4 388:14 389:3,18 391:5,13 392:8 393:20 395:2 398:19,26 403:15 604:21, 23 607:20 610:15,28 613:4 615:20,22,23,26 618:17 619:1 620:11 623:1 624:5,18 625:2 626:1 627:8 628:12 629:12 633:4 635:19 636:24 637:16 640:23 641:2,16 642:9 643:14 644:9 645:9,26 647:7,11 648:3,12,20,26 650:25 651:7,26 652:25 653:11, 18,24 655:9 656:17 657:27 659:9 660:3 662:9, 21 664:16 665:10 667:15 668:16 670:26 671:19 672:2 676:22 678:22 680:20 681:17,22 683:17 684:21 685:11 686:20 689:11 690:14 691:11 692:6,18 693:3 694:1,8 696:8 697:5 699:20,28 700:5,17 701:16,25 702:20,26 703:8,15,20 704:3 707:19 708:13,18, 24,25 709:6,26 710:3 713:5,17,21 714:6,9 715:11 716:18 717:17 718:5,21 719:22 720:22 722:14 723:25 724:9 726:21 727:28 728:10 730:27 734:6,9,16 735:8, 9,28 736:3,9,14,27 737:23 739:8 740:18,28 741:8,10 742:23 743:2 744:27 745:4,25 748:5,22 750:15 751:5 752:11 755:16 756:4,16,20,22 757:25 759:26 760:5,20 761:23 762:28 765:4 769:17 773:26 775:14 777:6,19 779:16 780:8 781:8,19 782:2,3 909:3,18 912:14, 25 913:10 914:20,26 916:26,27 927:11,19 928:4,8,16 929:20,22 930:1 934:18 937:13,27 940:4,19 942:11 943:10 954:7,21 957:8,17,25 972:9,20 973:2,6,7,16 984:7 985:14 986:9,17 1007:15,17,19,28 1008:5 1024:7 1028:5 1031:5 1036:11,17 1038:14,20, 22,24 1039:13,28 1044:20,25 1046:18 1048:25,28 1049:3,4,14 1058:9 1059:21 1068:17 1075:12,24 1077:7 1209:10,14,24 1210:5,13, 15 1211:15 1213:4 1214:22,24 1215:8,17,20 1218:2,10 1219:11 1220:2 1221:26 1223:16,22 1224:3,10 1226:12 1228:27 1233:24 1239:22, 23,27 1240:11,24 1241:12 1244:18 1245:21 1246:22 1250:26 1251:7 1258:4,5, 10 1262:3 1264:24,27 1265:5 1266:7,9,16,22 1267:3,11,16,19 1274:15 1275:10,12,28 1276:11,25 1280:25 1283:22 1295:13 1298:13 1299:13 1302:20 1303:7,19 1304:3,6 1305:7,8 1306:25 1307:3,

24 1308:3 1309:6,21 1311:5,11 1312:3 1314:23 1324:22 1325:28 1333:16 1334:6 1335:16,26 1358:25 1363:18 1364:6, 14,28 1505:16,17,28 1506:9 1510:26 1512:13, 14,24 1514:7 1518:18 1519:21 1523:23,26 1524:12 1525:26 1526:11, 15,19,28 1527:4,20 1534:22 1537:4 1541:10 1543:1,16 1545:27 1546:7 1550:3 1552:20 1557:16 1558:3 1559:12 1562:1 1563:19 1564:8,16 1567:8,15 1571:13,23 1574:8,28 1576:26 1578:25 1579:10,12,19 1582:5,21 1583:19 1584:1,12,15,20 1585:18, 24 1586:1,22,27,28 1587:1,15,23,27 1588:21 1589:25 1596:15 1598:24 1614:20 1637:11,20 1639:27 1650:10,15 1660:10 1672:5,17 1673:20 1675:7 1678:17, 24,25 1681:19 1683:8 1806:15,18,27 1808:11, 22,24 1809:2,8 1822:13 1826:14 1827:3 1838:2,11 1839:6,9,11,21,22,25 1840:19 1841:10,13,21, 24,27 1842:14,16 1844:15,16 1846:24 1847:11 1848:3,18 1849:4,17 1854:12 1856:12 1857:18 1858:12 1861:27 1864:22 1866:12, 24 1875:24,25 1876:6 1883:9 1885:26 1889:2 1893:27 1911:26 1918:24 1919:10,27 1920:24 1923:26 1925:4 1926:11, 28 1927:10,16,19

Honor's 727:23 1280:21

honorable 938:21

honoring 1680:10

hop 997:24 998:6,14

hope 309:6 312:7 761:11 1226:21 1331:5 1367:13 1579:22 1867:18 1879:14 1885:17 1886:5 1892:11

hopes 18:3,9

hoping 13:19 1075:3 1354:19 1856:21

horrendous 1833:26

horrible 1646:8,22,24 1648:6 1901:9

horrific 1547:3

horror 609:19

horse 744:12 755:9

horses 618:9

hospital 1850:27 1851:6, 8,10,12,14,20,21,28 1852:1,2,5 1906:10

hospitality 1610:24,27

hospitalizations 1552:13

hospitals 1851:7,8

host 343:13 1575:23,25 1576:6,20

hostile 1918:4

hostility 333:21 334:14 336:26 337:2,4 338:2,21 681:4 770:1 775:1 1219:19 1221:4 1884:6 1900:2 1901:7 1918:12

hosts 1667:16

hot 1052:17,18 1075:10 1328:11,27 1329:4,11,19 1542:17 1656:16 1880:9

hotel 1027:19,27 1328:17 1852:25 1853:5,8

hour 305:11 307:23 734:20,25 748:14,17 945:2 967:12 993:21 1337:12 1543:20,26 1815:18 1840:16,21 1842:3,5 1844:8 1919:23

hour-long 1861:1

hours 312:20 615:27 616:6 692:26 771:19 919:19 993:19 1239:6 1322:16 1324:1 1337:14 1522:5 1592:16,17,20 1604:1 1621:20 1648:13 1840:20 1903:25 1905:27

house 961:22 1000:26,28 1029:14,26 1051:12 1056:23 1284:13 1332:15 1524:23 1614:24 1648:17 1916:7

household 1016:25

housekeeping 320:26 322:14 604:24 1581:12 1587:21 1806:19,21 1926:17

housekeeping-type 320:18

housewarmings 633:21

Housing 2:8,21,22 4:6 152:8,21,22 154:11,24 302:5,20 304:11 602:5,20 643:18 644:3 716:24 902:5,20 1202:5,20 1502:5,20 1802:5,20 1843:11 1857:22

hovering 1292:6

How's 1279:10

HR 1531:12,14

huge 1649:5 1842:7 1869:7

hugger 977:14

hugs 977:14

human 668:13 1553:11, 18 1882:10 1903:6

humiliated 1677:21

hundred 26:15 380:20 1603:4 1655:14

hundreds 606:28 607:1 763:16 766:10 995:12 1655:9,13 1836:19 1868:25

hurdle 1861:27

Hurley 1898:8

hurt 38:10 369:1 643:27 646:2,8 648:9,14 681:8 747:25 748:3 772:17 775:9 969:28 1294:19 1302:16 1345:3 1613:14 1636:18 1642:2,15 1812:7 1856:25 1890:21

hurtful 648:16 696:14 1614:8 1667:10 1890:24

hurting 1683:24

husband 620:26 741:3 916:23 997:12 1009:21 1029:22,25 1030:5,23 1037:9 1042:10,20 1212:1 1287:11 1589:1 1597:18 1600:23 1623:25 1626:27 1627:1,22 1632:7 1835:12,19 1837:10

hyperbolically 619:26

hyphen 1049:28

hyphenated 710:6

hypocrite 642:2

hypocrites 397:3 657:23 665:2 1219:17 1221:3 1268:4

hypocritical 662:4

hypothetical 401:13 635:6,16 638:6,23 639:23 640:10,23,28 652:17 724:12,14 1264:23 1274:22 1557:18,23

hypotheticals 633:5,20, 24 635:21 653:1 770:27 913:20 1520:27 1558:5 1880:11 1900:27

I

I's 731:10

i.e. 608:28 609:5

IBIE 1027:4,15

ice 168:25

icing 775:23,28 1614:5

icings 1612:22

iconic 1622:22

idea 29:9 179:13 307:9 312:27 319:26 369:17 397:26 606:23 619:21 674:17 676:14 697:27 698:10 700:21 709:20 716:10 717:8 719:25 720:7,9 728:22 746:13 1004:11 1021:18 1030:4

1063:4 1065:24 1072:8 1239:20 1260:12 1356:11 1509:1,4 1555:6 1648:27 1684:11 1816:21 1884:18, 24 1917:1

ideal 1027:13

ideas 27:22 779:9 1058:4 1063:6 1633:2 1824:7 1837:7

identical 683:27

identification 927:2,20 1505:10,11 1581:22,25,27 1584:26,27 1585:2,16 1586:9,15 1619:5

identified 9:16 35:10 328:15 384:18 672:20 710:15,19 712:2,11 907:13,14 927:20 964:11 1299:6

identifies 668:14

identify 359:14 374:23 702:24 720:1 927:16 1008:3 1257:27

identifying 1263:14

identity 316:9

ideological 662:7

idiots 695:28

idle 364:4

ignited 1889:12

ignorant 1367:27 1861:17

ignore 158:2 358:26 389:6 403:27 619:10,14 692:7 1864:17 1874:7 1908:13

ignores 691:3 1861:5

ignoring 737:14

illegal 637:9,10 1868:17

illustration 1621:7 1852:27 1853:1

illustrative 1865:10

image 608:28 609:28 610:13 668:1 931:6 1547:26 1576:16 1611:14 1616:9

imagery 1670:24 1867:28

images 373:26 770:5 1247:20 1683:22 1877:9

imagine 24:19 349:20 392:11 396:22 621:9 697:4

imagined 1882:16

imagining 305:22,23 345:19 718:27

imbued 1907:16

immediately 306:25 381:15 687:7,9 692:23 738:9 745:6 916:7 976:22 1211:19,21 1343:26 1369:14 1645:17 1646:18 1820:6 1835:25 1851:20 1867:1

imminent 1891:9

immutable 1884:26

impact 37:10 621:3 723:20 728:6 910:25 912:5 959:7 1547:7,13 1548:15 1549:18 1550:14

impacted 1877:3,6

impacts 4:26

impeach 383:15 652:6

impeaching 677:21 1217:8 1305:8

impeachment 353:10 379:14 694:20 1038:21,22 1211:16 1212:5 1510:22

impediment 163:19

imperative 167:22

impermissible 12:18 13:8 161:8

impinge 1910:17

impinged 1910:24

implementation 961:5

implemented 961:1 1645:12 1819:2,16,22,26

implicated 616:10

implicates 347:3

implicit 8:11 324:15

implied 1855:9

implies 169:25

importance 764:28 1898:18

important 8:13 11:4,15 155:12 156:6 158:1 169:25 171:4 313:11 323:6,14 333:25 346:17 355:22 362:3,5 370:5 388:20 390:16 392:16 393:28 395:22 396:10 404:15 607:5 614:21,28 617:27 630:1 634:24 636:11,15,18 637:18 640:13 647:1 669:16 676:20 678:16 679:27 700:13 701:9 704:14 706:7 708:8,9 713:2 714:2 718:1,2 719:12 737:18 742:23 753:19 762:28 764:19,20 773:26 781:11 938:20 978:8 981:23 1042:10,12,28 1043:4 1220:13 1226:23 1236:2 1246:3 1267:17 1336:6,11 1341:9 1529:6 1535:5 1541:25 1542:1 1550:23 1598:5 1599:16 1631:10 1636:15 1686:21 1821:14 1847:25 1848:17 1852:4,5 1855:18 1858:10,25 1867:11 1872:22 1881:6 1893:8 1906:17 1923:4, 20,25 1924:11

importantly 1680:11

impose 404:21 716:5 741:10 756:10 1903:13

impossible 164:20

impression 32:11 155:13 312:19 363:26 386:24 393:26 1066:19 1541:18, 21 1546:24

impressions 24:4

impressive 1558:16

improper 326:23 633:24 673:17 714:16 1264:23

in-camera 25:7 26:14 31:26 32:13 158:4,9 165:15,26

in-court 4:6

in-person 1903:26

inaccurate 1823:22

inadequate 1295:8,11 1856:16,18 1857:1

inadmissible 619:6,19

inapposite 692:5

inappropriate 387:18 658:1 661:7,13 667:9 675:25 1518:5,23

inboxes 361:24

Inc.'s 1561:13 1562:11 1652:19 1807:25

inches 701:5

incident 356:4 363:7 365:19 367:1,5,26 381:17 383:18,20,21 384:2,4 386:12 621:4 638:1 711:5 712:19 722:17 729:20,27 966:19 967:2 968:3 969:15 970:12 986:2 989:5 991:8 1002:7 1005:5,25 1211:19,22 1213:9 1215:22 1216:8,9, 18 1233:11,15 1234:12 1250:2 1255:28 1263:19 1310:14 1314:8 1318:13 1512:1 1537:19 1545:20 1546:10,19,26 1548:16 1549:4 1550:15 1631:24, 25 1636:25 1637:6 1638:15 1655:4 1814:16 1822:26 1823:10 1824:23 1888:14

incidents 1318:1

incited 360:1

inciting 361:8 1317:21 1318:6

inclination 604:16 638:4 719:9 733:4

incline 332:1

inclined 33:2,6

include 26:19,21 317:16 636:28 995:22 1592:24 1810:20 1813:16 1910:1

included 386:9 641:4 759:11 930:2 1017:23

1300:2 1519:14 1617:10 1848:7 1896:15

includes 755:18,19 764:25 1878:11

including 34:17 166:7 614:26 616:21 621:1,2 634:2 661:24 667:7 668:7 692:14 731:21 741:2 746:4 766:2 776:21 777:12 958:21 965:28 1035:26 1046:7 1047:15 1250:13 1281:18 1621:17 1626:15 1649:4 1652:13 1669:18 1676:3 1847:22 1868:5 1881:25 1882:15 1895:1 1902:4 1903:27

income 725:8 729:20 730:12 733:6 734:5 771:2 1529:18

Incomplete 1557:17

inconsistency 665:26 1878:21

inconsistent 670:11 1213:9,12 1216:28 1860:4

incorporate 653:4

incorporated 1040:26 1041:7 1560:10

Incorporation 1807:3,24

incorrect 6:11 707:9 1035:28 1513:26 1625:20 1919:6

incorrectly 1831:7

increase 1824:17

increasingly 1902:3

incredibly 739:28

incremental 1887:2

incriminate 372:26

incumbent 329:4 1890:12

indecipherable 1897:20

indecisive 1355:25

independence 1902:26 1903:7

independent 1531:5 1561:9

independently 1905:7, 14

INDEX 303:1 603:1 903:1 904:1,2 905:1 1203:1 1204:1,2 1205:1,2 1206:1 1207:1,2 1503:1 1504:1,2 1803:1 1804:1,2 1805:1

Indian 981:1 1660:20

Indicating 1643:15

indication 1644:13

indications 25:13

indirect 677:23 695:25,27

indirectly 375:4

indisputably 1834:24 1876:4,11

individual 9:25 168:4,7, 13,20 302:10 602:10 729:2 902:10 919:11 1202:10 1502:10 1561:11 1802:10 1915:11

individual's 1561:17

individualized 1914:24, 26

individually 1513:28 1561:24 1583:16 1884:22

individuals 4:17 29:3 607:15 709:15 711:15 1211:18 1862:21 1869:21

indoctrination 1903:12

indoors 1021:25

indulge 156:1

indulging 158:14

industry 28:13 981:16,26

industry-wide 682:1

inevitable 1882:5

infer 175:20

inferior 1870:3

infestation 1903:21

inflammable 342:1

inflammatory 385:10 388:25 694:22

influence 756:7 1063:11

inform 31:20 912:22

informal 308:4

informally 1214:27

information 7:27 12:2,6 13:10 16:10 17:7 18:2,8 20:7 25:1,2,15,17,22,25, 27 26:2,7,11 32:15 34:25 36:21,24,26 37:17 157:7, 24 158:13 168:7,10 172:22 173:1,4,5 349:12 351:6 358:10 623:14 624:15 625:1 628:24 644:16,18,27 645:12,14, 18,19,21 646:6,7,10,14, 16,21 647:25 648:28 649:15,19 651:21,24 656:23 679:6 680:2,3 695:7 713:8 714:28 721:22 724:28 726:14,17, 27 727:3 733:8 739:22 921:1 924:14 930:24 941:26 944:3 945:8,10 985:26 1064:3,7,17 1065:10 1072:12,23 1073:3 1233:17,20,28 1236:19 1239:9 1287:20 1334:13,19 1335:5 1342:27 1343:14 1352:5 1363:9 1556:7,8 1562:28 1628:10 1681:15 1686:22 1810:16 1860:28

informative 1536:2

informed 41:1 960:27 1015:11 1017:9 1369:6

infraction 668:6

ingredients 679:20 680:6 681:26 682:9 762:1 965:22 999:14 1578:9 1613:7 1831:17

inherent 7:28 8:11 9:17 37:28 161:6,10 163:17,18

inherently 160:23 754:22 1919:21

initial 162:24 343:24 606:18 607:23 1217:28 1658:4 1875:20

initially 5:3 377:13 655:16 1035:2 1260:17 1317:4 1891:27

initials 929:14

initiated 5:10 175:22

initiating 169:7

inject 634:1

injects 652:9

injunction 11:12 23:17 27:15 32:20 334:19 367:15 638:7 656:25 677:27 1821:1 1867:10 1904:6

injunctive 173:2 641:3,5 755:21 1903:16

injuring 753:25

ink 317:17

inkling 947:8

innuendo 1613:15

inoffensive 1887:22

input 720:8 1570:8 1926:14 1927:17

inquiries 349:1

inquiry 343:2 354:28 643:6 646:19 649:6,12 679:2,3 683:8 688:21 689:28 1218:26

insect 1903:21

insemination 1905:2

insensitive 773:19

insensitivity 388:23 661:28

inserting 1848:8

inside 174:7 1062:21 1524:24 1596:3 1606:11, 15 1620:6 1832:12

insides 1596:8

insidious 1891:23

insisted 771:9

insisting 1889:6

insolvent 910:3

inspiration 933:2,14 1881:18

inspirational 762:25

Instagram 1821:25

instance 1885:1

instances 17:14 925:21 928:25 929:2 1015:15 1660:16 1870:4,10

instigate 374:28 692:21

instigated 375:9

Institute 1036:26

institution 1879:4 1882:6,17 1917:1

instruct 329:5 916:11 926:2 985:27

instructed 1814:8

instructing 916:13

instruction 310:4,7 313:21,25,28 1844:2 1901:18

instructions 310:5,8 311:3,22,25 314:1 765:25 1896:22 1908:12 1909:19

insufficient 1903:3

insulting 1880:20

insurance 32:7 33:22 1561:21 1577:6,7,10

intact 34:26

intend 165:22 305:7 312:10 330:22 342:2 399:5 606:19 656:14 689:1 757:26 1212:12 1230:4 1235:26 1582:9 1898:26 1907:23

intended 365:4,5 610:11 620:16 687:19 729:12 761:12 764:14 1213:15 1345:18 1535:1 1887:7 1892:1 1917:2

intending 1212:3

intends 754:14,24 927:22 1874:25

intent 6:8 165:12 326:14 331:28 336:4 337:12 340:18 353:11 355:8 362:14 364:27 365:28 366:1,4 367:26 400:23,24 637:14 638:20 641:10,11 643:5 651:24 676:26,27 678:14 679:8 699:1 744:5 752:12,15 757:19 1629:2, 5,6 1858:12,17,19,21,22, 26 1859:6,18 1860:2 1861:27 1872:22 1893:27 1907:18 1923:26

intention 369:14 635:10, 11 667:1 677:24 678:11, 18 752:11 907:11 1217:7 1336:23

intentional 156:23 160:6 164:28 773:27

intentions 345:25 348:25 349:6 352:6,15 353:20 617:26 618:13 677:5 678:13 679:5 765:21 1343:11

interact 921:18 962:9,15 963:17,23 964:20 1010:22 1021:28 1044:3,9 1539:15

interacted 710:27

interacting 918:16 1540:6

interaction 950:18 958:27 970:11 971:24 1063:21 1066:20 1665:20, 25 1809:20 1824:1 1883:1

interactions 346:4 1531:23 1540:7 1546:14 1665:12,17 1816:26 1824:4

interest 2:17 6:24,25,28 7:4 8:21,23 21:9,20 22:23 30:28 31:2,23 34:1,21,24 39:10,11 152:17 157:10, 16,21,22,25,28 165:19 166:3,8,20 167:7,12,20 168:23,25,26 169:2,4,10, 13 170:12 171:21,23,28 172:2,5,9,13,17,22,23 177:5,11,16,19 302:14 325:19 326:14,22 348:11, 26 353:12 356:19 357:27 362:17 363:19,22 369:21 370:18 376:13 379:4 391:24 602:14 608:10 638:11 650:26 687:26 688:4,8,10,13,18,22,28 689:18 690:1,10 691:9 693:17 695:19,20 698:26 712:13 737:10 756:27 775:12 779:23,26 902:14 916:21 1202:14 1212:22 1213:1,26 1217:11 1220:1 1221:11 1222:18,26 1224:17 1234:26 1266:14 1502:14 1802:14 1817:6,9 1850:11,12 1858:11 1873:15 1892:8 1894:4,5, 6,9 1907:2 1911:24,25 1917:16 1920:22

interested 29:11 31:1 308:6 363:8,10 677:8 718:25 760:21 1234:18 1299:25,26 1309:2 1329:28 1539:18 1611:26 1830:9 1839:17

interesting 679:3 767:24 770:7 1558:28 1559:18 1830:10 1885:26

interests 19:11 23:23 28:15 29:11 31:22 33:27 34:27 168:22 177:17 688:6 1548:3 1906:24

interfacing 18:16

interfere 32:25

interim 949:12

interjecting 176:10

intermediate 1874:24 1922:1

intern 1051:6 1327:18

internal 11:24 15:18 18:2 25:18,23,28 165:24 166:6

internally 24:8 26:9

International 981:26 1036:26

internet 357:2 371:15 396:20 742:15 771:19 1055:22 1056:7 1063:6 1547:14 1553:25

interpret 1633:19 1865:20

interpretation 9:9 22:17 36:10 1555:5 1879:23,28 1909:25

interpreted 351:7 402:8 627:9

interpreting 29:13 1214:1

interreligious 1923:14

interrogate 667:20

interrogated 674:18 717:23 718:4 1883:28

interrogatories 4:16 36:22 327:10 339:6 342:15 644:21 646:13 656:6 658:23 659:22,24 660:1 663:24 664:1 1900:10

interrogatory 325:14 645:11,13,17,27 646:10 648:4,8 712:11 714:10 732:24 909:27

interrupt 310:26 1054:9

interrupting 312:19

intersection 716:27

intertwine 24:12

intertwined 26:6

intervene 33:14 172:6

intervening 910:9

interview 32:9,12 341:10 1041:19 1234:11 1269:22 1352:27 1648:1 1649:13 1820:24 1822:18,22,23 1824:12

interviewed 341:11,12 1317:2 1922:27

interviewing 1646:28

interviews 663:15 750:6 956:23 1231:4,7,9,13,17 1351:3,5 1647:19 1820:22 1823:3 1824:16 1837:19

intimate 1056:14 1905:5

intimately 707:15

intimidating 1292:12

intimidation 772:27

intolerant 762:8 1614:2

intoxicated 376:19

intoxication 1533:6

intricacy 769:12,14 770:12 1621:4

intricate 615:15 1271:27 1272:17 1273:8 1578:11 1602:24

intricately 1600:24

intrinsic 12:24 14:4,6,9, 27

introduce 656:14 698:5 1214:15

introduced 322:13 608:5 762:14 1071:28

introducing 631:6

inventory 1531:16

investigate 161:14 336:3 1635:16

investigates 158:27

investigating 337:11 750:4

investigation 5:11 9:24, 28 11:7,8,17 18:16 26:1 32:24,26,27 173:5 331:4 334:15,17 335:15 339:10 341:13,28 656:21 658:20 659:20,25,27 660:1,4,10, 19 663:22 712:8 1649:18, 20 1900:4,7 1913:11 1922:24,27 1923:1

investigations 25:24

investigator 20:4,8 33:24

investigators 8:17 9:19 18:15,22 26:10 34:1 35:26 40:27

investigatory 9:12 26:3 173:21 1900:4

investment 717:2 1530:16

investments 1530:14

invidious 156:23 160:6 164:28 174:13,17 175:15 400:24,27 401:26 773:28 774:2 1883:20 1894:3 1895:19,23 1910:5

invitation 700:3 951:10 1066:26

invitations 1066:25

invite 735:25 1256:1 1844:13

invited 325:19,20,28 694:14 746:23 755:12 947:16 1029:8 1063:23 1066:15,24 1231:22,24 1236:25 1515:28 1627:7 1630:7 1647:25 1867:17 1888:27

inviting 695:10 696:25 1066:28 1526:8

invoke 23:12

invoked 1903:2

involve 166:7 761:16 1037:7 1531:8 1877:27

involved 6:2 9:24 10:22 12:1 21:12 35:12 38:11 39:4 321:1 336:21 395:17 607:13 630:19 634:26 682:22 683:4 691:14 697:13 707:15 758:14,24, 25 759:8,12 761:17 779:23 929:1 953:23 954:12 959:16,21,25 961:6 980:12,19 981:20 987:23 989:20 1011:24 1013:7,12 1014:12,17 1037:26 1213:19 1528:24 1529:1 1531:14 1537:24 1553:10,28 1600:24 1605:1 1631:7 1637:23 1638:1,6 1663:19,22 1671:21 1672:3 1851:6 1862:7 1877:1,20,22 1889:13 1895:28 1905:17

involvement 715:18 988:21,23 1012:2 1013:21 1310:13 1570:3 1625:22 1636:8 1638:12 1677:21 1877:28

involves 12:11 38:1,3,19 40:28 759:22 761:19 1568:8 1879:19 1899:14

involving 9:19 163:16 379:13 385:2 388:10 1005:25 1623:26 1891:25 1905:2,4

Iowa 1917:24

Ireland 1625:15

Irish 1625:17

ironed 608:2

ironic 382:16 385:5

Ironically 1220:10 1861:2

irony 388:8,12,21

irreconcilable 177:17

irrefutable 912:8

irrefutably 776:13 1879:20

irrelevant 32:2,4 330:7 345:5,27 357:22 359:2 389:6 611:19 644:18 645:3,19,20 646:15 647:10 649:5 655:19 673:10 695:3 705:1,10 707:6 708:4 709:22 929:23 967:15 1212:25 1213:2 1215:24 1216:7 1220:17 1261:21 1518:14 1557:18 1558:6 1564:7 1676:8,13

isolation 364:13

issue 6:26 7:25 11:19 13:4 14:2 15:17 16:16,25 23:10 24:25 37:10 38:12 160:12 161:11 162:28 163:3 168:26 175:14 309:27 312:11 319:13 324:12 328:23 329:26 330:4,25 333:26 334:7 340:2 351:13 353:5 367:17 368:1 369:6,10,13, 14 370:10,27 371:3 374:13 377:8 378:4 379:10 382:22 389:22,25 390:14 395:22,23,28 396:7,10,11 397:25 400:20 404:10,28 605:18, 19 608:7,9,20 610:26 611:7 612:11 613:16 616:16,17 620:14 625:9, 12 627:22,24 630:1,5,17, 21 634:26 635:1 637:14, 19 638:20 639:14,19 641:14,19 644:4,25 645:4 647:4,11 648:23 650:5 652:9,26 653:26 654:2,5, 16 655:1 656:2,15 657:2 662:1 666:28 668:22,25 672:24 673:6,20 680:24 682:24,27 687:6,12,15 695:4 698:28 699:6,12,14 704:28 705:10,23 706:27 707:7 715:23,25 719:13, 14,23 720:4 721:21 723:3, 26 728:4 730:24 733:22 737:3 743:19 767:6 768:18,26 773:13 909:22, 26 911:19 912:2,9,15,19 914:4 929:23 963:4 985:18 1001:12 1046:12 1047:6,7 1211:3 1212:24 1214:20,26,27 1217:23 1220:17,23 1224:3 1251:8,19 1313:14 1524:6 1532:25,26 1534:5 1536:5 1550:19 1552:16 1557:22, 28 1600:9,14 1613:13 1614:7 1624:9 1827:13 1828:16 1846:18 1847:15 1866:16 1868:13,16 1873:1,6 1876:11 1877:25 1878:23 1880:4,10 1881:5,27 1885:19 1890:11 1892:2 1893:15 1896:8 1899:13,20 1900:18 1903:6,16 1904:26 1907:8 1918:22 1919:16

issued 376:20 1650:6 1897:25 1898:17

issues 11:17 27:20 37:6,9 38:3,5 39:17,25,28 40:11 155:12 156:4,7 310:12 317:26 318:22 322:7 326:18 355:6 357:22 359:9 369:6 370:13 373:4 374:14 385:23 387:21 389:28 393:12,22,27 394:2,4,6 399:15,21,22 400:11 401:5 404:15,16 607:6 611:3,6 612:6 613:10 616:1 621:6,25 630:19,22,28 634:2 635:3 639:2,3,6 641:10 668:15 669:26 680:26 695:22 696:4,5 699:7 706:26 740:18 777:14 778:18 1215:18 1217:24 1532:20 1548:4 1552:12 1555:1 1578:14 1600:16 1623:26 1650:7 1676:7 1835:13,16 1837:22 1876:1 1879:18 1880:9 1881:8 1887:4 1890:10 1899:23 1904:6

1907:5

Italian 1001:2

item 320:26 722:26 906:14 909:19 958:22 1617:9 1653:20 1867:19

itemized 1567:23

items 621:11,12 701:21 722:27 726:3 741:19 766:25 907:12 921:22 922:16 935:22 975:26 992:18 993:10 1062:24 1587:21 1596:24,26 1597:5,8,13,20,22,25 1598:2,11 1614:16 1617:24 1626:19

IV 778:5

J

J-O-H-N-S-O-N 1008:27

Jack 609:5 657:14 1023:2,5 1622:4 1661:18 1683:17

jam 606:21

Jamba 1031:22

jammed 771:22 775:10

January 2:11 3:4 4:1 721:12 1058:27 1059:9 1281:9 1316:11 1591:19 1615:24 1618:15

Jason 997:26

jaws 651:13

Jeff 173:12 1917:20

Jeffery 345:3

Jeffrey 2:24 4:10 152:25 302:25 304:24 602:25 902:25 1202:25 1502:25 1802:25

Jennifer 1635:12

jeopardize 753:14

Jessica 767:28 769:8 775:26 1236:16,24 1248:28 1249:4,17 1256:12,17 1273:11,15, 21,25 1362:15 1515:15 1516:7 1893:15 1912:16, 23,28

Jessica's 1236:28

Jesus 764:16 776:25 978:11 1029:27 1030:2 1042:11,20 1302:16 1626:27 1627:4,9,14,18 1830:7

Jesus' 1682:21

Jews 174:26 1849:7

jig 759:9

job 162:16 165:10,27 357:7 621:22 692:10 722:1 723:1 724:26 766:20 959:2 980:20 981:14 983:5 1009:22 1010:10,15 1030:18,24 1050:24 1055:12 1301:23 1327:10 1333:24 1345:4 1528:21 1529:6 1591:22 1593:20 1635:21 1636:1 1641:25 1835:3,6 1873:20

jobs 995:4

John 1367:27

Johnson 704:28 706:17, 18 710:21 711:3 712:5,27 713:1,6,16,18,20,22 714:23 904:9 983:8,18 988:1 1007:25 1008:14,26 1009:3 1031:9 1036:9,22 1039:2 1045:1 1612:19 1622:3 1625:7 1626:26 1627:22 1886:20 1894:28

Johnson's 713:9 988:20, 22

Johnston 920:1

join 1626:10

joined 20:25 39:26,28 176:4 949:23

joining 917:27

joint 315:15,16 316:8 377:22 380:2 384:17 905:5 1077:24,26 1505:9, 10 1561:19 1581:26 1805:4

jointly 39:11 1008:1

joke 732:22 1029:25 1030:6 1287:11 1291:21 1339:4 1343:21

joked 946:9 951:10 1328:25 1867:16

joking 1322:24 1640:12, 15 1641:26

Jolla 167:24

Jonna 2:23,24 4:12,13 302:24,25 304:21,22 308:24 328:20 333:16,18, 19 335:10,14 336:12 337:7,14,18 338:24 339:17 350:14 355:2,4 356:9,10 359:6,16,28 360:5,19,28 361:11 362:7, 19 363:3,6,9,11,15,25 364:3,12 365:7,18,24,27 366:27,28 367:3,7,10,12, 14,18,21 368:9,12 372:18 377:3,4,5,13,22 378:8 379:10,11 381:5,8,26,28 382:8,14,23 383:4,7,19, 23,27 384:1,3,21 385:16 388:13,17 389:1,14 390:6, 15 394:16,23 395:18,21, 25 398:10,16 403:17 405:12 602:24,25 604:13 605:28 606:2 610:21,27, 28 615:18 637:16,17,18 644:13,14 645:8,9,25 647:6 648:12,25,26 650:2 651:11 653:11,23,24 654:13,27 656:13,16,20 668:16 675:7 678:20,22 679:17 684:21,23,24,28 685:4,6,11 686:18,20 689:11,20 691:5 692:18 699:4 701:25 702:6,19,20, 25,26 703:1 704:2,3,8 706:28 707:1,28 708:1,2, 12,18,25 709:25,28 710:3, 7,12,18 711:8,22,27 712:16,22,28 713:9 714:9 715:10 719:22 726:11,16 731:21 902:24,25 904:10, 18,19 906:12 909:1,3,6 972:28 973:1,14,16 974:18,23 975:3 978:4,26 979:3,7 980:22 982:14 983:16 985:14,17,22 986:9,14,17,18 987:17,18, 21 988:5,13 990:16 1002:22 1004:21 1006:18, 26 1007:17 1013:14,24 1014:14 1015:4 1016:6,19 1017:14 1024:7,21 1026:13 1028:4,14,17,24, 26 1031:5,8 1033:11 1036:3,11,17,21 1038:14, 18,22,24,28 1039:28 1040:4 1041:2 1042:16,19 1043:26,28 1044:12,20, 23,28 1045:12 1046:4,14, 17,21,24 1047:3,10,14,23 1048:6,12,22,28 1202:24, 25 1204:6,10,11,14 1211:14,15 1213:4,6,14, 20 1214:8,22 1215:20,27 1216:13,16 1218:1,20 1220:2,5,7 1224:10 1225:16 1228:25 1233:24 1239:27 1240:11 1244:10, 17,18,21 1246:22,26 1247:3,7 1250:18,20,28 1251:7,13,22 1252:4,5,13 1253:4,5,8,9,19,27 1254:1,3,5 1255:23 1257:21 1258:5,10,12,15, 17,20,23 1259:8,11,14 1260:5,14,15 1261:22 1262:1,18 1264:27 1265:2,4,9,10 1266:7,11, 13,22,24 1267:3,9,11,14, 18,22,27 1268:14 1269:1 1273:11 1274:15,19 1275:1,12 1287:22 1288:1,5,12 1289:21 1294:9 1295:12,20 1296:1 1297:22 1298:13,16 1299:4 1302:20,22 1303:2,7,10,15 1304:6,9, 12 1305:6,17,19 1306:21, 25 1307:2,4,8,13,19,24,28 1308:3,6,12,15,17,25 1309:5,11,20,23,25 1310:6,9 1311:9,15 1312:3,6,16,22 1313:12, 16,24 1314:7,21,26 1315:4,15 1317:1 1318:20,24 1319:1,3,7,14, 23 1320:4,9,26 1321:19 1322:21 1324:6,21,22,25 1325:10,15 1333:11,16 1334:6 1335:16,26 1343:22 1344:17 1358:21, 25 1359:2 1362:5,7,10,12, 13,27 1363:17,20,24 1364:4,17,21,24,28 1365:4,9,11,15,18 1502:24,25 1504:6 1505:17,22,24,28 1506:8,

9,12,17,19 1507:28 1508:3,18,20 1510:17,26 1511:5,20,23 1512:16,20, 22,28 1513:6,7 1514:7,13 1516:24 1517:20,22,23 1518:15,21 1519:28 1520:7,15 1521:6,17 1522:10,26 1523:3,16,23 1524:5,9 1525:25 1526:10,15 1802:23,24 1808:5 1821:8 1856:17 1914:2,6 1926:14

Jonna's 363:14 397:24 1264:25

jotting 1342:12

joy 1041:28 1236:17 1237:8,15 1238:19 1243:26 1248:27 1256:11 1258:26 1296:17,25,27 1355:11,14,20,22 1357:8 1912:11,28

joyful 1599:19

Jude 1601:2

judge 2:4 4:3 5:24 13:18 38:14 152:4 154:3,6 302:3 304:3 307:13 331:8 339:3, 8,18,21 340:1 363:25 402:21,24,25,26 403:4 602:3 604:3 612:28 652:10 667:19 671:15 686:3 736:5 902:3 906:3 921:16 985:3 1202:3 1208:3 1219:1 1278:3 1502:3 1505:3 1581:3 1802:3 1806:3 1807:14 1843:3 1866:13 1867:7 1885:27 1900:13

judges 10:10 12:28 38:27 39:4 158:26 311:4 1902:11

judging 658:17,18,19 667:19

judgment 20:14 32:22 334:2 339:24 359:9 611:28 612:6 613:12 646:27 655:22 750:12 910:5 1872:6

judicatory 331:18

judicial 5:19,26 334:28 335:19 338:6 341:18 342:26 343:16 344:15 345:4,8,22 347:10 350:24 605:12,13,19 632:24 645:2 651:15 654:12,21, 24,28 655:2,5,15,21 656:15 657:9 658:4 669:10 674:9,23,26 676:1, 25 697:13 906:17,22,26 907:5,7,12,22,26,27 908:7,9,15 914:21 1686:24 1848:1 1864:8,19 1872:23 1896:18

judicially 38:16 39:1,6 629:1 674:25 908:20

judiciary 5:27,28

Juice 1031:22

Juliet 1558:26

July 178:17 179:12,21 180:1,2,10 302:11 303:5 304:1 602:11 603:5 604:1 686:1 902:11 903:5 906:1 985:1 1058:25,27,28 1202:11 1203:5 1208:1 1247:1 1278:1 1502:11 1503:5 1505:1 1510:15 1581:1 1625:3 1802:11 1803:5 1806:1 1843:1

jump 1847:6

jumping 758:20 767:25

juncture 662:19 674:2

June 152:11 153:4 154:1 179:6,24 931:22,27 1040:5

jungles 1882:10

jurisdiction 6:3 1844:17 1846:27

jurisdictions 27:27

jurisprudence 653:28

jurors 314:25

jury 172:11 178:18,19,22, 25 305:21 308:3 310:2,8 311:3,21 313:27 314:24 319:2 320:20 366:6 399:10 617:1 632:19 650:11 986:3 1276:20,23 1844:2 1847:1 1896:21 1902:20 1908:11

justice 29:1 31:23 177:16 403:7,25 404:24 664:12 704:17 706:8 754:7 768:9, 12 769:22 779:21 1849:5 1869:28 1870:26 1886:11 1892:16 1906:21 1916:22 1917:4 1918:15 1921:23

justices 337:26 664:13 1885:19 1886:6

justification 334:8 612:3

justified 375:3 1838:25

justify 332:4 338:18 339:12 340:10 645:12 646:7 675:17,22 726:14

Justin 701:26 702:27 703:1,2,8 987:8,27 989:11,12 998:10 1012:24 1024:28 1027:17 1624:21, 25 1628:4,6 1645:21 1670:15 1677:19

Justins 1002:18

K

K-1 1561:19

keeping 1917:3

Ken 1644:21

Kendra 302:21 304:16 602:21 902:21 992:4 1202:21 1502:21 1553:5 1802:21

Kennedy 29:2 403:7 404:24 664:12 706:8 774:13,21 1366:3 1869:28 1870:26 1898:16 1902:5 1911:8 1915:18 1918:16

Kennedy's 403:26

Kentucky 1917:24

Kern 2:2 6:17 152:2 154:7 178:8 302:2 602:2 902:2 1202:2 1280:5 1502:2 1802:2

key 11:17 399:21 400:2,5, 10 613:16 634:25 647:5 654:2 660:3 672:7 714:14 742:19 779:14 1851:27 1864:25 1865:4 1895:25 1905:23 1919:26 1921:2

kick 1891:7

kidding 1254:10

kidney 997:12

kids 672:9 697:27 1552:5 1591:15 1906:6

kind 11:3 20:19 30:10 31:6 156:2 161:19 166:17 310:23 311:4 313:22 326:3 330:20 332:12 374:13,26 384:26 389:20 393:3 607:23 627:4 629:16 631:10 634:21 647:26 654:20 677:22 678:3 683:6 684:2 705:26 708:12 715:18 719:22,26 737:16 742:25 747:3 751:8 756:13 758:10 760:28 768:17 775:16 777:1 906:27 908:17 923:5 924:6 931:7 932:19 946:20 958:13 989:27 991:12 1000:9 1002:8 1005:14 1022:12 1023:20, 23 1026:21 1030:17 1031:17 1036:13 1056:8 1063:4 1064:19,27 1065:1,11,26 1066:1 1067:4 1068:9,22 1072:7, 26 1073:1,12,17,20 1075:9 1076:2 1237:22 1238:15 1239:3,6 1242:1 1243:10 1244:1 1260:12 1281:2,21,22,23 1283:13 1287:13 1289:5,11,12,15 1290:1,4,14,18 1291:4 1292:16,17 1293:2,5 1294:13 1295:17 1298:6 1305:22 1329:27 1330:8 1347:17 1352:7 1355:24 1523:16 1529:18,20 1530:11 1531:14 1537:14 1545:15 1547:25 1548:7 1551:25 1591:16 1592:2 1595:16 1598:21 1600:5 1602:8 1604:16 1606:11 1608:19 1612:9 1631:13 1632:17 1633:9 1634:18 1636:25 1640:12 1641:2 1649:27 1651:2 1656:21 1662:9 1669:12 1679:7 1810:11 1826:5 1844:21 1848:14 1852:28 1878:22 1883:1 1898:3 1899:24 1923:28

kinda 1075:1

kindly 978:14

kinds 338:12 343:20 353:16 637:27 674:24 696:1 697:1 712:27 717:24 768:18 982:3 999:2,3 1029:17 1047:10 1211:5 1290:3 1302:9 1530:13 1547:2 1571:8,11 1603:13 1647:13 1824:6 1837:7,8 1911:16

king 675:21 721:12 1902:13,14,16,23

king's 1902:14

Kingdom 1909:3

kitchen 920:10 966:5 1566:23 1567:27 1869:6, 27

Klein 332:13

knew 360:12 361:15,16 713:22 722:11 730:23 731:15 732:23,25 745:12 746:26 748:26 749:13 750:9 758:2 945:15 948:24 949:27 968:6 1001:7,9 1007:7 1009:23 1017:1 1020:23 1036:1 1037:10,14 1038:7 1041:11,14 1042:11,25,28 1043:5,9,18 1044:4,10 1066:11 1067:14 1248:1 1327:28 1335:1 1339:3 1344:28 1515:9 1532:4,5 1533:7 1534:1 1541:19 1542:6,9 1628:2,7 1633:12 1648:21 1830:10 1832:16

knickknack 1062:26

knocked 781:28

knocks 1847:10

knot 1625:16

know-how 966:3

knowing 19:23 364:6 387:17 393:15 642:14 740:9 752:16 1023:24 1033:17 1037:22 1043:8 1075:22 1327:11 1345:5 1359:22 1889:24

knowledge 171:10 358:12,21 697:20 705:7 706:19,20 749:18 955:15, 22,26 961:4 968:15 969:25 983:21 1018:16 1037:27 1041:5 1243:24 1254:19 1309:9 1321:9 1535:15 1578:17 1635:23 1636:7,22,23 1650:2 1667:4,7 1670:7 1814:8, 10,11 1833:14,24 1837:3

knowledgeable 1666:25

Krispies 1603:28

Kristin 994:8 995:16 997:15 1012:21

KUZZ 1631:28

L

La 167:23

label 988:25 1894:14

labeled 1565:23 1641:10

labels 1055:9

labor 321:3 652:2 984:6 1030:13 1607:5

laboring 325:6,8 655:8 682:23

labors 1605:19

lack 388:8 394:18 395:25 396:4 619:7,19 657:2 755:9 963:14 968:14 969:5 1223:25 1586:5 1890:13

lacking 1851:28

lacks 665:8 928:16 961:27 962:23 963:15 1016:6 1309:4 1540:19 1557:16 1578:16 1676:13 1838:12

lactose 762:8 1614:2

lactose-free 681:28 1614:1

ladies 304:9 642:19 1579:14

lady 365:19 760:25 767:26 1071:20 1328:22 1332:8 1333:8 1341:27 1342:26 1349:15 1647:2 1648:24 1814:21

laid 159:3 700:24 726:27 937:28 1214:16 1240:3 1342:14 1526:25 1888:26

laminator 1327:5

Lampe 2:4 4:3 152:4 154:3,6 331:8 339:3,8,18, 21 340:1 402:21,24,25,26 403:4 612:28

land 780:25

landlord 716:25

landscape-wise 1615:22

language 323:18,23 327:27 328:26 329:10 330:5 332:1,13 333:12 343:18 344:3,23 358:14 385:4 1208:28 1593:24 1642:8 1659:11 1894:14 1896:19 1909:24 1917:20

lap 25:5,6

large 15:9 396:11 998:28 1029:5 1531:27 1577:17 1605:14 1897:1

largely 308:26 374:17 392:9 401:4 403:8 633:10 758:14

larger 8:22 679:26 1539:1

last-minute 1238:22

lasted 1317:3 1357:22 1809:21

lastly 157:16,20 664:23 665:9 692:7 1273:6 1863:17 1921:13

late 310:27 339:5 604:17 606:25 607:27 744:24 753:12 986:28 987:3 1034:28 1051:12 1328:17 1877:5

lateral 942:16 1605:26

latitude 678:17

laughable 1900:6

laughing 987:9,11 1339:2 1852:25

launch 1529:22

launched 660:16

launching 1219:24,26

law 6:17 27:27 29:27 30:16 31:10 36:14 40:19 155:23 157:4 158:26 159:26 165:25 171:8 173:28 174:28 175:1 309:21 326:11 342:23 343:3,14 357:10 403:28 404:23,25 611:24 612:18 669:5 677:8 688:14 689:26 690:19 691:13 693:14 706:4,14 717:4,19 737:1,9 741:10 750:26 753:7,17 779:14,17 781:16 910:22 918:20,25 1353:8 1600:8 1682:4,5 1835:17 1845:24,25 1847:5 1849:10 1854:19 1855:16 1863:16 1866:15, 18 1867:4 1869:13,25 1870:22,25 1874:12 1883:27 1891:7,12 1896:10,20 1902:23,24 1903:3,4 1906:15,16 1909:4,6 1911:10 1920:1, 2 1921:7 1925:28 1926:1, 10

law-burdening 1914:22

lawful 1908:24

Lawrence 1909:5

laws 340:22 664:10 745:17 755:4 778:1,3 1533:20,25 1534:10 1561:8 1623:16 1818:15, 16,18,20,22,25 1835:9 1855:21 1869:25 1870:4 1873:18 1906:18 1913:16 1925:26,28

lawsuit 30:2 176:2 328:10,11,17 329:25 330:25 336:8 339:10 348:12 349:26 350:10 352:9,16 353:4 354:1 660:18,21 750:1 755:11 1525:24 1845:2 1871:4,5, 10,21

lawyer 22:3,5,14 166:25 397:4 398:8 641:27 657:25 662:5 768:14,16

1221:1 1254:18 1268:8 1353:4,6 1886:12

lawyers 10:10,11 11:26 19:27 40:18 166:26 178:22 311:4 397:12 674:16 1219:14,16 1221:14,19 1353:10 1369:10 1892:2 1902:11

lay 25:8 39:7 158:14 305:6 322:24 327:14 351:14,17 353:3 354:4 729:11 1047:7 1240:1 1251:9 1534:15

layer 1256:12 1258:26 1516:10 1616:2 1620:14, 15,16 1831:15

layers 742:7 995:12,13 996:3,6 1063:26 1256:13 1258:27 1516:11 1604:23, 24 1607:9 1655:17

layout 759:25 1593:28 1594:4

lays 159:5 332:26 663:2 1848:4

LBGTQ 664:18

lead 10:16 614:8 645:22 646:16 997:1,2,11,19 1010:6,7,15,22 1067:11 1282:2 1354:22

lead-up 1238:20

leader 980:8,17 996:28 1014:20 1015:12 1028:12 1590:11 1593:4,6,9,10,11, 12 1638:21

leaders 920:9 994:2,10 1014:21 1590:11 1593:3 1899:9

leading 1274:16 1275:1 1287:22 1288:3,12 1294:9 1321:19,20 1335:26 1358:21 1522:26 1523:3 1578:21 1650:10

leads 18:7 33:26 774:18 995:3 997:5,6,17

leaf 609:3

leaning 10:25 677:22

leap 659:4,14

learn 20:19 365:2,3,4 749:20 976:8,19 1036:28 1517:9 1923:9

learned 10:11 34:12 349:25 932:6,9 1032:6 1230:18,28 1231:1 1312:23 1328:1 1346:9 1536:11 1540:7 1639:11 1652:19 1864:14 1878:12 1889:19 1891:6 1918:4

learning 399:18 1016:26 1551:22

lease 1562:16

leave 4:17 10:8,10,14,20 37:15 39:28 176:11 364:4 683:6 748:5 755:20 772:7 968:5,18 972:16 994:5 1030:18 1054:5 1292:18, 19 1343:25 1345:10 1544:23 1545:11 1566:3, 6,8,11,13,23,25,28 1567:2,18,27 1610:9 1618:4 1627:18,25 1636:25 1643:23 1677:22 1682:9

leaves 776:23 1350:3

leaving 306:18 967:12 998:8 1020:7 1060:5 1073:22 1216:14 1254:17, 19,23 1545:19 1813:14 1889:26

led 29:7 357:18 675:19 688:26 713:20 766:6 774:27 953:13 993:7 1015:16 1530:2 1536:7,8 1569:6

ledgers 624:23

left 32:10 178:4 319:25 361:27 629:14 687:7 740:8,10 759:15 760:5,28 771:18 934:3 947:22 948:23 951:2,13 967:8 969:22 977:15 989:26 996:25 1010:5 1011:11 1020:4 1030:11,12,16 1040:5 1065:16 1066:16 1068:1 1070:2 1073:21 1075:8,9,20 1076:5,18 1216:2 1290:25 1292:15, 23 1295:5 1305:24 1340:6 1343:6 1344:6 1346:16 1348:11 1350:5 1362:1 1508:22 1509:10 1511:8 1544:25 1545:14 1567:25 1579:17 1594:7,9 1595:4 1627:9,12 1628:1 1633:10 1636:27 1643:11 1646:8 1648:3 1649:3 1659:1 1677:24 1685:25 1811:23 1812:12 1891:17

legal 18:17,18 19:3,7 22:9,13 23:3,11,18,28 27:22 31:17,19,28 36:8 312:20 318:22 322:7 324:12 325:2,23 326:8 327:15 333:26 334:1,7,9 335:12 338:24,27 339:19 341:16 342:28 343:2,13 347:6,8 355:7 374:11,14 375:26 388:9 392:21 393:12 395:22,28 396:11 397:24 613:10 617:28 630:1,5 639:6,14 643:3,4 654:2,5 659:10,11,14,17 669:23,24 674:9,24 675:11 677:2 687:28 695:6 696:4 704:8 705:20, 21 707:6 709:12 733:1 751:14 752:27 767:5 913:7 972:12 1223:4 1228:25 1623:19 1650:7 1849:1 1869:14 1883:24, 26 1892:2,16 1894:18 1919:24

legally 28:21 333:21

legitimate 12:16 28:15 175:4 344:18 401:17 673:27 694:19 777:16 1894:4,5

lemon 1565:2

length 177:26 333:24 405:19 910:18 911:22

lengthy 177:15 323:16 1003:19 1830:2 1861:14

lens 372:2

lesbian 738:28 932:6 948:26 1052:3 1250:24,25 1263:14 1299:6 1339:23, 27 1344:4 1508:26 1854:5 1855:10 1858:28 1859:1 1866:17 1867:22

lesbians 361:15 694:10 752:15 1252:27 1253:11 1269:6 1275:9 1508:24 1509:1 1836:22 1838:27 1856:25 1889:24

lessee 1562:16

lesson 365:2

let all 1077:3

letter 316:21 611:23 721:16 910:28 1677:19

letters 1225:25

letting 39:5 318:6 765:28 1037:12,16 1512:11

level 10:26 160:24 396:4 651:4 769:12,13 770:12 1019:4 1835:18 1854:11 1873:24 1875:10 1895:8 1905:11 1921:22 1922:16

leveled 690:7 1313:9,20, 28 1314:12 1651:5

Leviticus 667:5,6,8 670:4 1601:1

Lexington 1884:13

LGBT 361:18,19,20 362:2 374:4 687:16 711:2 764:2, 8 766:18 772:24 980:26 981:5 1033:1,13 1316:15 1317:15,28 1898:10

LGBTQ 1015:14,22,28 1023:18 1029:1 1233:7 1350:20 1626:21 1628:8 1671:23,28 1673:9 1859:2 1888:10 1893:5 1917:27

LGBTQ+ 749:19

liability 756:17 1562:3

liberal 1884:14

liberty 1855:25 1897:12, 26 1899:5 1902:4

license 1562:10 1652:19

licensed 1904:27

licensing 1562:25

lid 679:2

lie 694:8,12 733:15 1836:14

lies 173:4 625:20 1889:23

lieu 29:1

life 769:27 977:26 978:11 1009:7,9 1057:14 1242:20 1263:13 1279:18 1326:24 1358:12 1529:14 1552:2 1591:17 1592:9 1608:19 1631:6 1855:19,25 1880:7 1899:20 1911:17

lifestyle 1263:27 1316:18

lifetime 758:16 1549:24 1880:20

lifting 1580:5

light 9:15 37:7 155:21 176:8 178:27 308:13 344:9 374:1 378:14 678:14 687:11 695:20 703:5 705:24 710:20 712:4 715:11 1064:28 1214:6 1217:20 1317:26 1318:13 1846:25

lightly 938:22

likelihood 754:18 757:21 1907:20

likeness 668:2 1600:27

likes 364:2 368:28 370:7 692:15 698:17,18 778:13 1005:21 1356:27 1522:14, 18,21 1551:15 1813:22 1814:2,5

Likewise 703:7 1912:25

liking 369:12,21 371:14 373:2 1271:19

lilies 618:9

Limandri 2:23 170:22 302:24 304:18,19 308:24, 26 309:18 310:25 311:1, 12 313:14,15 314:7,9,11, 14 315:23 316:3,17,23,28 317:10,18 330:19,20 333:8,15 337:22 338:28 345:28 355:3 359:5 363:12 368:13,17,22 370:21 372:18,21 373:17 377:1 379:27 385:5,19 386:10,16,18,21,24 387:13,17 388:4,22 389:8 392:6,7 393:14 394:26 396:26 397:27 398:1,9,18 399:14,18,19,27 400:10 403:6,16,18,21 405:12,16 602:24 604:13,23 615:19, 21,22 620:11,16,22 622:18 623:6,15,18,22 624:28 625:14 627:18,23, 25 628:3 631:11,12 633:2, 3 639:8 641:15 642:13 650:24 651:19,26 652:21, 25 660:3 662:25 663:6 664:25 667:9,15 672:27 675:7,15 676:5,15,22 677:14,15 680:19,22 694:7 696:8,18 697:5,26 698:1,3 699:25,27 700:24 701:18 702:1 703:7,12,15, 18,21 708:24 710:1 714:16 721:16,26 724:16, 17 725:17,20,23,27 726:10 727:27 728:14 729:4,19 730:19 732:5,20, 22 733:11 734:6,9,13 735:8 736:3 751:5 756:19, 20,22 781:23 782:2 902:24 904:7 906:12 909:18 912:21,25,27 913:22 916:27 925:28 926:14,21 927:11,19,26 928:6,8,15 929:22 930:6 937:12 940:3,19 942:24 943:10,12 948:5 954:20 957:16,17,19,22,24 958:1 959:11 962:1,5,6,26 963:2,3,8,12,16 968:26 969:4,12 971:6 972:9 973:6 1049:4 1202:24 1209:11,13 1219:10,27 1220:10,21,28 1221:13,23 1225:2 1226:4,11 1239:24 1241:3,11 1262:15 1270:1 1276:10,25 1323:12 1362:26 1502:24 1504:12, 13,15 1527:1,4,19,20,23 1534:22,23 1536:26,27 1537:3,5 1540:5,13,21 1541:10,15 1543:6,16,17 1545:27 1546:5,7,8 1548:26 1549:9 1550:12 1552:20 1557:16 1558:2,3 1559:12 1562:1 1563:5, 15,17,23 1564:5,11 1567:8,10 1570:23 1571:12,17,20,23,28 1572:2 1573:5,14,18,23 1574:8,28 1575:5,9,16 1576:26,28 1577:1,4,20, 25 1578:21,24,26 1579:9, 17,18,22 1580:1,10 1582:3,5,21,25,27 1583:1, 19,21 1584:1,7,12,15,17, 20 1585:10,12,17,21 1586:4,22,27 1587:22,24, 26 1588:20,21,24 1589:18,24,26 1596:15, 18,20 1614:20,22,28 1637:9,18,20,21 1643:7 1650:13 1651:4 1668:17 1672:5,17 1673:2,15 1674:15 1676:6,12 1679:2,3 1681:16 1683:8 1802:23,24 1804:6,7 1806:15,18,22 1808:11, 22,24 1809:1 1820:21 1821:4,8 1822:12,22 1826:14 1827:3,6 1830:20 1837:14,18 1838:1,11,23 1839:1,6,8,9,22,25 1840:13,18,19,23 1841:21,24 1842:15,16 1872:10 1875:3,22,23,24 1900:1 1908:7 1918:25 1919:11,25 1922:23 1926:13 1927:10,19

Limandri's 340:8 914:2

limine 303:7 317:21 318:11 320:23 321:25,26 322:3 323:25 324:8,20 325:12 334:9 339:24 342:15 345:14 348:9 375:11 384:13 393:25 399:23 401:4 403:15 404:6 603:7,10 605:23 606:3,5,8,11,26 607:10,11 608:3 611:3 612:1 613:15 614:5 616:2,23 618:19 628:28 631:15 633:5 651:15 652:1,16 653:20 654:6 656:4 684:18,20,25 699:6,8 703:12 716:2 723:5,6,13 732:27 757:7, 10 984:8 1212:8,10 1261:23 1676:9 1907:12

limit 370:1,3,22 371:19 395:8 635:2 734:2 962:3 1865:18,26

limited 7:4 9:20 26:23 31:13 328:26 338:26 370:8 381:9 396:15 654:6 656:28 657:27 658:2 672:23 689:11,14 690:4 693:21,26 697:9 715:11, 26 716:7,11 717:6 723:26 908:12 1068:20 1213:16 1239:5 1542:10 1684:19 1908:28 1925:7

limiting 370:8 379:23 907:6

lined 1356:25

lines 346:23 361:14 651:9 683:15 1044:20,22 1217:21 1302:16 1303:12 1322:16 1510:12 1564:18 1565:6 1567:7 1624:18 1674:14 1833:17 1865:21 1904:11

lineup 1027:25

link 358:24 359:3 368:28 690:26 691:1,5 694:4 695:25,27 698:22 1513:15,21

linked 697:24

linking 358:10

liquor 1023:1

Lisa 666:23

list 315:16,20 316:1,3,7,8, 12 317:11 320:20 336:5 377:22 380:2 381:20 384:17 699:5 711:15,20, 23,25 713:15,24 714:7,19, 25 943:6 1024:24 1056:8 1057:27 1077:24,25,26,28 1209:9 1340:9 1582:10, 13,28 1584:2 1623:22 1645:18 1652:6 1807:4 1867:19 1927:7

listed 322:19 336:5 711:28 714:18 940:16 946:2 1586:8 1865:9

listen 4:20 175:11 328:3 372:20 638:22,25 719:10 733:19 1214:10 1672:21 1681:13,15 1682:24 1867:28

listening 176:8 640:9 916:15 1218:27 1839:18 1844:11

lists 320:19

literally 334:16,21 335:25,27 379:15 383:13

615:27 1030:24 1348:27 1349:2 1357:14 1525:3 1865:25

litigants 5:21

litigate 714:15

litigated 615:28 1224:3,7

litigating 322:7 616:7 617:1 636:3,4 638:6

litigation 8:28 9:22 11:8, 9,13 12:28 14:4 19:6 22:3 26:22,25 28:16 32:7,18,28 33:3,7,18,22 37:11 157:23 168:6,11 169:7 178:13 335:2,20,23 336:14 341:11 358:15 657:8 658:6,20,21,24,25 660:2 709:17 710:20 713:28 719:4 758:14 1246:13 1265:28 1649:19 1872:4,9

litigations 39:3

live 695:28 761:13 1016:28 1050:12,13 1279:14 1326:21,25 1823:23 1839:16 1844:10, 11,12 1911:17 1917:27

lived 1009:7,8 1050:10 1331:18 1910:26

lives 9:26 1870:15 1881:24

living 338:17 401:11,12 666:6,23 667:21 1009:11 1017:2 1050:21 1057:15 1280:4 1327:4 1331:14 1625:26 1681:2,7 1860:24 1878:18 1923:15

Lizette 994:6 995:15 997:21 1236:16

LLC 169:28

LLP 302:24 602:24 902:24 1202:24 1502:24 1802:23

loaf 1238:4,7,14 1273:22

loan 1632:17

loaves 775:28 1237:24,28 1238:1,2 1256:23 1258:28

lobby 1011:20 1896:25 1897:1

local 12:10,11 15:11 374:23 687:9 690:8 749:19 1231:4 1529:9

locate 1543:22

located 1314:19 1544:8 1817:13

location 918:4 960:4,6 964:7 1034:2 1329:21 1544:2,3,7 1622:13,23 1810:10

lock 771:21 967:23 1052:21 1330:17 1889:16, 27

lockdown 179:18

locked 1647:1 1890:1

Locks 1329:22

lodge 306:28 307:1 1036:5

lodged 1036:9 1246:27 1325:25 1510:15 1552:25, 28 1581:14 1926:19,25

lodging 307:2

loft 1241:20 1242:4,28 1243:8,10 1297:11

log 26:19,23

logo 964:14 1538:23,26 1556:15,18,21

logos 1885:24

long 178:11 308:27 663:15 719:5,6 728:8 734:17 759:19 761:7 762:13 922:8 962:7 966:27 975:14,20 980:14 1012:22 1027:21 1030:12 1036:13 1050:10,24 1051:14,16 1052:2 1065:9 1232:10 1279:16,24,26 1280:7 1286:27 1303:13, 14 1322:12,14 1323:24,28 1326:23 1340:16,18,20,21 1345:1 1357:21,23 1528:8,11 1543:7,18 1560:13 1584:7 1596:7 1610:8 1613:22 1621:16 1627:20 1637:10 1854:14 1855:17 1865:21 1866:6 1881:15

long-time 744:23

longer 649:5 746:7 919:24 953:20 965:22 1015:13,14 1020:22 1030:18,20 1528:7 1864:19 1924:8

longstanding 774:6 1880:27 1904:19

looked 17:10,14,21 171:7 173:26 174:15 345:10 385:3 605:13 627:28 700:22 742:22 745:24 746:14 749:9 777:26 1011:20 1021:4 1023:27 1025:21,26 1040:16 1063:5 1235:6 1252:20,24 1267:2 1301:6 1317:7 1360:23 1509:15 1517:1, 11 1532:12,15,16,18 1554:21 1569:24 1627:11 1630:14 1641:28 1646:15 1647:26 1864:23 1865:3 1900:16

loomed 1881:6

Lord 761:11 771:11 776:21 1302:16 1356:22 1626:9 1633:18 1642:3 1667:12 1680:1 1681:11 1682:5 1878:25 1890:21 1902:11 1916:8

Lord's 1636:16

Los 2:22 152:23 302:23 602:23 902:23 1202:23 1502:23 1802:22

lose 968:2 1052:17 1367:13 1634:18 1648:28 1853:9 1879:27

loses 1857:2

losing 621:16 1634:28

loss 621:7,8,13 623:10 624:22 626:7,18 722:15 725:8,15 733:6 734:5 774:26 913:18 1552:4 1577:7 1893:3,5 1897:20

losses 722:20

lost 618:20 619:3,21 620:10,22,25 623:23,24 660:17,21 723:18,19 725:2,10 730:2 910:24 912:4 913:8 968:4 1361:8, 11 1547:8 1548:17,18 1900:17,20

lot 18:26 24:7,11,14 26:13 27:20 31:7 32:6 33:21,22 38:1 155:28 158:17 171:24 305:24 309:7 310:14 312:8,23,25 315:18 318:6 319:7,10,14 322:1,18,20 324:16,26 334:3,4 335:11 339:16 340:22 349:18 359:28 370:4 371:26 382:1,8 393:22 396:9 397:20 399:18,24 400:14,20 401:13 404:5 605:4 607:3 608:4,7 613:17 617:19 643:2 654:9 657:28 665:26 667:6,8 678:26 682:28 683:9 684:3 689:1 697:14 704:11 711:2 712:3 714:28 719:20 723:10 729:1 745:27 759:27 761:1 762:1 769:1 771:21 775:7 907:8 933:23 935:18 966:3,4,7, 16,17 967:28 968:1 969:27 977:2 980:13 982:5 986:1 991:16 993:10 994:14 995:28 1010:27,28 1017:26 1018:21 1020:4 1030:28 1034:16 1055:23 1061:18 1075:10 1240:3 1281:8 1292:24 1295:21 1322:23 1329:26 1330:3 1339:6 1345:10 1350:18 1358:6 1517:1,2 1522:10 1523:21 1526:1,2 1529:18 1531:14 1532:1 1539:17 1546:27 1547:19 1549:20,22 1552:6 1558:21 1559:7 1572:22 1580:5 1597:23 1604:25 1605:15 1610:10, 14 1616:9 1620:21 1621:13 1623:2 1641:16 1642:14,16,19,21 1643:1 1645:12 1646:4,5 1648:22,25 1654:26 1655:26 1661:12 1664:1,3 1814:14,28 1819:2,26 1821:11 1822:26 1824:5, 7,24 1834:2,4 1853:13

lots 16:19 17:18 341:12 359:16 361:1 363:3

740:21,27 924:1 1062:22 1235:2 1369:23 1559:18 1613:20 1656:12 1678:13 1679:10,11 1818:14,16 1855:9,14 1913:17 1924:13

loud 163:28 990:18 1310:5 1329:18

loudly 1224:1

love 744:26 779:18 1009:26,28 1030:25 1052:15,20 1316:15,18 1329:3,22 1552:16 1597:17,18 1598:9 1607:1,5 1608:17 1625:16 1633:18 1636:3 1653:6,10 1660:23 1850:7 1871:7,9, 12 1907:10 1919:19

loved 1030:27 1257:11 1628:6

lovely 762:23 1338:18 1599:3 1601:21

loves 978:11 1558:26 1858:27

low 1071:8 1596:11

lower 1054:25 1209:27 1885:1

loyal 759:18

luckily 404:1 740:12

Lucky's 975:9 982:17 983:3

Luis 1615:11

Lukumi 29:2

lunch 307:23 308:7 685:10,14,17 985:19 1051:11,13 1275:23 1276:14 1577:14 1579:15 1580:12 1589:2 1627:17 1637:22 1827:15 1842:18

lurid 373:25

Luther 675:21 721:11

lying 1269:15

Lyons 18:5 25:26 160:9

M

M-A-R-Y 1008:26

M-A-S-S-E-Y 974:8

M-E-L-I-N-D-A 974:8

M-E-S-I-N-A-S 305:3

M-I-C-H-A-E-L 1527:17

M-I-L-L-E-R 1527:18 1588:14

m-i-n-i 1616:27

M-I-R-E-Y-A 1049:28

MA 621:22

macarons 1594:25 1616:20

mad 1363:27 1364:3

Madam 316:1 317:13 1253:23 1581:13 1672:24 1807:5

made 5:13,18 6:14 7:3 8:20 13:15 14:13 17:18 25:12 39:27 40:1 154:27, 28 155:15 175:12 177:28 307:17 315:19 318:2 328:19 336:6 340:4 342:5 346:14 347:8 349:8,27 353:14,15 354:7 360:6,27 361:1 362:22 363:19,23, 26 370:5,18 372:13 374:11 381:20 391:24 397:1 608:12,25 610:12 614:22 616:4 636:17 637:12 639:13 642:13 644:24 645:3 647:8 649:10,27 653:12 654:3 657:12 658:5,15 659:4 660:4,25 668:1 669:19,27 680:12,16,18 681:9 694:2, 17 695:6 700:3 704:19 706:15 729:4 740:21 743:27 744:3,8,10,13 749:9,10 750:18 761:27 765:16 767:16,17,26 769:9,10 776:10 779:9 908:2,17 915:7 924:7 932:10 933:10 956:18 958:17 959:25 960:15 969:25 970:4,8 980:25 982:25 1000:25,26,27 1001:1 1003:8 1015:18,21 1016:25 1018:11,13,14,18 1019:14,24 1023:7 1025:3,7 1027:22 1028:1 1032:4,28 1033:12 1035:12 1208:16 1211:27 1215:12 1216:2 1219:2 1222:2 1227:6 1228:15 1229:21 1230:11 1234:8 1247:17 1256:18 1261:25, 26 1270:6 1287:11 1289:17 1295:10 1308:18 1314:8,9 1327:13 1336:6 1353:16 1364:19 1508:4 1509:6,9,14 1511:8,13,17, 27 1522:17,18 1525:11 1530:15 1537:28 1538:25 1545:12 1551:28 1555:9 1556:7,24 1557:26 1558:24 1560:6 1569:18 1570:15 1594:18 1595:15 1606:7 1616:20 1617:23 1623:18 1625:9,16,21,25 1626:3 1632:21 1634:10 1635:3 1657:14 1661:26 1662:15 1666:9 1670:16 1671:24 1683:3 1814:12 1824:13 1825:22 1833:15 1834:17,19 1836:15 1839:12,15 1848:8,11,15 1850:3,19 1867:8 1868:28 1878:17,19 1884:12 1885:13 1888:17 1893:6 1896:19 1902:16,22 1909:5 1912:16 1916:25

magical 1027:10

magna 1902:25

magnitude 373:18 779:23,26

maid 1639:27 1660:10

mail 683:12 967:26 1001:25 1212:10,23 1312:25 1814:25 1815:1,3 1833:23 1834:3,6

main 156:3 177:21 324:25 340:23 347:3 388:17 395:23 401:18 403:8 404:8 704:27 1237:12,17, 27 1238:5 1242:9 1243:13,15 1246:4,10,11 1355:17 1622:13 1653:13, 14 1657:7 1809:15

maintain 167:19 1273:27

maintaining 1562:24

major 178:24 396:7 758:25 777:22 945:27 1630:28 1876:25 1881:14

majority 1018:24 1539:11 1572:27 1573:1 1632:13 1659:27 1668:21 1873:22 1887:15 1907:6

make 19:27 27:18,25 29:22 31:7 32:16 33:20 37:16 40:6 156:28 158:25 162:24 165:17 169:1 174:22,26 175:5,12 176:14 177:22 179:5,28 180:13,18 306:20 307:3 317:10,23 318:17 321:28 324:16 334:1 336:20,26 338:25 341:21,22,24 342:2 346:11 348:21 352:1 353:19 354:15,28 355:9,12 357:25 365:2 371:18 374:7 375:12,16, 18,22,27 382:9 391:4 399:10 400:11,12,17 401:7,11,28 402:19,27 606:6 607:9 610:7,8,14 613:23 616:15 620:12 621:28 634:6,16,28 636:27 637:16 638:14 641:21,25 642:3,9 650:9 652:27 659:14 661:10,26 662:27 666:22 671:11 673:26 674:1 680:5 681:11,26,28 682:1 688:23 695:26 699:16 702:12,15 705:12,16,17, 18,20,21,28 706:12,22 707:17 710:13 715:15,17, 21 716:6,21 719:12 724:7 731:6 733:17 737:27 749:7 750:13 751:13 752:12,16 753:10,16 763:7,10,23 765:17 766:9, 11,26 768:5,20 771:10,12 776:11 777:2,3,27 780:15 907:21 912:21 920:2 923:3 926:1,5 928:19 930:14 931:8 934:25 936:15,17 938:8 939:25 942:19 970:9 980:15 986:23 991:20 992:21 994:12 996:10,15,18,21 999:4,8 1007:11 1020:6 1021:6 1025:12 1026:11

1032:5,13,18 1033:2,15 1035:7 1037:11,15 1046:8 1047:16,27 1048:9 1049:23 1054:3,4 1055:12 1066:22 1067:4,12,17 1069:2 1073:25 1074:19 1077:19 1210:25 1212:3, 13 1213:16 1217:4 1219:22 1228:20 1232:20, 24 1234:4 1248:23 1256:21 1259:18 1260:7, 11,24 1274:24 1278:27 1283:28 1289:2 1292:21 1293:14,17 1302:9 1304:22 1306:8,10,14 1307:11,22 1309:17 1314:22 1318:16 1320:27 1321:4,26 1325:6 1327:6, 15 1338:27 1339:19 1343:7 1344:6,7 1347:21 1353:14 1361:14,19 1363:2,7,10 1366:7 1369:16 1505:22 1506:6 1508:7 1517:6,8,9,14,18, 25 1526:21 1529:14 1537:7 1538:10,17 1552:23 1574:23 1579:1 1588:9 1589:22 1599:2 1600:1 1602:14 1604:1 1611:1 1614:1 1617:2 1621:16 1623:19,20 1626:8,10,12 1629:3 1632:22 1633:22 1634:27 1635:8,24 1636:7 1638:11 1645:14,18 1653:26 1661:2,16,17,23 1671:9 1674:7 1677:28 1682:10, 15 1815:2 1818:17,22 1819:18,27 1820:1,16 1826:5 1829:17 1833:8 1835:23 1836:1 1837:25 1840:28 1846:11 1847:15 1849:12,23,24 1850:25 1853:11,17,20,21 1857:13 1860:16 1864:2 1871:24 1874:6 1876:25 1877:26 1880:2 1883:21 1884:8,11 1886:7,10,15,16,25 1888:22 1889:7 1890:18 1903:24 1904:6,24 1911:9,26 1912:19 1923:10 1926:24

maker 156:15 1517:18

makers 982:5

makes 11:3 347:16 611:14 621:9 640:28 668:6,11 670:10,11 704:17 742:9 743:28 762:9 943:21 993:9 1569:17 1570:11 1572:9 1577:17,26 1594:12 1657:20 1665:2,13,18 1669:28 1825:13 1883:8

makeup 12:19,21 362:1 773:16 1239:13 1250:7,13 1255:19 1306:2 1893:2

makeups 12:23

making 17:24 21:26 22:1 27:18 40:19 158:21 165:11 170:21 306:2 321:9,13 324:19 330:18 331:18 344:18 346:8 365:11 375:2 385:13 398:3 401:23 607:14 613:2 616:22 620:24 622:1 637:6 640:20 659:10 676:9 677:4 682:23 692:25 704:26 706:20 707:5 719:25 723:17 724:22 728:5,12 729:2 758:22 759:14 769:5 776:17 777:7 780:7, 17 912:4 914:10 936:27 959:6,17 965:27 982:7 987:23 988:15,18 993:23 996:14 1012:11 1023:2,10 1026:17 1035:14 1037:26 1040:6 1044:14 1055:22 1074:19 1213:7 1221:14 1229:15 1230:16 1238:22, 24 1249:4,18 1269:7 1274:1 1291:21 1293:10 1308:21 1309:2 1321:15 1329:5 1340:1 1343:11 1347:11 1354:18 1511:12, 16 1519:2 1520:28 1524:15 1525:23 1537:22, 24 1550:1 1568:8 1575:24,26 1579:6,7 1603:24 1621:3,27 1624:12 1634:20 1638:2 1666:27 1670:6 1681:11 1823:27 1854:28 1868:21 1869:5,8,9,11,13,27 1880:13 1884:15,19 1885:27 1891:22 1895:7 1900:22 1901:1,22 1902:23 1905:22 1915:5, 16,24

male 767:10 769:7 1015:20 1535:28 1611:15 1629:4 1820:5 1833:5 1885:12

males 1015:20

Malice 1902:28

malicious 772:17 1902:28

maligned 1837:23

mall 1865:28 1866:1

man 21:12 609:27 641:18, 23 666:2 667:26 668:1 673:3 739:8 743:17 745:25,26 763:12 764:1, 13 776:23,28 780:16,22 937:8 940:15,28 994:12 997:26 1043:15 1058:9 1068:17 1075:12,24 1245:21 1262:21 1263:24 1280:25 1283:21 1299:12 1534:3 1535:2 1550:27 1568:27 1569:8,16 1600:21,27,28 1601:3 1607:17 1608:28 1609:15, 25 1611:14 1628:19 1629:15 1645:16 1671:13, 16,19,27 1672:26 1674:6 1679:17 1827:18,19 1828:2,23,24 1829:5,18 1849:19,22 1856:12 1860:10 1863:24,25 1868:6 1879:20 1882:11 1893:10 1900:18 1904:13 1908:17 1917:12

manage 607:4 1535:24 1551:20,23 1589:23 1591:23 1598:14

managed 706:22 919:16

management 178:5 179:11 1560:11,14 1561:1

manager 746:12 765:5 918:3 919:14,21 921:5 931:14 937:20 947:12 1280:5 1638:19

managers 924:26 925:1, 5

manages 1041:27

managing 308:3 1553:24

mandate 162:25

mandatory 1003:6,9,10 1014:24

manger 1029:27

manifest 338:21

manipulate 381:21

manipulated 383:13

Mann 2:21 4:8,9 11:2 13:4 14:8,20 15:20 16:9 17:6 20:9 21:4,24 22:7 23:14 24:27 25:6,14 26:21 27:4 29:24 32:17 34:6 35:3,16, 18 36:4 39:13 40:24 41:3, 8 152:22 154:12,13,24 155:8,9,10,19,28 160:27 161:12 162:6 163:2 164:2 166:16 169:22 170:28 171:3 172:16 173:18 174:20 177:24 179:17,18, 25 180:3,4,22,24 181:3,10 302:21 304:15 308:15,17 309:15 313:9,11,23 315:13,15 317:13 319:28 321:19 324:9,10,15 325:6, 8,13 331:6,7 332:24 333:9,11 334:11 339:25, 26 342:5,14 343:17 344:27 347:15 349:24 350:6,16,27,28 352:8,13 353:22,28 354:11,18 356:1,21,22 358:2 366:13, 14,25 367:6 368:24,25 369:3 370:12 371:5 372:16 373:5,6 375:12 377:15,18 378:15,18 382:25 383:21 384:15,26 386:15,17,19,23,28 389:12 391:1,5,12,16,22, 27 392:2,4 394:12,17,25, 28 395:2,7 396:17 397:21 398:21,25,26 400:6 403:22,24,25 405:12 602:21 604:12,21 610:14 616:19 618:16 622:15,17, 24,26 624:4 628:11 629:8, 12,14 631:13 635:10,18, 27 636:8,12,17,20 642:8 643:13,14 644:7 645:5 646:18,24 647:15,20,22 648:3,7,13 649:22,23 650:8,21,28 651:7,11,13

652:3,4,12,14 656:7 662:21 665:4 666:6 670:4, 26 671:5,12,18,24 672:1, 4,6 679:11,21 690:12,13 691:6,8 693:10 694:1 698:4,12,16,22,27 699:2, 8,19,28 700:17 701:7,12, 13,16 703:19,25 704:1 705:27,28 713:17,21 718:4,7,27 728:10,24 730:27 731:14,24,26 732:16,21 734:13,16,17, 19,24,28 735:9,25,28 736:9,12,14 751:13,17,24 756:18 758:11 760:22 761:19 762:17 763:9,11 781:23 782:3 902:21 904:6,7,13 906:11 912:18 914:18,25,26 917:1,10,13 926:8,12,27 927:4,27 928:2,12,14,18,22,23 929:20,26,27 930:19 934:17,21,24 935:12,14 937:16,27 938:2 939:5,7, 10,12 940:6,7,25 942:10, 12,13,19,22 943:13,14,17 948:8,9 954:6,9,23 957:8 958:22 959:9 961:27 962:23 963:11,14 964:5 967:13,15,25 968:14,17, 25 971:5 972:7,19,22,24, 25 973:7,10 1007:18,19, 21,22 1049:12,13 1050:1, 5 1053:25 1054:7,10,13, 17,20,27 1055:6,17,19 1067:26,28 1077:7 1202:21 1204:6,7,9,10,13 1221:26 1222:9,19,22,28 1223:2,24 1224:11 1225:10,15,27 1226:19, 21,23 1227:2 1229:7 1233:26 1239:21 1240:1, 3,5,13,17,24,27 1241:2,7, 15,16 1242:11,12,23,25 1244:9 1247:4,5 1249:3 1250:26 1251:1,9,12,15, 26 1253:19,26 1255:21 1256:27 1257:19 1258:12, 13,16,18,22 1259:10,12 1261:16,19,24,28 1262:2, 6,9,11 1264:23 1265:8 1266:9,12,15,18,27 1267:4,16 1268:18,20,22, 26,27 1269:4,5,17,19 1270:2,4,8,10 1274:20 1275:3,10,14,15 1278:11, 12 1279:6,9 1287:24 1288:2,8,14 1289:26 1294:11 1295:15,24 1296:4 1297:23,26 1298:11 1299:1 1300:7 1303:18,21,25 1304:2,23 1305:8,14 1307:12,26 1308:1,10,23 1309:4 1310:17,20,24,27 1311:5, 11,19,23 1312:9,10,14,20 1313:11,22 1314:1,24,28 1315:6,13 1316:28 1318:15 1319:15,19 1320:8 1321:21 1322:25 1323:11,14,17,19,22 1324:18 1325:12,14,27,28 1326:15,18 1333:12,14,20 1334:12 1335:21,28 1344:1,20 1358:23 1362:6,9,11 1364:6,23,25 1365:8,10 1369:2 1502:21 1504:6,16 1510:19,22 1512:14,24 1514:9 1517:12 1518:14,17 1519:20 1520:8,9,12 1522:28 1523:6,24,25 1524:1,10,12,14,20 1525:6,7,28 1526:6,13,18, 19,21,28 1585:25,26 1643:20 1649:27 1650:10, 19 1651:8 1663:11,12 1666:14,15 1668:20 1669:24,26 1672:13,28 1673:4,17,20 1674:12,13, 17,21 1675:6,16,18,20 1676:19,23,24 1678:16, 19,23,27 1679:4,14 1681:20 1683:5,11 1686:19,23 1802:20 1804:6,7 1807:9 1809:6,8, 11 1810:19,21 1813:6,8, 16,18,25,27 1814:2,4 1816:2,4 1822:16 1823:14,16 1826:18,22,28 1827:1,10 1828:4,14 1829:23 1830:18,24 1835:8 1836:4 1837:11,14 1838:3,6,14,19 1839:3,10, 11,21 1840:8,9,16 1841:27 1842:13,14 1843:17,19,21,24,27 1844:5,13,15 1876:6,28 1877:24 1878:16 1881:13 1885:6 1892:17 1894:11 1896:8 1914:3,10 1918:26 1919:3,10 1926:12,27

Mann's 173:13 630:16 678:6 959:20 1876:24

manner 168:21 342:27 626:13 661:12 688:4 726:26 1305:22 1881:10

manufacture 316:27

marble 1608:7

marbling 1608:1,4,11

march 155:1 721:6 1652:7 1898:11

Margaret 1050:14

marginally 642:23 909:12

marijuana 609:1,3,4 1600:7,8 1602:3 1623:18, 20 1670:22

marital 169:5 1915:17

mark 735:4 1276:6

marked 322:20 927:2,9 1039:23 1052:21 1054:16 1225:28 1505:9,10 1581:22,24,26 1584:25,26 1585:2,15,20 1586:9 1619:5

marker 1025:9

market 1535:8 1632:3

marketplace 778:26,28 779:7 1855:24 1881:25

marking 1603:17

markings 1538:20

marks 1070:12 1341:2

marriage 21:11 175:7 324:2 400:16,26 401:16, 21 402:6 403:12 608:14 609:26 612:22,26 613:3 631:15 632:25 641:18,23 660:22 666:2 667:21 668:7,11 672:9,13 673:3 677:20 740:4 743:17 753:4 754:21 760:17 763:12,17 764:1,27 767:5 768:15 776:28 777:5 780:22 937:8 938:20,25, 26 939:2,3,15,16,20 940:15,28 947:14 950:15 953:27 1057:7,11 1073:14 1074:17,27 1220:11 1252:26 1253:11 1260:27 1261:4 1262:20 1263:15, 20,23 1315:19 1316:3,14 1317:17 1331:7,11 1364:1 1515:2,6 1532:25 1533:27 1534:3 1535:2,3,6 1545:5 1550:23,24,27 1551:4 1568:27 1569:5,8,16 1600:12,20,28 1601:3 1608:28 1609:12,24 1610:26 1625:26 1626:10 1628:15,19 1664:20 1668:10 1671:24,26 1672:1,7,8,15,20,26 1673:6,13 1674:4,5,18,26 1676:3,18 1679:17 1682:22 1807:2 1827:16, 17,18,21,27,28 1828:11, 18,21 1829:22 1845:10,11 1846:19 1847:20,22 1848:21,22,24 1849:2,19, 22 1859:13 1860:10 1862:3,7,10,13,15 1863:18 1868:5 1875:2 1879:3,20 1880:8,10 1881:27 1882:11,16,23 1883:17,24 1884:16,20,24 1885:1,3 1887:11 1890:20 1893:10 1894:12,14,17 1897:4,6 1898:10 1899:10,21 1900:18 1901:21 1902:14 1903:6 1904:13 1908:16 1909:1, 14 1910:15,17 1917:11,12 1922:8,12 1923:14,16

marriage-related 619:24

marriages 614:27 1342:23,25 1343:26 1344:3 1363:3,7 1671:22 1672:4 1677:28 1849:24, 25 1854:5 1863:20 1864:1 1870:9

married 386:22 661:11 666:7,8,9,14,24 672:28 673:2,5,6 740:15 745:8, 12,15,16 766:18 948:16, 20 958:2 1016:28 1053:14 1056:12 1057:4,6,13,15, 17 1218:14 1238:26 1244:6,25 1279:20,24 1298:9 1299:9,10 1301:11 1323:4 1330:25,26,27,28 1331:9,14 1528:9,11 1589:2 1591:1 1600:24

1607:19 1626:3 1671:13, 15 1674:5 1681:3,11 1811:13 1859:15 1860:25 1871:18 1875:6 1878:19 1884:27 1919:15 1923:15 1925:2

marries 1861:9

marry 1053:8 1629:15 1871:9 1884:26 1902:15

marrying 1671:18,19 1681:22 1844:26 1845:21, 22 1850:1 1853:18,19 1856:25 1863:26

Mart/vons 958:13

Martin 675:21 721:11

Martinez 1849:1

Mary 666:19 704:28 706:16,17 710:21 711:3 712:5,27 713:1,9,16,18, 20,22 714:23 904:9 983:8, 18,25 984:6 987:27 988:1, 20,22 997:8,24 1002:18 1007:25 1008:14,26 1009:4 1036:9 1317:9 1612:19 1622:3 1624:25 1625:7 1626:26 1627:22 1645:21 1670:16 1677:17 1886:20 1894:28

Mary's 707:23

Maryland 1354:14,16 1366:7

mask 973:28

Massey 709:2,11 710:1,4, 8,10,23 711:19 712:6,15 713:7,10 714:27 718:8 720:20 904:17 973:1 974:7,19 986:13,19 992:3 1012:21 1578:4 1895:2

MASTER 303:1 603:1 903:1 904:1 905:1 1203:1 1204:1 1205:1 1207:1 1503:1 1504:1 1803:1 1804:1 1805:1

master's 1528:16

Masterpiece 7:8 8:5,10 9:17 14:2 15:24 17:7,10 27:23 28:6,11,23,25 29:1, 28 156:9,10,11,16 158:19, 28 159:4,19 163:6 173:14, 17,20,24,26 174:1,2,5 175:4,9,19,25,28 331:15, 17,22 332:1,13 333:5,24 334:20,22 337:1,23 340:9 342:24 401:20,24 403:7 653:27 657:4,13 658:12, 13 660:20 661:2 664:4,6, 12 667:23 674:11 706:8 754:7 768:11 774:4 906:25 908:4 1220:26 1221:4,10,24,27 1863:3 1869:28 1873:2 1886:12 1897:8 1900:16 1908:21 1909:7,8 1916:20 1918:10 1923:28 1924:5

match 1013:4 1603:5,6 1617:18 1618:25 1619:3 1661:14

matched 1882:10

matching 1013:3 1625:16

material 306:6 402:22 751:8 1547:3 1875:28 1912:7

materially 1900:15

materials 158:6 307:4 989:7

math 725:10,11,12 727:4, 18 1655:21 1668:25

matter 4:19 10:9,13,15 12:12 16:10,12 26:5 37:12 41:6,10 154:27 165:23 176:12,22,23 178:28 179:7 181:14 304:10 319:3 321:17 340:2,3,5 379:24,28 392:21 404:1,4 604:10 610:9,10,17,19,20 611:17 614:8 615:17 616:4 645:21 646:15 655:26 677:26,28 692:26 693:25 701:14 705:19 711:27 715:4 722:8 724:17 741:12,27 752:8 756:26 780:19 906:10 910:15 911:16 915:12 923:12 939:16,19 985:10 986:5 994:4 1008:18 1026:8 1072:23 1208:10 1278:19 1326:5 1527:9 1574:1 1587:2 1588:4 1630:5,7 1806:10 1842:11 1843:10 1844:18 1846:13 1856:2 1875:17,28 1884:9 1926:16

matters 165:19,28 166:5 312:22 317:19 319:2 320:18 323:15 388:24 393:12 604:25 616:13,14 621:1 688:17 689:25 741:27 916:3 1224:27 1581:12 1582:6 1806:19, 21 1846:13 1874:1 1905:1,5 1926:17

Matthew 1317:10

max 1340:19

maximum 1889:18

MBA 621:21 625:17

meaning 306:13 1211:27 1577:18 1608:22 1609:5,9 1664:15 1673:8

meaningful 38:26 39:2,6 619:20

means 16:9 20:7 29:21 305:27 325:3 351:8 364:2 369:4 400:26,27 610:9 664:5 678:14 720:15,18 738:2 741:22 773:27 907:15 908:21 1269:27 1362:16 1366:13 1513:18, 20 1573:2 1619:28 1811:2 1857:28 1865:21,24 1873:14 1882:24 1887:14 1894:2 1911:24,28 1917:17 1920:21 1921:19 1922:16

meant 354:14,16 388:1 633:7 748:24 761:15 764:1,13 953:6 972:16 974:20 999:17 1071:4 1249:25 1337:6 1350:2 1604:28 1605:21 1637:22 1831:8 1865:8,14,25 1866:9

mechanics 1580:8

media 164:12 313:4 314:10,19,22 332:8 333:2 341:2 343:10 348:15 356:17 357:1,13,27,28 358:3,8,11 360:17,24 362:21,22 373:3 374:5 375:9 391:17,19,20 394:12 395:14 604:16,18 675:8 683:22,28 686:12, 23 687:8,11,19 690:24 692:23 696:1 697:10,12, 13,27 729:28 750:6 771:20 772:10 916:5,6,15 955:1,6,11,17 956:14,19, 26,27 957:5 1076:16 1211:19 1212:17,27 1213:8,21 1229:15 1230:9 1231:5 1232:21,25 1233:1 1255:12 1293:10,18 1294:8 1312:24 1313:5 1317:21,25 1318:6,12 1320:26,28 1321:8,12,16, 26 1322:2 1323:9 1325:6 1345:12 1350:22 1353:14, 26 1354:18 1368:21,22 1369:23 1509:14,25 1511:7,13,17,27 1514:16 1522:11,15,24 1523:2,17 1524:15 1525:3 1526:1 1544:26 1546:20,21,24 1547:4,10 1551:25 1614:10 1631:25 1646:7, 21,27 1647:12,14,17,25 1812:22 1814:15 1815:7 1821:24 1822:10,25,26 1823:22 1833:4,24 1834:2,3,4,8 1836:17,21 1837:19,23 1838:7,9 1877:8 1889:17,27 1891:25 1900:6

mediation 38:21

medical 647:12 704:18 736:16,21 778:15 1327:6, 7 1845:28 1846:5,12,15, 20 1892:18 1904:25 1905:21 1907:2

meet 158:11 165:2 370:9 684:15 703:10 730:12 747:18 754:13 924:18 1051:2 1060:6 1075:11 1233:12 1234:9 1280:15 1282:27 1301:25 1345:11 1661:11 1815:13 1829:28 1873:18

meet all 1605:15

meet-and-confer 625:13

meeting 1003:4,5,9,15 1004:13,15,25 1014:13, 17,20,28 1015:12 1017:8, 10,13 1024:16 1028:12 1232:2,5 1352:1,24

1359:6 1570:5 1627:15 1659:22

meetings 168:5,20 978:6 980:12 1002:28 1003:2,10 1004:4,7,8 1014:8,9,22,24 1015:2,10 1351:21,23 1593:12 1598:15

meets 761:5 764:21 776:4 920:28

Melinda 709:2,10 710:1, 3,9 973:1 974:7 1578:3 1895:1

MELISSA 904:17

melt 762:6

melting 1021:26

member 1231:26,28 1351:17 1659:23 1888:10

members 168:4,7,13 746:2 953:27 1316:17 1317:14 1354:2 1659:23

membership 1894:19

memoranda 165:24

memorandums 342:23

memory 612:5 687:6 1228:2 1254:26 1265:24 1282:22 1299:27 1309:16 1311:28

men 667:26 748:20 766:2 767:7,16 768:23 771:14 772:12,19,23 949:22,23 1043:13 1523:21 1524:25 1535:16 1633:9 1643:3,8, 26 1644:18 1674:5 1833:13 1835:21 1844:26 1845:11,21 1849:25 1850:1 1853:18,19 1891:4 1892:27

mental 968:26 1212:6

mentality 1639:28

mention 11:5 636:23 665:7 761:15 948:11 985:18,24 1021:11 1243:22 1357:28 1868:25 1869:12 1900:3 1902:6 1906:8

mentioned 34:21 36:12 161:18 166:20 170:19 329:15 387:2 646:26 659:12 672:7 675:7 693:5 699:15 709:16 711:19 712:14 714:7 718:8,14 767:6 958:8 969:8 970:3 981:10 985:25 998:15 1015:9 1016:22 1017:3,22 1020:14 1021:2 1025:16 1030:5 1041:19 1043:14 1052:11 1057:27 1077:27 1255:26 1256:2 1289:15 1290:1 1291:20 1338:22 1346:20 1360:19 1575:21 1586:20 1593:22 1632:4 1677:8 1808:4 1824:14 1841:7 1876:2 1906:22 1909:23 1927:2

mentioning 1807:20

mentions 1857:21

mentor 1590:15

menu 1863:9,10 1872:1

merciful 1903:9

merged 30:22

meringue-type 1001:3

meritorious 673:28

merits 668:17

Mesinas 302:22 304:17, 28 305:3 405:10 602:22 604:12 618:27 619:1 621:26,27 624:16,17 629:10 701:20 702:10,13 708:28 709:6,9,14 711:9, 12,21,26 712:8,10,25 713:5,15 716:12,13 720:21,22,26 902:22 904:10,11 906:11 1007:23,25,27 1008:5,12, 14,28 1009:2 1013:15,20, 27 1014:18 1015:7 1016:11 1017:7 1024:12, 23 1026:15 1028:7,16,18, 27 1033:4 1036:15,16 1038:20 1040:2 1044:22, 25 1046:26,27 1047:1,5,6, 19 1048:13,14,17,25 1049:3 1202:22 1209:10, 17 1210:5,13 1502:22 1585:28 1586:1,28 1587:13,15 1802:21 1841:7,10 1926:13

Mesinas' 618:21

mess 967:24

message 376:14,27 381:28 382:9 387:5 397:13 401:22,24,27 402:6,8,12,21 610:3 611:19 612:13,21,22 614:12,17 616:14 662:2 664:24 673:4 684:4 740:28 754:15,20,24,28 757:20,22 758:3 761:4 763:2,20,25 769:18,25 770:3 775:24 776:11 780:8,14,23 1046:9 1047:17,28 1060:4 1061:2 1219:13 1244:1 1254:6,21 1265:15,26 1266:4,16 1268:7 1298:6 1350:5 1355:5 1507:5 1545:1 1571:1 1572:7,11,13 1573:3 1576:17 1579:2,7 1609:22 1664:8,11 1665:4,14,19 1667:14 1668:12 1685:23 1829:10, 13,20,21 1830:22 1832:5 1846:16,19,21 1867:2 1874:25,26 1875:1,5 1884:17 1885:6,10 1890:22,24 1893:7,9 1894:10 1895:16 1898:14, 15 1901:20,21 1907:19, 21,24,26 1908:16,28 1909:10,16 1915:12 1916:22 1920:7,10,12 1922:3,4,5,7 1925:6,8

message-based 174:18 175:5

messages 381:25 382:1, 5 385:3 389:3 392:19,20 611:17 694:15,23 768:19, 20,22 770:4 775:2 951:24, 28 971:14 1001:27 1235:6,7 1255:6 1281:10 1282:25 1284:26 1293:25 1295:16,18,21,25 1322:17,24 1369:9 1524:28 1825:9

messaging 776:8

messed 928:2

Messenger 1235:7 1509:26

MESSINAS 1017:18

met 23:16 744:24 748:9 749:7 1031:11,16 1051:1, 15 1075:24 1231:2 1232:9 1234:2,17 1280:9,11,16 1287:4 1327:16,17 1333:7 1346:23 1347:15 1351:16 1363:1 1528:1,3,6,8 1532:3 1600:23 1658:5 1685:18

Metro 1055:26 1056:1 1241:18,19 1301:11 1320:22 1323:13 1337:13 1640:7 1807:23 1809:25, 28 1832:17

METROPOLITAN 2:3 152:3

Michael 620:25 623:6 777:18 909:23 910:9 1504:11 1527:7,17,24 1552:27 1570:19 1623:4, 25

microphone 915:17 917:2,8,9 974:4 1008:23 1049:24 1226:17,18 1269:8 1278:26,28 1303:27,28 1326:10 1506:7 1527:14 1588:9,10 1836:25 1844:9

microphones 1222:5 1269:11 1823:19,28

mid 35:27

midafternoon 307:27

middle 379:20 654:20 656:24 686:15 945:12 952:1 1021:14 1068:9 1242:2 1260:18 1324:3 1334:25 1620:15 1648:25 1656:18 1659:3 1832:7

middleman 1343:3

midmorning 307:26

Mike 726:6 767:8 911:19 913:12 978:27 979:10 983:27 994:16 1015:19 1025:5 1026:3 1592:24 1593:14 1598:13 1607:15 1623:14 1624:6 1632:25 1633:11,24 1634:4 1648:9 1652:13,15 1819:7 1835:12,24 1869:12

1885:8,21 1900:25

Mike's 1686:12

MIL 1837:11

militant 772:10 1889:13

military 770:9,10 1558:15 1607:24 1659:27

Miller 2:13,26 13:22 14:22 16:17,24 29:16,23 152:13, 27 154:15,17 161:23 170:21 174:22 302:10 304:19 328:15 332:10,24 334:17 340:10 342:5 343:12,18 346:1 351:4 357:8 358:9,20,27 602:10 620:25 623:6 635:21 636:22 637:2 658:22 663:14 664:6,16 665:18 667:17 670:18 680:13,24 689:4 692:19 693:2 698:23 699:1,3 709:24 710:26 711:1 712:12,13 720:12 721:24 725:27 726:6 728:11 730:28 731:5 732:19 733:5 739:18 740:3 741:3 742:4, 10 744:14,20 747:1,2,8 748:23 750:5,17,23 751:26 752:14 753:6,12 754:16,24 755:25 756:5, 15 758:12,17 759:10,20 761:4,28 764:14,21,26 765:10,13,21 766:13,16, 23 767:8,27 768:3,5 769:25 771:7 772:18 773:10 776:4,16 777:19 778:20,28 780:2,15 902:10 909:24,28 910:9 911:19,22 913:12,16 916:23 919:11 955:17 962:9 963:9,17,23 964:2 966:9 971:23,27 972:4 978:27 979:10 1010:23,26 1018:17 1019:24 1032:1 1041:5 1044:15 1046:8 1047:16,26 1048:9 1062:7 1071:19,20,27,28 1072:4, 17 1073:10 1074:6,26 1202:10 1215:21 1228:9 1230:6 1232:26 1270:25 1275:4,7 1286:26 1289:20 1291:15,26 1292:7 1293:19 1300:23 1305:21 1316:5 1341:28 1343:14, 18 1349:19 1354:26 1360:3 1361:13 1502:10 1504:11,14 1507:2,22 1509:16 1515:10 1519:17 1522:23 1523:1,7 1524:2 1525:16,19 1527:7,17 1528:2 1529:15 1532:27 1534:25 1546:9 1552:27 1553:3 1560:9,11,13,28 1563:11 1570:19 1577:5 1578:25 1579:18,21,26 1581:19 1582:8 1585:14 1587:28 1588:13,14 1593:14 1623:4,26 1624:6 1632:19 1650:14 1675:16 1681:12 1682:24 1686:16 1802:10 1804:5 1806:13, 14,17,20 1809:3,5 1835:12 1839:7 1845:13 1848:10,21 1849:27 1850:6,13,21 1852:13 1856:13 1858:27 1859:21 1860:5,23 1862:12 1866:25 1867:21,26 1868:8,19 1869:2,5,17,22 1871:23,27 1872:15 1874:25 1876:23 1877:1, 7,22,25 1878:8 1879:25 1881:9 1882:2,20,28 1884:7 1885:8,21 1886:9 1887:20 1888:1,22,27 1889:7,22 1890:8,16,19 1891:20 1892:5 1893:16 1895:3 1896:5 1897:22 1899:18 1900:25 1904:12 1905:9,11 1907:9 1911:4 1913:9 1914:9 1915:15 1922:3,7 1924:26 1925:19

Miller's 11:19 28:3 336:15 338:8 341:27 391:18 392:10 400:15 607:12 620:26 625:15 628:9 639:10 643:20 646:3 648:10 656:16 681:5 690:6 693:19 707:26 718:20 724:4 741:14 753:5 756:7 765:6 911:20 969:23 986:24 1581:17 1808:19 1858:6 1859:8 1868:14 1877:15 1890:25 1893:11 1923:7

million 779:21 1212:28 1530:28

millions 763:16 1320:2

mind 4:25 5:1 11:4,15 16:24 25:12 32:26 36:2 156:6 166:14 317:7 332:20 333:6 349:18,21 352:26 353:1 354:2 356:8 371:13 607:9 615:23 630:7 672:28 695:10 697:2 720:7 727:2 745:1 747:7 778:16 917:17 930:15 1002:9 1009:4 1012:4 1020:28 1033:28 1052:28 1063:7 1065:16 1069:18 1210:9 1214:1,19 1334:28 1524:14 1551:9 1558:19,27 1607:11 1624:11 1633:21 1847:25 1848:17 1858:25 1888:17 1916:28

mind-set 5:24

mindful 180:15

minds 1885:15

mindset 388:23

mine 165:13 629:12 1009:22 1369:28 1571:28 1926:22

mini 1616:23,27,28 1617:2,3,13,16

miniature 1616:17

minimum 1903:25

Minnesota 1917:24

minor 1013:4 1662:15

Minton 29:19 778:14,17, 18 1850:25,26 1851:6 1896:2 1897:19 1904:27

minute 306:20 330:2 366:20 405:4 709:27 1001:1 1002:19 1036:5 1051:23 1071:23 1077:17 1594:19 1641:13,14,16 1675:8 1831:28 1841:1

minutes 156:2 305:28 307:27 335:16 380:11 399:2,28 663:7 692:26 734:26 735:5,12 781:13 941:23 953:16 967:12 1008:8 1019:6 1020:21 1054:5 1065:13 1071:13 1076:4 1249:3 1275:22 1276:4,7,11,13,16 1277:1 1286:7 1300:10 1317:3 1322:13 1324:4 1325:19 1340:19 1348:28 1543:20, 21,24 1545:26 1576:26 1620:4 1637:11 1809:21, 22 1815:17 1840:12,21,27 1842:3,6 1844:8 1871:25 1885:7 1908:5,8 1916:13 1918:27 1919:4,8,23

miracle 1682:21

Mireya 2:15 152:16 302:13 602:13 646:1 648:11,13 657:24 666:15 690:15,21,27 692:12 694:3,5 738:8,24 739:2,28 740:5,12 741:16 744:22 745:1,5 746:10,12 747:20 748:6,12,15,26 749:1,7,13 750:19 769:6 902:13 904:12 944:3 945:9 946:9 950:12,25 951:9,13,24 952:1,5,9,24 954:24,26 955:2,6,10,16,23,28 956:8 971:17 1049:13,27 1050:6 1070:8 1202:13 1204:5 1227:3 1240:7,19 1242:26 1244:9 1246:28 1253:26 1265:16 1266:13 1268:24 1280:9,11,24 1281:11,25 1282:25 1283:10,13,22 1284:21 1285:4,14 1286:9,14 1287:2,15 1288:10,16,25 1290:20 1291:25 1292:27 1293:13, 16,22,26 1294:20,24 1295:16 1296:14 1298:4, 19 1299:5,25 1300:1,9 1301:3 1313:6 1314:9 1315:7 1319:16,24 1320:10 1322:18 1323:3 1324:8 1327:16 1329:28 1330:24 1341:23 1343:17 1344:28 1502:13 1521:18 1525:12,23 1615:20 1624:19 1639:23 1641:1 1643:12 1685:27 1802:13 1809:20 1812:21 1813:4 1814:8 1826:12 1838:15 1844:25 1845:1,7,18 1848:13 1849:21 1850:1 1852:9 1856:19 1859:17 1860:21 1871:4,7,15 1890:14 1912:9 1919:12

Mireya's 690:24 745:25

1299:12 1334:23 1606:25 1813:13 1838:9 1844:24 1856:12 1857:11 1859:22, 24

mirroring 1221:15

mischaracterized 1865:5

mischaracterizes 1318:15

miscommunication 1027:21

misconstrued 681:10

misdemeanor 376:15, 17,24 377:7 378:6,16 380:14,17 390:23

misleading 392:20

mispronounced 917:25

misread 644:6

missed 1070:4,8 1340:27

missing 382:21 387:3,10 1592:3 1627:10

mission 762:15,23 1598:23,24 1599:3,17 1878:6

Missouri 1917:24

misspeaking 386:18

misspelling 1588:15

misstated 324:4

Missy 709:2,10 710:4,7, 10,22 712:6 713:10 714:27 973:1 1012:21 1014:21

mistake 1030:7 1227:5 1831:8 1904:7

mistreat 1044:1,6

mistreated 1043:22

mistress 1902:15,19

misunderstanding 681:7

misunderstandings 155:24 1639:17

misunderstood 327:27 724:15

mitigate 393:17 622:6 1901:9

mitigating 1660:15

mitzvah 1541:8

mix 680:9,12 681:25 682:9 761:28 965:13 998:28 999:1,2,4,8,18 1000:6,8,10,11,16 1001:4 1018:2,12 1563:3 1564:28 1604:7 1608:5 1618:25 1619:3 1621:9

mixes 682:20 762:1,4 981:20 982:17,18 1018:1, 15 1035:24 1036:2,23 1037:7 1563:25 1564:6,21 1565:4 1577:15,18 1578:7,10,12 1612:20,22, 24 1880:22,24,26 1881:3

mixing 1604:12 1605:13 1606:5,6 1869:8

mocking 1884:1 1901:5

modern 1026:21 1855:19

modernized 1896:19

modified 387:12

mom 747:17 949:20 975:7 1030:17 1050:17,19 1051:12 1061:15 1068:14 1245:4 1292:27 1326:26, 27 1331:4,5 1332:19 1341:9,14,15 1343:17 1344:8,9,10,11,12,15,21 1349:17 1524:26 1633:20 1642:25 1660:9

mom's 1057:3

moment 719:4 760:19 998:20 1012:25 1014:23 1053:2,7 1061:7 1072:23 1233:9 1563:1 1595:27

moments 1290:14

moms 1285:24,28 1336:9

Monday 305:18 315:24 319:25,27 322:17 405:3, 15,18 603:5 604:1 686:1 723:9 1027:26 1647:9

money 172:4 621:10 724:20,23 725:10 728:17, 20,23,27,28 729:9 766:24 767:15 1075:1 1250:11 1284:1 1313:1 1367:21 1508:26 1633:25 1634:28

monitor 1022:6

monkey 1368:12

Montes 18:5 161:18 164:24

month 723:6 728:18 774:13 1004:10,12 1549:14 1552:17 1655:19 1898:17 1911:7 1915:19

monthly 1003:2 1004:13

months 11:10 728:16 738:5 775:20 994:4 1027:11 1313:25 1548:20 1596:10 1615:21 1648:16 1902:18 1903:11

moot 653:11 701:28 702:8 708:12

moral 378:4,21 379:13

Morales 1607:23

morally 707:17

morning 3:4 4:2,8,21 27:1 305:11 306:22 307:21,22 315:24 338:7 405:15 603:6 604:2,9 605:18,21 616:19 661:25 780:12 903:6 906:2 909:24 912:24 917:14,16 919:13 957:23 974:19,22 1011:6 1027:26 1052:16 1058:18 1070:1 1203:6 1208:2,25 1227:3,4 1244:22,23 1328:19 1503:6 1505:2 1506:13,14 1520:13,14 1527:24,25 1545:25 1553:3,4 1592:15 1593:4,5 1594:26 1640:11 1803:6 1806:2 1809:12,13 1827:7,8 1830:3 1832:24, 28 1843:15 1844:7

morph 633:14 638:5

morphed 1845:3 1871:5

Moses 1879:9

mother 776:24 1341:8 1591:11 1628:5 1643:12, 16

mother's 1627:10

mother-in-law 1050:14 1075:12

motherly 1031:17

mothers 1056:15

motif 760:1

motion 3:5 4:15,23,27,28 5:8 7:2 10:7 32:22 35:15, 25 39:27,28 40:12,22,28 153:5 155:6 174:12 180:9 309:22 318:9,10,12 321:26,27 323:24,26 324:3,6,20 325:1,12 326:21 327:13,16,18,27 328:21,26 329:1,20 331:2, 22,27 332:22 333:27 334:2,9,28 339:23,24 344:24 345:14,16 346:26 348:9,10 349:2 355:5,18 356:14 359:9 368:3 375:16,23,24 376:1,2,6,8, 11 390:26 391:5,8,10,11, 15 394:22,23 397:16,17, 20 398:22 605:8,22 606:6, 8,16 607:10,11 609:10 611:1,3,26,27,28 613:11, 12,15,20 614:5 616:23 617:2,9,11 618:7,14,15, 19,22,26 624:10,11 628:25,27,28 629:7 630:13 631:14 633:5 638:27 643:11,12 644:7 645:6 650:3 651:1,5,14 652:1 653:5,12,14,20 654:5 655:22 658:2 674:21 675:27 676:19,25 677:1 680:1,9 682:25 683:16 684:18,20,24 689:8 697:8 699:6,8,16 701:24,28 702:8,12,18,21 703:9,12 708:6,11 709:7, 8,13 716:2 720:19 723:4, 13 724:2 732:27 757:7,10 910:5 911:25 915:3 930:12,13 939:11 984:8 1212:8,9 1261:23 1307:6 1311:24,27 1676:9 1872:5 1907:12

motions 7:25 8:7 10:23, 26 21:5,6 25:10 35:2,3 39:15,20 154:28 303:7 309:7,21 317:20 318:1,18 319:22 320:23 321:25 322:2,3,6 323:24 324:8

329:3 333:28 342:15 347:6,23 354:21 367:19 372:8 375:11,21 384:12 391:2,3 393:25 398:25 399:3,23 400:3,4,9 401:4 403:14 404:5 405:9 603:7, 10 605:6,7,10 606:3,5,11, 13,26 608:3 616:1 617:19, 25 628:27 656:4 695:15 697:1 699:15 702:17 708:21,22,27 720:21 723:6 734:8 735:18,23 986:6 1872:8

motivated 12:18 28:16, 19,20,28 1221:5 1911:5 1913:10

motivating 650:16 750:20 751:24 1033:19 1857:10,17,18,20,23,26, 27 1858:2,6,8,18,20,21 1859:6,7,11,19 1860:1 1861:20,22,25,26 1896:11,14 1908:13,15

motivation 28:21 30:2 344:6 1835:21

motivations 348:28 660:11

motive 353:12 364:27 366:3 367:26 1217:11

motives 326:24 350:2

Motors 1876:26

mountain 686:28

mountains 1882:9

mouth 966:18 1821:12

move 15:3,24 16:22 17:4 23:24 324:12 367:28 372:14 668:27 674:5 675:13 708:28 761:21 914:14 926:14 929:20,21 939:5 954:6 1024:8 1036:18 1057:13 1209:6 1225:2 1240:14,24 1278:26 1288:1 1297:15 1305:18 1307:2 1363:17 1505:18 1510:26 1512:12 1514:7 1529:26 1543:1,2, 8 1580:2,9 1596:12 1599:8 1637:10 1826:21 1908:3,18 1927:3

moved 40:21 702:10 997:27 1009:7 1057:18 1072:26 1220:6 1233:10 1527:27 1857:1

movement 675:20 1648:15

movements 675:20

moves 8:6

moving 7:11 16:7 40:16 312:26 350:12 764:21 1017:3 1579:27 1580:4

muddy 948:7

muffins 922:18

mugs 1597:10,14,23

multi-standards 769:15

multi-tiered 1559:21

multiple 320:25 372:12 626:7 659:15 710:13 721:22 744:11 761:17 763:6,9 773:9 776:20,21 777:12 995:6 1000:12 1871:17 1877:19 1879:22 1892:17

multiply 668:3 1611:18

multitude 1647:17

murky 639:3

music 1041:17 1598:19, 22 1868:1 1888:21

musical 1559:3

musicals 1590:16,18

musing 163:28

mutual 159:25,26 732:10 1009:21 1917:27

Myra 994:6 997:22

myriad 1613:6 1615:5 1616:21 1631:7 1636:14 1880:11

mysterious 389:26

N

N-I-G-G-A 384:27 387:25 390:11

N-I-G-G-E-R 384:28

N-WORD 376:14,27 377:9 381:7,18,22 382:13, 19 383:1,5 386:9 387:24 390:8

naive 1623:11

naked 1619:28

named 712:14 983:8 987:8 1866:13

names 304:26 314:3 666:15 714:3 739:1 746:18 945:18 947:6 987:4,6 1002:17,25 1012:17,23 1024:15,24 1052:21 1245:5 1334:23 1341:3 1512:3 1513:1,22 1635:11 1645:23 1820:2

Napa 1052:14,15 1328:16

narration 1582:26

narrative 954:7 1296:2

narrow 723:26 1683:4

narrowed 686:23 714:19

narrowly 1217:24

nastier 696:17

nasty 687:16 696:16

Natalie 701:26 702:26 765:4,26 924:26 925:4,15 931:14 932:9 947:12,19 950:2 953:9 960:10,18 969:27 987:9,12,27 1002:18 1624:24 1638:19 1639:18 1645:21 1646:3 1647:8 1663:26 1670:15 1677:22

nation 1881:16 1917:20

nation's 1881:17,19 1904:16

national 962:20

native 1009:10

nativity 1029:26 1042:11, 21 1626:27 1627:5,10

natural 696:21 718:24 1915:26

naturally 733:17

nature 6:14 7:21 10:19 14:4 24:24 169:19 387:19 609:22 611:25 613:6 771:23 1260:27 1261:4 1316:14 1517:3 1839:14 1876:19

nausea 732:25

Nebraska 1917:24

necessarily 27:27,28 28:11 163:18 170:22 316:7 372:12 630:27 643:5 673:26 674:26 909:20 911:26 1045:20 1056:22 1062:22 1519:26 1894:17 1899:21

needed 307:28 605:27 728:2 746:17,22 985:27 993:18 1011:23 1013:3 1030:18 1063:24 1236:12 1239:11 1281:4 1288:22 1296:14 1303:28 1323:1,6 1336:14 1337:14 1339:19 1340:10,15,21 1356:15 1516:8 1530:15 1538:22 1542:17 1569:6 1594:18 1623:10,12 1624:3 1647:10 1837:22 1869:18 1872:17 1902:28 1923:22

needing 1017:4 1532:24 1644:3 1650:7

needle 8:6 10:28

negate 337:6 777:28

negative 357:11 369:19 373:20 687:16 761:12 955:16 961:15 1044:11 1353:24,25 1812:22 1815:1,7 1822:5,9

neighborhood 1549:17 1591:15

Nelson 152:22 154:22

nervous 1238:25

network 1269:21 1851:6, 14 1852:6,11,12

neutral 331:3,17 403:27 660:5 663:8,9 664:9 737:9 1649:19 1870:21,24 1872:12 1874:11 1913:12 1914:18 1921:7

neutrality 159:21 394:19 395:25 396:4 657:2 661:23

neutrally 33:1 173:22 334:13 654:1 658:19

Newman 1862:28 1871:26

news 333:2 660:8,12 663:15 759:7 1231:16 1268:1 1269:21 1525:13 1822:25 1824:13 1866:26

newspaper 1511:28

next-to-last 1266:28

NFL 1327:12

nice 673:24 782:1 946:13 953:17 969:1 1005:14 1060:14 1066:21 1515:27 1580:12 1825:27 1842:18 1887:20 1916:6

nicely 1314:17

Nicole 924:26 925:4,16 953:9 960:10,11,18 968:18 1025:1 1624:24 1645:28 1663:28 1664:1 1670:15 1677:20

nieces 1056:15

night 316:8 334:27 368:10,11 616:3 723:5,13 732:27 738:24 749:2 911:25 914:19 1027:23,24 1060:11 1066:4 1067:18 1068:2 1232:3 1259:1 1340:2,7 1631:5 1922:26

Nightmare 1661:19

nights 339:6 1900:11

Nikki 980:17 981:15 994:2,23 995:1 997:5 1012:20 1014:21 1017:12 1024:16 1028:12,17,20

Ninth 1898:4,6

nods 732:9 1305:16 1665:22

noise 1872:28

non-catholic 1851:21

non-christian 1042:4

non-client 8:24

non-custom 760:6

non-marriage 607:16

non-meritorious 1900:22

non-neutrality 333:21 342:12 653:21 661:4,21, 27 668:21 1219:18 1220:17

non-religious 1851:7

nonarbitrary 1910:10

nondiscrimination 688:9

nonetheless 767:24 1829:28 1897:2

nonissue 634:12 912:11

nonjury 307:28

nonprofit 691:17

nonresponsive 939:9 954:7 1542:26,28

nonstop 1646:21

noon 307:22

Noriega 1614:23

normal 20:28 1291:28 1591:24 1619:19,21

North 29:16 619:11,15 704:9,11,14,18 705:21 715:16 716:5,22 717:9 736:16 737:6 755:23 778:12,16 1845:27 1846:25 1870:23 1873:9 1874:2,7 1892:17 1895:27 1904:23,26 1906:3,20 1917:24 1920:3,17,23 1922:17,21

Nos 1808:14

nose 1348:27

nosebleed 393:6 748:15 1076:27 1890:7

nostril 1348:28 1349:1

notable 704:13

notation 1256:28

note 375:17,18 927:14 1582:16,18 1893:13 1896:12

notebook 368:14 375:17 925:26 927:27,28 928:3

notebooks 315:21,23 925:25

noted 155:18 1895:5

notes 8:27 24:5 27:2 32:9 311:23 709:4 781:14 909:14 970:27 1064:2

notice 334:28 335:19 338:6 341:18 342:26 343:16 344:15 345:4,8,22 347:11 350:24 605:12,13, 19 654:12,22,24,28 655:2, 6,15,21 656:15 657:9,11 658:4 669:10 674:9,23,25, 26 676:1 906:17,22,26 907:5,7,12,22,26,28 908:7,9,15 914:21 983:20 1062:20 1076:6 1608:12 1686:24 1865:12 1872:24

noticed 35:27 39:25 40:10 41:2 167:3 381:14, 18 713:9,10,11 908:20 949:26 957:6 1055:22 1070:2,3

notices 35:23 713:27

notorious 1889:13

Notwithstanding 6:1

November 180:9 710:24 919:2 991:3,4,6 1002:11 1265:20,23 1267:5

nowadays 920:24 924:13 1668:21 1669:12

nuance 404:7 678:13,14

nuanced 21:24 377:10 404:18

nuances 318:27 617:26

nude 1520:16

number 38:28 316:21 317:21 319:22 321:27 323:25 324:21 325:21 326:12 328:2 330:27 331:2 345:14 348:1,10 356:11,14 369:28 370:6 375:19 376:1,8,9,11 390:4,21 391:8,10 398:24 401:19 605:23 607:10 618:15,19 619:5 628:22, 28 630:9 631:24 632:6,22, 23 633:5 635:8 643:10,11 645:27 648:8 651:14,15, 27,28 652:11,16,25,27 653:5,10,20 663:5,6 676:3,21,24 677:17 679:18 680:4 683:10,11, 17 684:18,20 685:13 686:15,26 689:9,24 697:6, 8 699:22 701:17 702:17 703:6,9,12,22 708:12,21 709:6,8 711:24 720:19 736:1 750:20,22 751:24 752:5 753:1,19 754:14,17 755:2 757:11 761:24 925:27 938:4 1020:26,27 1054:23,28 1055:2,7 1205:3 1206:3 1207:4 1209:17,18,28 1210:3 1252:9 1271:23 1318:28 1319:9 1368:15 1369:7,9 1512:16 1531:4 1573:1 1577:17 1578:9 1579:25 1583:3,8,24 1594:2 1603:14 1604:11,14 1616:11 1619:1 1633:27 1668:28 1684:20 1813:21 1829:15 1833:23,24 1839:13 1848:10 1858:1 1859:20 1860:2,9 1878:13,14 1905:15 1906:6 1907:12 1909:18, 19 1911:7 1912:25 1913:7 1915:18 1917:7,8

numbers 730:16 928:4 1005:1 1051:24,25 1054:14,20,21,22,24 1055:14 1210:1,2,3 1257:27 1258:8 1583:27 1584:4 1612:1 1632:11 1881:5

numerous 625:13 773:11

nut 1335:10 1631:6

nuts 1237:21,22

nutshell 705:26 737:25 740:17

O

oar 325:6,8

oath 347:26 1039:7 1246:15 1302:26 1809:5 1834:26

Obergefell 401:20 639:12 667:22 774:4 777:25 781:5 1569:5 1870:11 1897:8

object 341:17 352:3 377:5 606:3 633:19 634:1 649:1 751:5 937:12 948:5 1044:14 1211:10 1239:27 1261:19 1267:5,18 1534:14 1563:5,24,28 1586:4 1651:4 1676:6 1822:12

objected 316:4,13 345:5 644:17 654:20 655:6 942:26 1004:15 1028:10, 21 1054:2 1251:14

objecting 321:16 350:5 684:13 770:27 1266:18 1319:14 1914:2

objection 313:15 314:10, 11 321:9,13 344:8,9,22,24 346:24,25 349:10,13,14 356:12 366:10 375:27 376:7 616:10 617:10 623:2 635:12,13 638:28 640:8 642:25 650:22 651:20 653:8 683:1 701:1 733:2 751:23 911:14 926:21 927:22,23 928:15, 20 929:22 930:4,11 939:6 940:3,19 943:1 954:20 959:9 961:27 962:23 963:11 967:13 968:14,25 969:2,9 977:19,28 978:23 979:1,6,12 982:12 983:13 984:7 987:14 988:9 990:9 1004:21 1013:14,24 1014:14 1015:4 1016:6,19 1017:14 1024:7,18,21 1026:13 1028:4,14,24 1033:4 1036:16 1038:26 1040:28 1042:13,17 1043:24 1044:7,17 1045:7,27 1046:11,22,26, 28 1048:22 1228:25 1233:24 1239:26 1240:11 1250:26 1255:21 1264:23 1266:9,26 1275:1 1287:22 1288:12 1289:21 1294:9 1295:12,20 1296:1 1297:22 1299:1 1307:12 1308:23 1309:4 1311:11, 19 1312:12,19 1313:11,22 1314:1 1315:13 1316:28 1318:15 1321:19 1322:21 1333:11 1334:6 1335:16, 26 1343:22 1344:17 1358:21 1364:24,25 1365:12 1510:17,20,21 1511:20 1512:24 1514:9 1518:14,17 1519:20 1522:26 1523:3,23 1525:25 1526:10 1536:24 1537:2 1539:28 1541:9,20 1542:9,25 1548:24 1549:6 1550:3 1557:16 1564:5,14 1570:23 1571:3 1575:16 1577:23 1578:16,20 1586:5 1650:10 1672:5,17 1673:2 1674:15 1676:12 1679:3 1683:8 1826:14,21 1837:11,17 1838:11 1845:10 1862:2 1917:11

objectionable 355:27 707:18 1903:23

objections 10:17 155:15 157:8,14 310:18,19 312:26 313:2 317:4 321:10 322:12,13 345:17 346:21 348:2 355:15,28 607:8 619:17 622:3 628:20 648:27 649:14 652:28 684:14 733:22,25 926:25 1044:24 1047:13, 19 1077:25 1218:28 1266:21 1276:1,22 1303:17 1571:5 1572:5 1579:27 1586:2 1587:15 1870:9,17,18 1907:5

objects 645:16 646:12

obligation 23:13 1867:25 1890:26

observations 980:19

observed 306:10 346:3 980:13 1870:11 1895:6

obtain 773:21 1903:25 1910:16

obtained 1652:18

obviate 6:8 700:2 910:14

obvious 719:7 1026:20 1041:22

occasion 402:19 938:3, 14 949:26 1010:24 1011:26 1034:25 1269:12 1542:13 1556:11 1578:13 1607:20

occasionally 932:10 1544:2

occasions 634:4 635:1 636:21 744:11 932:14 983:26 1216:3

Occidental 1528:23

occur 13:3 687:19 908:10 1522:15 1535:25 1836:18

occurred 169:9 175:19 379:5 633:28 638:1 705:8, 23 721:20 750:10 968:3, 19 969:15 1004:2 1005:26 1215:22 1254:22 1318:13 1522:25 1550:15 1676:8 1823:10

occurring 1842:11 1884:20

occurs 7:21 37:26 663:10

October 395:14,16 740:16 745:13,22 749:23 1053:5,11 1057:19,24 1236:9 1239:1 1244:5 1245:9 1330:22,25,27 1331:23 1356:18 1656:16

odd 351:1,7,10

off-the-record 1926:24

off-white 614:10,16

offend 771:11

offended 646:8 763:15 765:2 1901:26,28

offended' 646:3

offensive 338:11 660:26 673:11 675:18,24 1680:25 1883:16 1901:1

offer 342:11 650:4,9 656:18 709:28 710:11 715:9 724:2 768:6 964:24 970:19 1001:27 1045:18 1210:22 1225:7,8 1228:14,16 1237:19,25 1283:22 1299:18 1343:8, 10 1346:24 1516:5 1533:10,26 1565:19 1600:6 1618:20 1630:20 1677:6 1807:10 1850:22, 23 1853:14,23 1867:23 1893:21 1925:14

offered 316:19,25 350:9 613:28 693:25 745:28 749:6 766:20 773:14 928:18 951:18 1210:11 1211:10 1226:2,6 1245:22 1249:14 1273:17 1281:6 1299:16 1301:23 1338:20 1361:15,18 1364:26 1515:21 1516:1,7 1523:25,26 1586:13,24 1630:27 1636:1 1638:25 1641:25 1835:3,6 1850:18 1857:6 1863:20 1892:7

offering 30:28 676:16 750:25 926:8 1045:17,21 1047:21 1048:11 1228:22, 24 1229:9,10 1245:24 1306:2 1346:28 1368:16 1505:23 1841:20 1845:6 1852:8,11 1853:6 1863:15 1893:19

offers 362:1 756:8 768:3 1250:7,12,15 1255:18 1368:18 1653:12,27 1853:8,13 1893:2,16

office 19:25 657:23 662:5 665:2 1056:19,20 1060:6 1268:5 1622:19 1883:27

officer 722:22

offices 179:19

official 2:28 9:12 12:6 18:2 25:2,15 26:7 32:15 152:28 157:7 173:1 302:28 602:28 902:28 907:10 1039:21 1202:28 1502:28 1531:2 1802:27 1910:19,23

officially 154:8 1056:13

officials 1914:23

oftentimes 311:3 762:13 964:20 1034:24 1610:21 1614:15 1830:11 1834:7 1880:25

oil 999:11 1018:2,3

older 174:24 949:19 1610:14 1646:25

ombre 1025:24

omit 386:9

omitted 381:15

on-the-line 154:12

one's 661:12 739:23,24 765:1 1830:23 1852:22 1859:5 1863:4 1885:3 1901:5

one-quarter 1877:27

one-star 1547:17 1648:7

one-third 1877:28

one-tier 922:23 1557:13

one-tiered 922:18

online 747:27,28 748:1 1063:6 1854:14,18

onset 339:14

oops 401:15

open 15:2,28 16:16,25 21:23 25:13 36:23 176:12 178:13 304:7 343:1 604:7 665:23 672:25 686:7 719:16 728:16 758:12 771:28 906:7 954:18 985:7 1006:8,9 1018:22 1208:7 1264:13 1278:7 1357:16 1505:7 1549:7 1550:2 1581:7 1591:18 1622:22 1646:23 1652:20 1806:7 1830:22 1840:28 1843:7 1855:19 1866:19 1881:11 1924:10 1925:17

open-ended 672:21

opened 21:22 737:25 779:20 968:28 1003:4,5, 12 1004:5 1301:24 1357:24 1565:27 1566:1 1569:3 1591:25 1598:6 1623:9 1647:12 1876:23

opening 309:8 343:5,7 405:17,20 603:11 616:20, 24,26 633:7 639:9 734:15, 18 735:21,24,26 736:13 751:11 757:4,25 781:20 920:7 993:19 1631:5 1852:14 1872:10 1875:25 1876:2,6 1879:7 1897:27

openly 1043:16 1878:26 1879:2

opens 319:13 1853:24

opera 1559:2,3,11 1560:3

operate 623:25 722:24 726:1 729:8,14,25 765:6 1535:1 1632:8 1881:10

operated 1878:4

operates 758:17 1818:26

operating 403:21,22 737:13 752:25 1561:6 1629:3 1636:24 1645:13 1819:2,16,25,26 1820:8 1856:6 1869:15 1905:8

operation 704:24 705:3, 23 707:3 710:22 959:22, 26 988:22 1006:20 1007:1 1038:7 1637:1 1877:15

operations 15:10 624:21 1561:27

operative 940:8

operator 1638:5

opine 343:27 344:19

opined 328:16

opining 347:5 350:1 352:5

opinion 175:20 327:14,20 329:16,17,18 330:1,9,12, 13 351:14,15,16,17 357:17 364:19 371:12 625:23 626:19,21 635:15 668:24 704:16 724:7,8,9, 24,27 725:6 726:1 727:2, 10,12 728:19 730:3,10 736:16 937:14 1046:12,18 1261:7 1353:19,20 1517:4 1520:3 1534:15 1916:23 1917:5

opinions 7:18 30:13 623:17 627:12 1572:18

opportunity 155:11 176:13 313:6 315:5 620:5 622:11 628:24 650:7 709:20 713:6,7 781:20 912:13 1002:22 1529:13, 26 1530:2 1536:17 1539:20 1563:28 1639:5 1678:1 1681:16 1910:16

oppose 628:25 701:21 1217:19

opposed 1541:7

opposing 32:3 33:25 158:23 631:20 673:23 1582:10

opposite 1865:25

opposite-sex 634:20

opposition 13:5 32:21 155:16 311:2 605:12 629:7,16 644:6 655:17,21 659:8 679:22 702:10,13 757:10 906:18 1907:11

option 311:22 619:15 663:3 715:16 716:5,17 717:3,9,11,12 1331:10 1332:22 1638:10

options 313:25 314:1 619:10 663:2 703:26 716:15,21 755:23 760:26 924:2 1329:10 1332:22 1352:7 1355:27 1356:9 1535:9 1853:9 1855:20 1897:14

oral 155:17 175:25 333:6 337:25 375:16,21,22 391:8,9 398:24 605:8 606:6 624:13 637:4 639:11 699:16 702:15 708:22 709:7 720:19 768:10 1211:4

Orangewood 1529:24 1590:18

orchestrated 358:9

orchestrating 357:19

ordained 1609:24 1827:18 1879:4

ordeal 759:19

order 9:23 11:3,20 14:22 17:6 39:21 160:3 165:12 167:10,15,23 172:25 180:28 314:20 319:18 323:28 324:1 326:14 348:18 351:2,4 368:3 373:11 375:13 376:21 380:5 617:16 628:28 632:23 635:18 639:27,28 651:15 652:1,16 653:21 662:28 663:4 679:18 683:12 688:2 689:20 738:17,23 739:1,14,27 740:4 742:3 747:5 750:25 755:22 760:24 768:17,24 915:6,28 916:1,11,20,21, 28 922:2 923:20 924:1,10, 15 925:20 926:24 929:1 930:2,20 931:1,28 934:1, 8,14 938:8,15 941:8,14,24 943:23,26 944:4 947:26 948:12 950:11,22,27 952:7,26,28 954:25,27 955:13 956:3,7,16,20,21 960:12,17,19 961:7,11,25 964:25 966:26 973:4,9 993:16,22 996:14 1000:3, 4 1001:9 1015:25,27 1019:9 1020:19 1023:21 1032:17 1034:10 1035:11 1036:26 1037:21,22 1038:3 1067:15 1071:18 1072:1 1210:17 1223:18 1228:10 1229:10,16 1273:3 1274:3 1282:12 1289:7,13 1290:10 1306:8,13 1307:10,21 1333:25 1334:2 1336:20 1337:17 1341:22 1343:2 1349:24 1363:2,4,8 1522:3,16,19 1523:2,8,18 1532:3 1535:27 1536:1,4, 6 1537:11,12,16,17 1539:1 1549:13 1557:3 1570:9,10 1572:9 1582:9 1609:7 1615:12,19,28 1616:12 1617:5 1626:19 1629:26 1632:26 1633:24, 25 1637:24 1638:1 1639:13,17,19 1641:15 1645:22 1649:12 1656:25 1659:9 1660:10 1662:2,3 1680:15 1685:14,19 1812:26 1813:13 1815:11 1816:23 1826:8,11,23 1827:10 1832:15 1838:16 1844:24 1845:19,22 1850:1 1856:13 1859:22 1860:15 1864:21 1867:20, 24 1884:9 1891:16

ordered 25:1 346:14 356:19 615:11,13,14 741:23 761:18 770:20,25 916:2,11 922:11 923:9,13 924:2 929:24 931:2 945:22 960:16 981:7 1000:7,13,14,22 1300:1

1320:10,13,14,15 1361:12 1517:18 1556:24 1653:15 1662:27 1884:15

ordering 748:8 916:5 923:23 933:17 1576:21 1660:26 1877:20 1884:17

orders 360:21 379:23 611:15,16 627:5 704:25 705:5,13,15 711:1 730:1 742:20 763:7 918:7,17 919:5 920:25 921:6,8 923:8,27 925:9,12,13 940:1,10 941:4 948:25 957:6 961:2 975:25,26 977:3 987:12 989:1 992:16,17,18 993:13,17, 22 994:21,27 996:9 1020:15 1032:25 1033:27 1290:3 1335:23 1533:5 1556:6 1574:18 1612:28 1638:8,9 1645:22 1655:18 1656:9,28 1657:2 1662:6, 12 1664:5 1665:11,16 1667:13 1680:16 1684:1 1815:21 1819:1,3,19

ordinarily 1643:23

ordinary 742:12 1660:8

organization 691:15,28 1255:25 1878:7 1894:20 1897:18,19 1910:18,19 1921:4

organizational 1593:1

organizations 21:13 691:23 1870:12

organized 1530:19 1615:25

orientation 346:12 356:20 389:10,13 401:15 402:3 611:16,19 632:24 634:5,10 642:16,27 646:4 648:16 688:22 691:25 736:25 737:4,11,17 741:17 744:7 747:22 750:21 751:25 752:13 756:14 764:10 778:23 780:9,18 918:21,27 962:11,21,24 963:10 964:3 1023:21 1219:21 1220:13 1221:18 1294:28 1348:2 1358:19 1514:24 1515:6 1520:20 1521:1 1551:11 1652:26 1653:3 1671:28 1673:14 1674:19 1828:12,16 1829:3,13,19 1844:18,27 1845:9 1846:9 1848:25 1857:12,17 1858:7,21 1859:6,7,10,19, 20,24,28 1861:21,25 1862:1,11,15 1863:13 1866:22 1867:4 1868:12 1882:24 1884:25 1885:4 1894:12,15,17 1897:13 1899:22 1903:19 1908:14 1910:2 1920:23

origin 962:20

original 6:11,27,28 307:16,19 721:5 1036:4,5, 8 1302:28

originalist 1898:25

originally 6:22 1027:23 1053:12 1225:6 1330:24

Orthodox 331:5

orthodoxy 1904:4

OSHA 1869:25

out-of-court 1312:15

outcasts 1870:2

outcome 172:10 692:22 1215:23

outdoor 1542:16

outdoors 1075:10

outer 678:9

outgrowth 1915:26

outlandish 664:28 1268:2

outlets 1897:2

outline 178:1

outlines 721:3

outrageous 617:4

outright 673:18

outset 164:26 396:8 399:6 673:22 942:21 960:27 1563:13 1580:7

outward 1663:7

oven 996:4 1018:4

ovens 995:14,25 1869:7

overbroad 978:23 1014:14 1015:4 1016:19 1026:13 1043:24 1289:21 1295:20 1322:21 1822:12

overcome 1901:26

overhead 730:12

overlap 399:23

overlapping 1915:23

overly 305:27

overnight 306:19

overreach 681:15

overriding 1848:18

overrule 33:28 751:12 930:10 990:11 1047:12 1240:15 1334:7 1542:9 1920:28 1921:18

overruled 751:22 928:21 939:11 940:22 954:8 967:14,16 977:20 979:19, 23 982:13 988:11 1014:15 1016:8,20 1033:7 1044:8, 18 1045:9,28 1047:20 1048:23 1229:2 1261:24 1264:26 1267:8 1289:23 1297:24 1299:2 1307:17 1311:12 1313:15 1315:14 1318:18 1322:22 1334:9 1343:23 1510:23 1519:22 1523:4 1524:19 1550:5,7 1559:16 1562:2 1567:14 1672:18 1676:15 1874:14

overruling 36:17 1564:14

oversee 1010:19 1593:3

oversees 707:14

oversight 915:2 1531:15

overstatement 161:27

overt 648:15

overtone 1680:9

overturn 1331:7

owe 720:25

owned 15:12 716:25 1264:8 1347:2 1852:18 1896:27

owner 13:23 15:12 16:17 372:3 643:28 706:11 726:2 730:8 731:3,6 751:2 758:13 910:26 913:17 1250:23 1253:15 1264:15 1274:23 1362:28 1363:6 1508:24 1515:1 1530:20, 22 1591:20 1638:5 1883:12 1913:21

owner-operator 758:19

owners 167:24 168:8 664:8 1870:18 1881:28 1913:21

ownership 1817:6,9 1850:11,12 1852:7

owns 1893:22

P

p-a-l-s 38:8

P-A-T 386:1,7 387:6

P-A-T-R-I-C-K 1279:4

P-E-R-E-Z 917:6

p-l-e-s 38:7

p.m. 1254:7 1350:13 1811:4 1813:10,28 1815:28

P.O. 152:25 302:26 602:26 902:26 1202:26 1502:26 1802:25

package 1567:23

packaged 1617:25

packaging 993:23,24

packet 764:23 1608:13, 16,24,27 1612:3,13 1685:5,9 1830:13 1879:2

Padilla 1367:20

Pagan 1882:15

pages 2:8 41:12,13 152:7 181:16,17 303:1 338:8 384:5 387:24 390:4 405:26,27 603:1 605:14 607:1 690:23 698:6 731:22 782:7,8 903:1 904:1 905:1 910:17 946:2 1038:16 1039:23 1203:1

1204:1 1205:1 1207:1 1211:9 1235:23 1257:19 1259:10 1265:21 1267:23 1312:24 1503:1 1504:1 1505:19,24,26 1583:4,6,8, 18 1586:7 1587:10 1618:24 1678:22 1803:1 1804:1 1805:1 1830:4 1927:23

paid 376:18 767:15 988:19 1009:27 1027:3,5, 16,18,19 1030:24 1032:1 1036:25,28 1250:11

pain 690:15 694:6 1344:13

painful 1879:17

paint 1604:9 1607:13 1608:8

painting 1881:5

pales 393:7

palette 1621:8

Palmdale 167:2

pan 1018:3

pandemic 724:18 727:14 729:6,23,26 730:4 910:4 1652:16

pans 1616:6 1618:24

paper 11:12 317:22 605:4 606:27 607:4 636:6 967:6 1064:5 1239:18,19 1240:10 1291:10,26 1342:13 1343:5,13 1686:4

paper-type 1593:18

papers 7:11 11:5 16:7 32:20,22 339:15 402:11, 13 615:26 616:3 757:6,15 758:3 913:4 1072:25

paperwork 4:22 7:3 13:25 606:15 649:19 1301:3 1843:25

parade 1898:12,15

paradigm 33:16

paragraph 645:28 763:8 1858:17,24

parameters 1660:6

Pardon 1628:17

parents 970:8 1332:21 1338:25

Park 342:24 659:2 669:18 1862:28 1863:8 1871:26

parking 771:20 1075:10 1292:24 1345:10 1648:22, 25

Parks 171:8

Parliament 1916:9

parrot 1863:24,26

part 5:16 6:26 10:23 15:10 21:27 39:14 155:7 164:15 354:23 368:3,16 376:2 382:4 383:26 384:12 390:20,22 394:1 399:14 614:12,18 624:9 629:17,18,19,22,27 630:18 637:3,4,5 638:21 657:13 670:21 689:8 690:24 718:24 731:4 733:12 747:9 752:27 754:3 762:20 907:17 908:3,7 915:22 920:2 926:22 929:23 938:23 944:12 964:5 965:24 966:21,22 978:11 980:20 986:22 988:9 993:8 998:16 1003:15 1004:2 1013:22 1017:22 1023:18 1037:15 1059:16 1212:18 1221:24 1236:3 1245:11 1246:3,7 1247:11 1260:28 1261:4,8 1266:10,16 1270:11,15 1283:21 1284:19 1314:4 1323:5 1360:27 1361:24 1363:3 1364:17,20 1505:14 1517:28 1518:6,23 1520:16 1529:6 1533:24 1534:12 1543:8 1544:15 1552:10 1589:15 1591:17 1595:10 1596:14 1597:3 1599:24 1601:5,6,9 1602:4 1610:6,23 1611:17 1628:8 1630:18 1631:5,8 1638:22 1642:1 1649:18 1654:8 1657:8 1663:24 1664:9,12,13,22 1676:18 1677:9,14 1679:6 1832:2, 4 1850:2,4 1855:6 1858:10 1863:4,9 1867:6 1874:26 1879:11 1884:7 1887:25 1923:4 1925:25

part-time 1638:17

partial 1863:4

partially 1806:28

participant 1212:26

participate 33:10 629:23 630:3 1296:16,19 1304:19 1331:28 1545:17 1571:10 1572:23 1579:7 1636:17 1654:10 1664:6 1679:27 1855:23

participated 358:22 1654:8

participating 1531:28 1576:1 1667:20,21

participation 629:28 630:4,18 1291:22 1537:22 1573:2

particularized 757:20 1907:18

parties 2:17 6:9,24,25,27 7:4 8:21,22 11:10,25 13:6 16:12 18:25,27 19:4,9,12 20:11,21 21:2,8,20,25 22:18,23 24:10 25:11 26:10 28:4,8,23 30:20,24 33:10,13,17 34:1,14,20,23 35:9 36:28 152:17 157:10, 16,21,25,28 165:19 166:8, 27 167:5,7,12,19,20 168:13,23,26 169:4,13 170:12,16,24 171:21,28 172:2,5,9,14 180:28 302:14 305:21,25 310:3 313:5 322:4 323:11 325:18 326:14,22 336:1,4, 7 341:9 348:11,26 350:15 351:1 356:19 357:27 358:1 359:22,27 360:1 361:27 362:16 363:19 364:24 365:21,28 367:27 368:26 370:17 374:1,18 376:13 381:10,12,17 382:2 386:11,14 393:5 396:27 397:6,10,28 398:1 402:16 602:14 608:10,22 611:5,9 613:5 616:18 633:11,20 635:24 637:22 638:2 643:23 647:7 648:17 657:19,21 662:5 663:13 677:3 678:16 684:26 686:22 687:7 692:20,21,22 694:10 695:19,20 697:9,22,24 698:6,11,25 712:13 723:22 732:2,16 756:27 758:1 759:23 760:20 765:16,24 766:8 767:20 768:24 769:4 771:6,9 772:4 774:24 775:13,27 778:11 780:27 902:14 911:10 915:6 916:10,20 929:25 960:1,26 961:22 970:12 981:9 1029:13,19, 21 1031:19 1039:22 1077:26 1202:14 1211:18 1212:22 1213:1 1215:28 1216:18 1219:14,15,20 1220:22,28 1221:5,17 1222:3 1224:26 1234:26 1502:14 1546:14 1558:4 1587:11 1642:26 1650:2 1659:13 1676:5 1802:14 1806:25 1808:9 1843:15 1847:23 1848:9 1862:19 1877:6 1888:16 1889:16 1890:6 1892:9,23 1893:1 1901:14

parties' 363:22 366:1 618:12 631:25 643:15 645:14,20 646:11 696:12 1844:1

partner 704:24 739:8 747:17 748:1 1075:12,25 1076:6

partners 1029:24

parts 1016:22 1266:18 1302:1,2 1327:6 1520:24 1607:12 1613:4

party 9:5 154:15 159:21, 22 329:4,9 369:20 379:4 386:20 391:24 638:10 686:28 688:11 689:26 690:3 697:23 740:8 939:21 950:12 1022:16 1029:14 1030:3 1073:25 1213:26 1219:28 1220:8 1221:11 1222:18,25 1224:17 1266:8,12,13 1539:14 1563:12 1582:8 1611:24 1616:14 1626:28 1627:8 1650:28 1825:27 1830:28 1876:18

party's 28:15,16 35:11 371:14

pas 1879:10

pass 404:3 706:1 931:14 1315:26 1544:26 1556:7

passages 661:18

passed 177:26 404:2 609:6 781:5 1552:17 1887:16 1902:23

passerby 1885:8

passing 649:10 1885:9

passion 703:19

past 14:13 380:1 623:22 628:21 650:15,16 656:22 663:18 724:25 728:16 914:9 924:24 942:17 1276:24 1294:25 1358:11 1595:16 1645:27 1662:13 1669:8 1683:3 1812:2 1866:27

pastor 358:26 692:14 709:11,21 715:7,10 716:10 717:8 718:8,19 719:10 720:1,8,10 730:22 1623:27 1624:2 1626:9 1880:1

pastor's 717:20

pastors 1899:9

pastries 975:26 1062:23 1594:26 1616:27 1617:12

PAT 387:3

patience 1280:22

patient 676:7 1850:28 1851:20 1852:6 1906:27

patients 1851:1 1905:1

Patricia 1235:17

Patrick 381:20 382:2 385:17 386:8,28 745:25, 28 747:17 748:9 769:7 1058:8 1059:25 1060:23 1061:22 1068:5,10,25,28 1069:2,11,13,20 1070:23 1071:15 1075:13,24 1076:6 1204:8 1212:1 1213:14 1230:15 1237:2 1245:21,24 1265:16,27 1266:5 1267:28 1270:13, 14 1278:12 1279:3,10 1298:11 1324:18 1325:25 1338:20 1341:17 1343:16, 20,24 1641:5 1856:12,28 1887:9 1894:27

Patrick's 748:1 1025:23 1898:11,12,14

patron 1023:3 1865:28 1902:11

patrons 351:9

pattern 359:21 958:13

Paul 2:24 4:13 302:25 304:22 315:22 602:25 647:20,22 691:8 902:25 1202:25 1225:15 1270:22 1271:6 1274:22 1367:27 1502:25 1802:24 1923:21

pause 17:15 29:3,6,7,10 30:2 1807:16

pay 378:10,13 723:18 728:21 729:8 745:27,28 981:25 990:4 993:21 1058:1 1062:24 1245:22, 25 1283:18,23 1320:1 1338:21 1343:28 1361:2 1608:2 1681:18 1837:26 1854:15,16,19,20,23 1857:13

paychecks 984:6

paying 376:17 621:2 1340:12 1577:10 1854:22

payment 1634:2

payroll 1553:18 1593:18

pays 982:1

peace 1599:5

peaceful 961:8

pending 6:7 628:23 686:14 946:6 1049:18 1685:16 1898:28

penis 1600:4

people 8:17 9:24 12:23 20:16 21:10 22:10,11 31:22 38:8 39:10 160:8 162:25 164:24 171:14 306:21 315:3 318:2 320:8 321:8 330:8 341:12 346:12 348:22 353:19 354:15,16 357:2 360:21, 27 361:3,13,17,18,19,21 363:18,27 364:15,17 374:14,24 379:8 385:8 387:28 388:2 391:24 392:25 396:20 399:7 401:8,11 402:11 403:9 618:5 621:11 627:15 628:13 631:6 633:17 634:5,11,13 637:10 641:12 643:25 651:4 652:22 658:15 666:6,7,8 670:7 673:1,24 674:18 677:27 687:14 690:18,19, 25 691:1,3 692:8,11,13,24 696:26 697:15 698:7 707:24 729:28 733:6,8,15, 16,28 743:23 747:25 748:5 749:11,17 755:4 758:24 761:5,17 762:8 763:16,26 764:2,28 765:20 766:21,26 768:21 771:27 773:5,14 774:5 775:7 776:12 779:4,21 780:17 937:23 946:13 955:2,16 956:6,11 959:16 962:16 964:21,22 965:3 966:4,8 978:1 980:25 991:23 998:3 1001:25 1003:23 1004:27 1012:22, 27 1033:1,13 1034:24 1041:28 1043:7 1046:7 1047:15 1064:1 1065:28 1068:12 1071:3 1072:7 1218:7 1219:23 1229:24 1239:12 1243:15 1249:25 1250:12 1263:9 1264:2,5 1270:19 1273:26 1292:26 1306:1 1312:27,28 1313:1 1315:19,26 1316:1,13,15 1317:9,21,28 1318:7 1320:27 1321:15 1325:5 1327:11 1335:9 1354:7 1358:17 1362:16 1368:16 1511:9 1512:4,9,16 1513:1,12,15,24 1514:5 1515:13,16 1516:8 1522:8 1523:12 1524:24 1525:11, 17,21 1536:16 1538:4 1539:9,15,17,21 1540:6,7, 15,28 1541:6,17 1542:11 1545:12 1551:10 1572:18, 22,24,27 1573:1 1575:24 1593:7,20 1594:19,20 1596:11 1599:13,14,28 1610:14,15 1611:7 1615:12,19 1617:13 1618:6 1619:1 1626:15 1628:9,27 1629:5,12 1630:11,21 1631:14 1634:16 1635:2 1637:23 1644:13 1648:7 1651:2 1653:4 1658:16,17 1661:15,18 1668:8 1671:21 1672:3,16 1673:7 1674:7,8 1678:14 1679:11 1680:10 1684:20,21,24 1685:2 1813:22 1821:27 1824:7 1825:6 1828:1 1829:23 1832:12 1836:12 1837:8 1839:17 1848:23 1852:18 1855:12,23 1857:3 1858:28 1862:14, 17 1869:8 1874:27 1875:2 1877:20 1878:5 1883:13, 21 1884:3 1885:4,20,22, 23 1886:8 1887:10,16 1895:20 1898:9,11 1899:17,19 1901:22,28 1906:6 1907:25 1913:15, 23 1915:13 1917:26 1918:7 1922:9 1924:7,16

people's 617:24 672:28 747:27 780:9 914:13 1037:21 1322:2 1522:14 1883:16,23 1885:14

Pepsi 1852:27 1853:3,6

perceive 670:17 696:14 1041:8

perceived 673:11 1917:11

perceiving 351:18,23

percent 35:3 320:1 619:14,25 621:8,16 722:4 727:8 730:11 731:2 733:14 738:27 758:13 910:1,19 993:6 1010:28 1011:1 1034:8,10 1215:25 1339:13 1530:21 1538:3,7 1539:11 1549:15,17,27 1591:20 1662:5,11,17 1881:12

percentage 721:27 730:5 771:2 993:4 1018:14 1537:27 1538:4 1539:7 1548:22 1662:21 1821:14

Percentage-wise 1549:14

percentages 627:7,9 1662:20

perceptive 656:21

percipient 621:20,24 623:9 625:19 711:7 721:28 723:1 724:13 725:12

Perez 712:12,14 738:12 765:12,23 773:2 904:5 914:27 917:5,14,18 1578:3 1638:16 1867:16 1895:2 1900:26 1918:1

perfect 316:11 673:5 1035:11 1036:27 1532:2 1849:6 1854:10

perfected 1831:19

perfecting 1037:3

perfectly 1519:2,4

perform 22:6 1011:16 1922:24

performance 178:21 1911:17

performed 1922:28

performing 1920:8,11,13

performs 723:1

period 176:12 714:11 722:15,16,19 728:8 730:9 924:24 940:8 949:12 956:18 989:2 1548:20 1552:7 1553:17,28 1590:5 1622:21 1654:27 1657:4 1660:7 1663:17 1889:10 1903:26

permanently 1890:1

permissible 13:6 645:17

permission 319:17,19 695:13 1902:16

permit 1214:14

permits 1531:11 1532:22 1562:13

permittable 1329:7

permitted 329:11 646:22 1016:28

permitting 683:21

pernicious 1903:22

perpetuate 1882:12

perplexed 330:20

persecuted 693:20

persecution 774:18 1884:4

persisted 739:22

person 10:1 321:22 330:11 337:13 349:4,15 354:13 356:2 402:1 403:27 611:17 613:1 673:12 688:14 691:25 718:28 725:9 731:9,11,12, 14 760:14 766:18 767:28 770:2 780:8 910:10 931:5 956:11 963:10 995:7 1027:13 1041:6 1233:1 1286:24 1287:2 1293:24 1316:1 1347:2 1351:11 1363:2,6 1366:25 1368:8 1507:25 1513:23 1514:1 1515:27 1520:21 1521:1 1556:28 1569:26 1575:24, 26 1576:20 1579:1 1612:24 1656:1,24 1657:14,17 1658:2,9 1660:2 1665:8 1835:20 1837:4 1871:9 1883:18 1884:17 1893:22 1896:3 1901:11 1903:4 1905:19 1910:19,22,23 1916:7

person's 349:5,16 673:14 736:24 1846:8

personal 9:25,26 646:13 955:22 956:10 968:14 977:26 1005:17,21 1546:13 1578:16 1866:21

personalize 1610:28

personally 15:12 33:20 346:3 684:10 694:24 991:11 1002:3 1023:2 1024:4 1037:8 1249:27 1252:25 1255:15 1263:16 1361:26 1635:5 1814:12 1823:27

personnel 314:22 1356:15

persons 8:24 12:21 174:27 1844:16 1870:1, 13,20,27 1884:21 1897:6

perspective 716:8 746:21 1073:6 1220:15,16 1221:7 1838:25

persuasion 8:6

persuasive 8:21 20:19 22:21 1846:26

pertained 976:22

pertinent 993:18

Petroleum 1528:23

petty 376:15 378:1,3 380:14,27

PFLAG 1231:25,26 1255:24,27 1351:13,15,17 1893:6

PG 1032:13 1600:11

Phantom 1559:1,10 1560:3

phase 32:28 173:21 1686:28 1900:5

Philadelphia 691:10,12

Philippians 1601:19

Phillips 664:13 1917:2

Phillips' 174:3 657:14 1918:18

philosophical 1870:8,17

phone 955:26 956:11 967:18 991:11 1002:1 1010:14 1020:26 1070:2 1076:17 1235:23 1239:18 1282:19 1547:10 1612:1 1633:27 1646:14,24 1816:21 1834:11

phones 771:20 919:5 921:23 1076:8,9,10,11,13 1235:6 1646:26

photo 742:15 770:18 931:11 933:1,5 1662:12

photographers 1918:7 1924:25

photographs 317:2 618:3 700:14,18 1257:26 1602:9

photography 362:1 773:16 1250:8,14 1255:19 1306:3 1893:2

photos 700:2 933:4,10 1614:12

phrase 350:28 390:8 719:6 1678:12 1679:12

phrases 352:4

physical 392:14 1509:23 1510:3,7 1911:18

physically 154:7

physician 1907:3

physicians 736:22 1895:28

PI's 172:19

pick 159:27 663:3 684:7 739:13 746:24 749:11 933:21 1020:9,25 1222:14 1229:14 1238:9 1332:11 1333:1 1342:7 1515:14,16 1578:18 1663:5 1864:10

picked 159:27 713:16,18 746:9 993:18 1061:12 1062:1 1331:23 1506:22 1554:1 1573:27 1633:7 1661:16

picking 715:3

picks 1331:20

picky 360:9 1610:22

picture 358:18 366:2 402:15 608:16 609:6 733:5,13,20 742:14 761:21 769:9 770:11 771:27 908:4 931:18 1020:11,24 1021:4,8,9 1022:8,9 1023:5 1059:7 1061:27 1242:28 1243:3, 7,9,11 1284:19 1332:24 1368:8 1519:3 1544:4,24, 25 1550:24,25 1594:8,13 1596:19 1597:16 1603:20, 22,24 1608:3 1619:10 1639:1 1658:6 1660:21 1661:1,14,22 1813:17

pictures 314:25,26 613:24 618:6 634:23 768:28 775:16 967:20 1020:8,12,13 1021:3 1059:3 1237:27 1239:13 1271:21 1516:20,26 1517:2 1544:22 1545:7 1547:2 1576:3 1831:5

1833:27

pie 1616:16

piece 175:16 351:24 358:17 359:18,19 636:5 1342:12 1357:23 1575:7 1856:11

pieces 174:12 396:26 1620:6

pies 992:15 1616:17

Piggie 659:1 669:18 1862:28 1863:8 1871:26

Piggy 342:24

pigs 1914:3

pilgrims 774:16 1881:19

Pillsbury 965:13 1564:24

pin 768:13

pink 174:6

pinpointed 969:21

Pinterest 933:6 966:7 1020:13

piping 1272:13 1602:20 1605:11,12 1621:5,13

pissed 1368:10

pitch 991:15

place 20:6 35:1 304:6 324:16 371:10 395:11 604:6 686:6 766:22 778:11 906:6 931:28 964:8 982:16 985:6 986:28 991:9,24 1015:16 1017:4 1027:10 1038:5,14 1060:24 1075:16,17,18,23 1077:8 1208:6 1228:17 1236:24 1278:6,26 1328:19 1338:19 1346:19, 22,26 1360:26 1363:6 1505:6 1509:10 1522:1,6 1533:11 1536:21 1537:7, 10 1542:17 1548:8 1567:3,4 1574:3 1581:6 1605:11 1607:12 1611:2 1685:13 1806:6 1843:6,14 1854:7 1869:14 1888:1,8 1891:21

placement 1604:27

places 360:9 719:5 764:6 1000:15 1055:23 1283:14 1551:5 1855:14,21 1871:17 1924:13

placing 681:7 778:27 1013:5 1559:22

plain 608:12,15 610:2,16 760:27 1065:26 1606:17

plaintiff 2:9,20 19:11 152:9,21 172:1 302:7,20 313:23 349:22 354:23 356:15 602:7,20 604:20 605:7,11 624:1 629:1,5 630:25 633:14 634:1 637:20 640:18 645:13 653:22 655:6 682:26 702:22 708:27 712:26 715:5 716:14 719:15 720:15 732:3 735:27 757:5,27 778:13 902:7,20 914:16 1202:7,20 1502:7, 20 1505:14 1526:20 1802:7,19 1839:28 1840:1 1841:12,25 1842:6 1844:3 1915:9

plaintiff's 11:26 321:24, 26 324:20 331:2 346:21 348:1,9 356:14 390:21 603:11 605:22 606:3 607:11 618:15,19 630:9 633:4 654:5 683:16 684:18,20,24 696:11 697:8 703:23 709:7 757:9, 14 758:3 759:3 777:12 904:4 927:2,6 1204:4 1205:2 1206:1 1504:4 1587:14 1875:20 1880:15 1903:15 1907:11 1915:7,8

plaintiffs 171:5,7 376:8 403:19 620:24 653:13 685:8 910:18,28 1210:22 1212:2,9 1579:24 1841:5 1864:22 1908:12

Plaintiffs' 393:25 399:24 403:14 1210:18 1241:5 1908:1

plan 24:17 169:6,13 305:12 313:5 321:2 405:8 628:6 635:16 673:2 740:15 945:1 952:25 972:14 1027:27 1057:23 1236:5 1299:13 1329:8,12 1355:8 1357:4 1840:6

planned 635:4 745:21 1027:28 1288:16 1330:24, 27 1871:16

planning 738:6 740:14 914:5 1052:26 1053:18 1056:4 1058:7 1218:20 1219:7 1239:2 1329:26 1330:9,12 1331:20,23 1338:26 1521:24 1529:19 1530:1,4 1548:12 1590:26 1871:16

plans 24:17 761:10 1329:6

plate 633:27

platform 1572:15

play 12:8,12 318:14,27 359:21 630:28 650:19 654:22 679:15 698:13 704:21 706:26 1039:17 1045:22 1246:22 1259:8 1261:15 1302:20 1305:6 1308:15 1510:9,19 1582:23 1598:19 1612:15 1631:27 1889:6

played 361:26 713:11 1039:20,26 1040:3 1041:17 1044:27 1247:6 1259:13 1262:17 1265:1 1304:11 1315:3 1328:23 1510:25

players 1327:12

playing 1510:18 1888:21

plays 371:15 380:7 1221:28

pleaded 174:13 175:17

pleadings 605:15 660:26 908:15,16

pleasant 970:21 1063:23 1209:1 1357:6

pleased 767:18 1024:5 1607:16

plenary 6:13

plenty 674:4 778:25 1260:22 1535:9

plow 305:5

pockets 1058:2

podium 735:26 1843:18 1844:14

point 13:28 23:25 25:20 27:11 32:16 36:2 158:5 159:10 162:4 163:13,22 164:2 167:26 168:17 171:3 177:4,18 180:8 309:27 310:25 312:20 313:16 317:22 318:13,26 319:3,12 321:20 323:14 327:9 333:19 349:8,25 351:19 352:18 354:8 355:13 370:4,5 372:9,14 377:27 379:18,27 380:6 383:16 387:5 390:13 398:5 399:4 401:18 617:14 626:17 628:21 631:17 634:7 637:16 638:15 639:27 640:6 641:27 654:15 660:16 678:8 679:10 683:5 689:10 690:20 693:3,5,7 695:2 699:19 700:16 705:28 706:12 707:20 708:13 714:27 716:14 728:3 729:24 732:18 733:10 739:23 743:11 751:6,13 752:5 758:20 760:4 770:23 771:18 773:6 775:21 781:11 912:1,19 915:6 928:21 930:11 933:14 936:20,26 938:4,14,19 940:1,13 943:7 950:17,21 969:10 970:16 991:18 997:11 999:24 1018:11 1019:15 1027:20 1030:5 1032:3 1042:9 1043:19,21 1051:16 1052:5 1074:4,19 1076:15 1217:15 1219:12 1220:18 1230:25 1233:11 1235:14,18 1247:13 1260:18 1280:24 1283:21 1286:26 1289:11 1290:1, 6,17 1292:19 1294:21 1297:14 1300:27 1312:2 1332:23 1342:21 1343:25 1345:13 1346:7 1349:4 1529:10 1568:23 1570:17 1587:21 1596:14 1600:19 1638:26 1639:10 1640:19 1641:25 1645:17 1651:27, 28 1654:19 1670:28 1674:23,27 1675:4 1677:16,27 1678:4 1679:15 1685:8,19,24

1842:12 1846:22,25 1847:15 1849:16,27 1852:14 1876:5 1877:13 1879:8 1885:11 1888:15 1890:12 1891:3 1893:8,14 1895:18 1899:6 1901:16 1906:21 1908:12 1918:23 1920:4,18

point-of-sale 1531:19

pointed 7:11 164:8 174:12 633:26 675:19 763:9 1291:21 1301:8 1830:24 1831:7 1875:26 1876:3,28 1883:15 1896:8

points 15:14 21:14 27:3 29:3 156:3 169:23 177:22 324:25 359:7 388:18 392:21 400:5,11 608:27 631:14 660:4 692:18 719:20 743:1 763:8 910:21 912:28 913:6 936:9,14 1599:9,22 1670:20,21 1682:9 1827:9 1878:16 1881:13 1901:17 1904:24

Pola 302:28 602:28 902:28 1202:28 1502:28 1802:27

police 374:23 991:18,21, 22

polices 1022:28

policies 611:11 637:27 638:6 651:22 688:9 705:6 706:25 710:26 739:5 765:19 948:25 966:24 1016:23 1022:22,25 1541:25 1561:22,26 1577:6 1637:2 1903:28 1910:21

policy 38:2 340:12,15,20 341:3,5 610:15,18 635:20, 28 636:18 637:2,3,6,9 638:21 639:12 641:9 652:18 663:16,17,19 664:2 665:20,23 666:28 667:11 668:5 670:22,24 671:1,2,5,6,7,25,26 672:22,25 673:3,7 706:20 707:12 737:26 743:19 744:9 750:7 752:2,13 767:4 774:1 780:20 956:19 965:11,16 976:28 1002:13 1015:23,25 1016:4,12,18,21,22 1017:9,10,11 1022:23 1023:7,9,15,17 1024:3,6, 14,17,26 1025:15,17 1026:4,6,9 1028:8,10,21 1032:4,6,21 1536:3,9 1553:26 1557:21,24 1558:1 1568:7,11,13,15, 28 1569:2,4,7,10,12,13,18 1570:7 1612:21 1623:5 1629:3 1636:22 1640:9 1674:22 1677:16 1683:6, 19 1847:15 1849:20 1859:12 1860:3,6 1863:17,22,23,25,27 1864:1 1866:26 1872:15 1879:16 1894:5,9 1903:17 1910:10 1911:28 1923:8,9 1924:3

polite 718:9 772:14

political 397:8 662:7 1215:17 1218:18,21 1219:3,23,24 1220:12 1221:17,24 1826:5

politics 1219:3 1221:27 1222:6

polo 1538:26

polyamorous 764:3 1629:14

polygamous 1863:19

polygamy 764:5

poor 1821:21

pop 1019:5 1060:22

popped 1281:23

pops 1617:16

popular 387:27 943:18 998:27 1597:23 1617:5, 17,21 1621:13

pork 338:10 661:9 1901:4

porn 361:24

porno-type 1680:19

pornographic 373:25 967:19 1519:17,18 1520:3,4 1547:1 1646:22 1877:9 1886:26

pornography 373:22 771:23 772:1

portion 623:26 1004:15 1039:17,20 1542:27 1543:12,14 1578:28 1842:1

portions 907:5,6,7

portrayal 608:28 775:17

portrayals 1547:2

portrayed 743:21 763:22

portraying 609:1 743:5 1670:23 1671:2

Posing 1558:5

position 6:19 21:8 162:15 345:12 364:24 613:4 630:9 649:14 687:18 688:20 702:8 715:24 716:15 720:9 722:12,21 765:17 1002:2 1010:3,10,22 1537:15 1550:16 1563:15

positions 346:20 914:14 1009:14 1010:21 1846:6

positive 352:21 761:9,14 936:10 1044:11 1680:4 1822:2 1859:8

possess 1911:4

possibility 38:9 1284:19 1332:25 1368:26

possibly 1021:9 1335:10 1533:25 1592:14 1662:19 1663:6 1679:13 1823:6

post 353:25 357:16,27 358:7 360:24 361:1,2 363:27 364:13 391:24,25 392:19 748:21,22,28 749:1,4 954:25 955:9,16 1211:20,22,27 1212:11 1213:21 1215:27 1216:8, 14,23 1218:17 1220:3,4 1224:17 1225:12 1229:20, 23,27 1230:5,9,23 1231:15 1249:22 1250:21 1251:23 1305:28 1306:6, 11 1307:23 1308:19,21,27 1311:8 1313:4 1318:16 1323:9 1324:27 1345:12, 28 1349:10 1353:16,27 1354:4,7,8,12 1362:4,12, 17 1363:13 1364:21,22,27 1365:7,28 1506:21 1507:13 1508:4 1509:14, 19 1511:10,26 1512:4,7, 22 1513:11,18,25 1514:28 1515:2 1522:20 1544:27 1812:28 1813:28 1833:4 1836:5,21 1891:28

post-denial 352:28

posted 687:8 692:14 747:28 748:1 749:1 772:12 1211:19 1216:5 1224:18 1230:21 1250:1,2 1305:25 1307:9,20 1317:8 1345:28 1346:8,10,12 1354:8 1362:3 1363:13 1508:23 1512:1 1545:8 1624:21 1813:3,4

posters 756:2 761:2

posting 696:21 1213:20 1345:17,18 1523:13

postings 694:11

posts 357:28 358:3 360:6,25,27 361:1,20 373:3 391:28 392:1,4 394:13 683:22,28 694:3 697:9,23 698:5,10 955:1, 2,6,11 956:14 1076:16 1213:8 1214:28 1215:12, 28 1216:1,2,17,18,19 1224:25 1229:15 1230:16 1232:25 1250:6 1293:11, 14,18 1314:10 1317:25 1320:27 1321:1,4,13,16, 26 1322:2 1350:23,26 1353:15,26 1354:18,22 1362:6,8,9 1369:17 1509:15 1510:3,6 1511:7, 12,16 1522:25 1523:2 1524:15 1526:2 1546:27 1814:15 1823:9 1833:25 1834:2,3,8 1836:17 1838:7,9 1877:8

posture 8:3 14:12

potential 8:11 9:16 12:26 17:19 33:26 162:20 164:17,23 668:13 1211:10 1219:11 1624:9 1880:11

potentially 28:18 39:9 309:1 343:22 405:20 1220:17

pour 1018:3

powders 1000:18

power 1528:26 1529:12 1902:12

PPE 728:26

PPP 724:20,23 731:21 1632:16

practical 16:9 24:28 26:5 31:6,12 39:14 395:18

practice 10:19 20:25,26 404:23,25 643:21 651:16 659:26 704:18 752:26 753:5 758:15 774:20 1517:13 1566:3,8 1578:12 1881:23 1907:1,3

practices 20:28 26:2 1016:24 1910:21 1914:1

practicing 643:22 1867:27

praise 1601:22

praiseworthy 762:23 1599:4

pray 978:5 1003:1,7 1004:18 1215:23 1598:14 1632:28 1641:14 1868:20

prayed 1623:15 1835:24

prayer 970:17 1002:28 1003:4,5,12,15,21 1004:2, 5,15 1824:26

praying 1215:21 1868:2

pre 36:13

pre-denial 352:28

pre-exercise 643:16

pre-made 402:2

preceded 348:21 384:2 402:28

precedent 155:22 333:23 340:26 342:28 659:7 661:1 664:22 1871:24 1883:26

precept 667:27

precepts 1636:18

precise 1020:7

precisely 169:8 1916:3 1917:1

preclude 328:4 348:10 356:15 376:12 400:20 677:3

precluded 30:20

precluding 324:18 329:1

predates 1882:6

predict 180:25 1899:3

predictable 696:20

preempting 40:16,21,22

preemptive 39:27

preexercise 653:22

prefer 306:27 694:22 723:12 1037:6 1517:24

preference 309:18

prefers 943:4 1037:9 1637:7 1853:2

pregnant 1027:11,13

prejudice 176:16 332:2, 17 345:17 348:2 356:11, 12 376:6 398:21,24 627:26 630:14 631:25 632:22,28 633:1 635:12 638:27 640:7,8,18 650:3 651:1,18,20 653:7 678:19 700:9 912:12

prejudiced 332:15 396:17 624:26 709:18 722:9 1871:28

prejudicial 163:16 332:7 359:2 379:2 619:8 620:1 626:14 673:10 680:27,28 691:3 692:17 717:7 1564:7 1676:14

preliminary 4:18,19 5:4, 6,14 6:21 11:5,11 23:17 27:15 32:20 340:2,3,5 663:21,22 908:18 1820:28 1867:9

premade 614:20,21,25 682:8 1000:24 1001:5 1894:23

premarital 672:8

premarked 927:8,20 1209:27 1585:19,22

premature 928:19

premise 668:4

premixes 981:20 998:22 999:17

preorder 680:18 742:2 1011:25 1012:6 1034:12

preordered 615:2 738:2, 3,4 741:24,28 742:13 753:3 920:28 921:11 923:5 924:27 925:2 933:17,21 934:10,25 935:18 937:3 1012:2,12, 27 1013:8,13 1653:21 1847:16,21 1876:10,12,16

preorders 994:20

preparation 305:24 1656:22 1658:25

prepare 19:21

prepared 330:25 341:19 678:7 679:10 722:3 739:9 762:26 932:2 1315:11 1532:4 1533:4 1535:22 1539:5 1559:15 1603:10 1656:5 1859:25

preparing 656:24 747:2 754:22 1055:9 1654:15

Presbyterian 1528:4 1600:23

preschool 1327:18

prescriptions 1901:3

present 20:4 154:7 156:21 311:8 313:24 331:26 343:10 348:7 363:1 368:21 399:7 633:9 674:26 681:15,19,23 692:1 735:15 757:20 763:26 768:10 772:20 906:12 915:25 964:21 968:26 985:11 1077:23 1208:11 1244:15 1278:10 1325:23 1539:9 1540:16 1541:1 1545:21 1546:10 1569:3 1577:28 1581:10 1624:4 1637:16 1806:11 1841:4 1843:12 1875:18 1907:19

presentations 665:14

presented 160:28 161:3 307:12,18 322:17 356:28 639:19 675:5 695:23 743:20 757:28 1077:23 1276:5 1355:26 1844:3

presenting 154:25 356:15 376:12 743:4 1670:22 1671:2

presently 652:18

presents 351:12

preservatives 762:6

preserve 758:27 1888:5

presidency 1331:6,10

president 17:17 1053:7 1217:26,27 1363:28

presidential 1004:18 1217:17

press 180:14 1366:14 1824:13,21 1890:11

pressed 361:7 394:8

pressure 670:6 994:13 1076:28

prestige 1902:12

presume 607:18 655:7 697:19 1843:17

presumes 40:15

presumptuous 320:27

pretext 401:25 639:26

pretextual 631:16

pretrial 608:2 617:19 695:11 734:8,18 735:17 913:24 985:28 1077:27

pretty 177:7 312:1 317:26 319:24 380:2 385:10 611:2 650:19 665:23 701:1 723:11 728:18 738:20,28 915:5 923:1 947:8 959:1,21 977:22 978:7 1011:6 1020:7 1022:15 1026:20 1027:22 1053:3 1058:4 1059:10 1070:14 1241:8 1271:22 1279:18 1531:27 1537:20 1538:7 1540:8 1547:3 1548:13 1553:24 1559:25 1620:22 1637:10 1661:12 1849:4

prevention 1903:18

preview 1874:9 1875:8

previous 155:17 924:26 1009:14 1072:15 1536:13 1633:15 1663:17 1821:12 1867:7

previously 162:14 348:7 604:14 612:19,24,28 648:14 686:11,20 735:16 775:20 906:13 915:25 957:14 985:12 1006:28 1008:11 1049:11 1208:11 1221:16 1223:10 1244:16 1251:7 1278:10 1325:23, 25 1546:4 1581:11 1586:19,20 1637:16 1677:9 1806:12 1841:4 1843:13 1875:19

price 1066:4,6 1338:13 1616:8

prices 1342:12

pricey 1283:19

pride 1316:25

prima 1867:8

primarily 5:19 976:5 992:19 998:7 1549:22

primary 358:15,16 918:6 1529:17 1538:22 1552:13

prince 1916:5

principal 5:16 31:5 1575:26

principals 38:8

principle 29:1 637:7 666:2,17,25 672:11,13 673:7 743:15 937:6 941:13 1569:7,16,19 1679:16,21,25 1680:9 1848:18 1860:11,13,20, 23,27 1861:5,8,12 1863:1

principles 38:7 340:14, 16 609:25 665:15,17,19, 24,27 666:4,9,11,21,27 667:2 671:7,9,13 672:20, 26 743:14 763:11 764:19 936:6,28 938:5,18 940:16, 27 941:3 958:23 1568:26 1626:1 1678:5,13 1679:8 1680:6,14 1681:4,23 1682:4 1829:17 1860:6,8, 25 1861:10,11,18,20 1870:14 1872:16,18 1878:12,15 1880:6 1897:17 1923:8,14,18

print 311:21 1020:8 1623:10

printed 1020:11 1844:1

prior 333:27 639:12 652:2 777:20 917:27 918:11 919:25 964:1 1001:24 1213:9,12 1216:28 1217:9,10 1337:16 1364:9 1532:7 1536:17 1547:22 1583:26 1591:8

privacy 9:25 33:27,28 157:14

private 20:25 376:14,27 382:9 691:14,17,27 1005:17,22,23 1329:19 1554:28 1575:23 1628:9 1905:1,5

privately 10:2 1005:23

privilege 8:15,18,26 9:11, 13,14,15 11:3 12:4,5,6,7 13:2 18:12,14,21,25 19:18 21:1 22:19,25 23:21 24:5, 7 25:15,16 26:19,23 30:4, 16,17,26 31:11,27 33:7,16 34:8,23 36:5,9,10 38:21 157:3,5,7,11,17 158:1,8 162:25 165:8,14 166:28 167:4,19 168:15,27 169:26 170:1,2,3,11,25,26 171:15,17,20 172:21 173:1 337:25 720:12 1222:12,20,23 1223:3,6,9, 12,19 1224:5,9 1267:6 1856:7

privileged 8:28 9:3,4 12:2 20:8 22:15 23:8 25:25 26:11 30:14 31:20 36:25 158:6,13 162:2 165:20 168:7

privileges 8:13 30:17 31:10 32:15 34:25,26 36:6 155:15 157:1,2,8,9,11,14, 19,21,22,23,26 158:3 165:4 172:17,18,24 1844:20

privy 379:22

pro 39:3 302:28 602:28 902:28 1202:28 1502:28 1802:27 1837:26

pro-life 1899:11,12,15

pro-marriage 1899:17

proactive 1281:17,20

probable 175:18

probative 371:2 389:19 680:27 1676:14

probe 649:11

probed 646:25 647:7

probing 635:15

problem 180:10 313:12 351:25 625:20 629:28 631:22 684:11 716:8 719:14 727:24 731:3,4 759:13,16 915:3 943:14 961:9 1012:26 1054:10 1251:27 1253:22 1275:5,7 1276:3,21 1354:27 1518:25 1645:27 1823:26 1828:20 1839:20 1851:24

problematic 331:20

problems 33:26 34:4 379:2 961:5 972:26 1005:10 1266:15 1859:1 1906:9

procedural 4:25 5:9,20 7:14 8:3 14:11

procedurally 5:2 7:6 176:8

procedure 5:26 379:28 911:5 1816:16 1819:22 1850:28 1851:9,10,13 1920:13

procedures 966:24 1645:13 1657:25 1819:3, 16,18,25,26 1820:8 1864:2 1869:15 1891:20 1903:28

proceed 39:12 155:5 173:23 175:11,18 306:25 631:23 736:12 1290:11 1564:15 1567:13 1637:7 1808:28 1879:14

proceeded 16:3 644:20 1348:12

proceeding 5:7 6:6,27 7:1 14:19 16:15 306:11 345:18 349:9

proceedings 2:18 5:12 41:9 152:19 178:25 181:13 302:17 405:24 602:17 604:19 782:5 902:17 1202:17 1502:17 1802:17 1822:24 1927:21

process 4:28 5:1,20,27 20:12 38:26 39:6 156:19 181:1 335:22 337:13 616:9 625:8 638:22 707:16 738:13 742:3 761:19 762:11 763:27 913:24 923:23 934:8 1017:27 1018:6 1019:1 1020:1,17,22 1235:22 1245:11 1287:12 1293:4 1340:17 1347:24 1351:9 1353:1 1355:25 1358:11 1363:1,4 1506:23 1576:13 1611:21 1636:9 1638:1,6 1639:10 1654:9,11,18 1658:15,25 1659:10 1677:10 1684:1,3,5 1815:23,26 1816:16,18 1860:15 1868:28

processes 8:27

processing 1013:12

produce 165:13,19 383:12 668:2 994:26 1369:7 1906:24 1909:10, 11

produced 34:13,14 381:9 620:3 1265:28 1369:3

producing 998:17

product 8:25 9:7,11 12:4 18:1 24:3,8,15 25:2 26:7 32:5,15 157:6,13 158:8 165:23 166:1 172:18,21, 26,28 612:17 682:17 751:19 754:15 755:6 756:6 757:2 760:12,13 934:2 945:5 954:18 988:19 1271:5 1276:4 1344:22 1354:25 1533:16 1535:6 1572:10,15 1620:7,25 1635:3 1658:1

1666:2 1836:15 1852:21 1855:27 1856:3 1877:23 1888:23 1894:23 1919:18 1922:13 1925:6,9,18,19

production 4:16 165:21, 22 381:21 383:12 385:18 387:6 388:13,15

productive 613:18 693:8

products 609:4 741:22 743:4 753:22 755:5 756:7 760:6,9 919:6 921:11 922:6 936:18 961:25 982:18 993:15 995:1,21 1531:24 1536:18 1537:27 1538:1 1539:2 1597:4,5 1614:13 1615:13 1629:11 1653:10,12,27 1682:11 1683:12 1850:8,18 1852:23 1853:8,13,23 1868:26 1876:16 1888:18 1925:14

profanity 951:6

profess 387:26

professional 22:15 306:10,13 374:9 379:24 735:6 1528:21 1622:24 1821:5 1881:2 1895:28 1905:4

professionally 1880:19

professionals 1904:28 1917:22

proficient 1559:25

profit 624:22 725:8

profits 618:21 619:3,4,21 620:10,23 1648:10

program 983:27 1038:3 1280:5,12 1590:13

progress 1035:12,14 1600:15 1623:23

progressed 669:21 1591:28 1599:26 1600:7 1683:4 1855:20

prohibit 1863:19 1915:12

prohibited 5:13 1844:12 1865:11,17 1894:19 1917:9

prohibiting 1911:10

prohibition 736:23 1846:7

prohibits 737:15 1910:5

project 725:1,17,24 1529:7

projected 926:18

projecting 722:20 728:8

projection 728:13 729:3

projections 623:18 727:21 913:20

projector 925:25

projects 758:25 1529:2, 19

prominent 364:16 374:4 1544:2,7

promise 642:20 1910:26

promised 654:23 781:4 1902:26

promises 1839:13,16

promote 609:3 629:23

promoted 919:13 996:28 1533:5

promoting 609:1 1670:21 1898:10

promotion 630:1,4,18 1010:7 1631:22

promotional 1545:8

promptly 180:14

pronouncement 14:13

pronouns 314:4

pronunciation 1651:11

proof 310:4,7 311:6,7 604:28 650:9 656:18 709:28 710:11 715:9 724:3 779:12 1908:3 1909:20 1916:15 1917:9, 14

prop 1006:9

proper 314:3 678:11 688:20 1563:7 1870:13 1896:23

properly 308:12 322:20 329:5 337:3 702:7 908:19 1896:9

property 1562:4

proportional 1599:12

proposal 1052:13,25 1329:2

propose 179:1,10 1052:16 1329:11 1582:6

proposed 179:14 744:26 745:5 759:3 1052:7,20,22 1232:9 1328:10 1330:7 1808:16 1871:14

proposition 169:16 630:16 679:28 1315:26 1863:3,14 1887:14

proprietary 679:19 680:2,3 683:2,5 1618:2 1643:22 1891:15

proprietor 704:15 766:27 1906:25 1907:9

proprietorship 704:22 1892:20 1905:8

prosecute 12:22 13:11, 12 16:18 158:27 159:28 160:1,16,19 162:17 163:9 663:10

prosecuted 160:28 163:21 164:4

prosecutes 12:20

prosecuting 17:9,26 19:15 25:24 161:5,23,25 162:8,19 163:24

prosecution 12:11 17:21,23 28:27 29:8,26 156:18 159:2,6 173:25,26 174:9,10,14,17 175:19,22 176:1,4 331:10 394:9 774:16,17,18 1913:11

prosecutor 156:15 158:21,26 163:24 164:11 663:8,9 1872:11 1902:27

prosecutorial 12:15,17 156:22,26 160:6,14,15 161:13 162:22 163:1,16 173:15 615:25 676:27

prosecutors 11:16 156:12 160:8 164:14

prospective 23:6 715:2

protect 15:16 31:7 162:25 1345:4,7 1818:23 1870:5 1904:19 1923:23

protected 9:20 11:21 400:28 401:27 402:13 612:15 613:7 671:14 769:17,20 770:16 774:7 1817:16 1865:6,8,15 1866:2,4,10,11,21 1870:9, 10,17,20,27 1881:17 1895:10,13 1897:6,9 1898:20 1904:16 1910:1 1917:23

protecting 172:21 1911:15

protection 9:20,21 10:1 399:25 1870:13 1897:1 1898:23 1901:24,27 1915:23 1918:11

protections 10:4 157:13 757:19 1902:1 1907:18 1915:12

protective 9:23 39:21 388:26 1899:5 1902:3

protects 29:5 778:4 1911:13 1915:21,25

protests 179:19

protocol 1638:27

proud 1559:28

prove 38:10 337:10 363:18,23 370:23 378:6 389:22 752:22 1223:11 1865:2

proved 371:20,21 1876:4

proves 775:21

provide 15:26 155:26 159:15 162:7 311:23 615:4 619:15 622:1,2,5,9 624:21 644:27 646:7,21 649:3 657:1 691:12 711:4 726:13 727:28 733:9 741:15 746:16 750:24 751:19 752:9 754:1 756:6, 13 776:12 778:8 918:26 921:16 926:4,5 931:6 933:2,7 1006:19 1007:11 1012:17 1022:27 1024:15 1025:12 1229:11 1234:14

1235:1,19 1236:11 1275:8 1339:23,27 1352:4 1358:17 1519:10,25 1520:5 1533:16,17,18,21, 22 1534:2 1572:26,28 1578:8 1609:13,14,16 1624:3 1630:24,28 1652:21,25 1653:2 1676:16 1820:10,17,18 1845:17 1846:15 1850:23, 27 1851:1 1853:9,22 1854:4 1857:5 1862:20,26 1863:6 1866:20 1867:3,25 1868:11 1873:1,5,6 1888:10 1895:21 1905:16 1907:3 1925:17,18,19

provided 11:22 34:12 315:15 619:11,15 620:2 649:19 700:20 711:15,23 743:15 750:14 774:23 779:11 912:7 928:25 929:27 1016:17 1023:12 1072:13,14,18 1073:4 1233:27 1287:20 1338:2 1355:28 1553:18 1666:2, 20 1667:3,7 1668:26 1685:4 1826:8 1844:25 1845:6,27 1846:1 1847:6 1848:4 1858:1 1901:18 1911:27

provider 775:11 1553:18

providers 647:12

providing 25:3 174:19 311:22 358:25 751:20 755:26 758:28 776:6 925:17 1022:24 1023:16 1026:6 1064:18 1284:19 1519:13 1535:2 1554:23 1609:16 1664:23 1667:2, 22,24 1837:27 1855:1 1863:5 1871:28 1872:1 1896:1 1901:22 1926:4,8

proving 1876:3

psychiatric 647:13,16

psychologists 649:25

public 9:21 10:3 17:18 38:2,12 158:21,26 313:12 374:25,26 403:28 614:23, 24 620:28 664:9 687:14 691:13,16,19,27 692:2 774:1 954:18 1075:2 1211:27 1212:14 1213:17 1216:2,14 1231:20 1264:13 1280:6 1308:21 1309:3 1313:10,21,25 1314:8,10 1318:12 1325:7 1369:17 1546:21 1547:26 1571:10 1618:3 1652:21 1853:25 1855:16,21 1863:16 1866:14,19 1870:21,25 1873:17 1891:17 1894:4,9 1910:10 1921:7 1924:10

publically 693:20 1043:21

publicities 38:1

publicity 639:24

publicized 12:10

publish 943:9 1239:21 1251:4 1258:12 1265:7 1267:9 1506:17

published 175:20 926:20

publishing 1511:21

puffs 1617:3

pull 398:4 645:9 714:13 917:7 1003:27 1008:22 1226:17 1249:23 1265:11 1278:25 1319:4 1323:20 1326:9 1329:17 1508:18 1527:13 1568:19 1588:9 1598:27 1608:14 1657:18 1813:25 1814:2

pulled 377:23 732:26 740:12 909:25 975:18 1348:17 1357:17 1857:22

pulling 377:24

pumping 1868:24

punish 358:16 1890:28

punished 1890:2

purchase 336:4 355:8 756:28 1062:26 1340:4 1563:4 1594:19

purchased 755:2 989:8 1001:11 1535:12 1599:27 1612:23,24 1651:12 1652:8

purchasers 362:9 1871:20

purchases 1067:17 1340:1

purchasing 1577:15 1829:12

pure 402:4 751:6 754:4,6 780:18 1601:21 1874:16, 23 1915:4 1921:24,25,26

puree 1619:17

purely 166:6

purport 655:13 669:12

purported 1222:1 1864:26

purportedly 1219:20

purpose 155:3 166:25 346:16 351:16 358:15 402:1 613:28 614:26 635:4 677:20 678:5 694:20 758:5 760:14 762:23 775:24 776:14,15 777:16 930:8,9 957:27 1212:11,19 1214:11 1217:9 1329:1 1524:17 1542:10 1570:15 1573:4 1576:17 1594:10,21,23 1598:10 1599:23 1874:22 1878:6

purposes 9:22 169:7 170:3,9,26 171:18 305:20 369:18,25 370:19 390:9, 17 391:17 394:5 678:5,11 906:25 908:1 912:5 927:10 1545:8 1563:11 1586:12 1621:7 1887:26 1906:26 1922:21

purse 1066:26

pursuant 346:14 904:5 914:26 1818:26

pursue 7:26 8:8 163:11 167:10,15,23 953:19 1352:17,20 1677:20 1821:9

pursued 335:26 393:15

pursuing 5:11 663:18 777:17 1233:18 1352:8

pursuit 7:28 8:12 1855:26

push 10:12 171:7 1030:18 1358:7

pushed 1677:27 1890:17

put 6:4 13:7 17:8,26 23:23 162:15 164:27 176:27 181:4 315:20 345:6 347:5 404:13 614:23 615:27 636:4,24 650:19 654:6 656:10 659:8,11 664:24, 26 666:27 672:24 673:14 675:11,12 679:1 680:5,8 682:6 692:10 718:15 727:10 728:15 738:18 746:18,19 747:8 752:21 753:2 764:24 768:20,22 909:24 934:2 935:23 942:11 974:1 993:1 994:14 1010:18 1018:3 1019:6 1052:21 1065:6 1067:15 1070:25 1210:24 1216:23 1239:17 1240:10 1251:17 1269:16 1272:26 1336:17 1338:24 1356:5 1537:7 1544:18 1557:22 1590:16 1596:11 1600:5 1601:12 1608:6,23 1611:2,3,28 1614:24,25 1620:2,3,5,19 1623:10 1636:16 1642:12 1643:25, 26 1644:1 1657:18 1675:2,3 1807:27 1831:23 1832:8,25 1845:19 1854:25 1857:25 1874:28 1879:26 1881:23 1886:10, 22 1888:1,8 1891:4,20 1892:25,27 1895:5 1923:24

puts 1593:24

putting 350:21 613:25,26 615:8 627:6 641:16 720:9 746:1 906:27 1019:11 1339:8 1587:14 1591:14 1604:12 1619:12,15,25 1620:16 1621:5 1664:24 1674:10 1860:15 1869:14 1881:20 1891:9

Q

qualifications 625:15 724:5 1635:24

qualified 8:26 9:14 13:1, 2,3 24:6 25:16 621:22 625:16,19

qualify 612:20 1632:10

quality 758:19,26 961:17 1905:18

quarantine 155:2

quarter 1919:3

quash 39:21

quashed 1224:8

question 7:1 13:25 14:4, 6 15:1,7 16:7 18:11 25:13 36:1 37:24 39:25 161:15 175:7 329:17,20,21,23 330:10,12 339:19 340:19 346:6,26 347:10 349:11 350:4 355:15,27 362:27 370:16 371:5 404:8,9,10, 19 405:17 611:21 612:14 614:2 620:6 622:11,21 624:1,19 627:16 628:14 629:19,24 637:22 638:26 640:24 643:4 647:19 658:21 667:16 670:25 675:16 678:23 681:21 688:7 704:20 709:23 712:23 725:21 740:26 741:9 768:9 908:13 938:13 939:4,7 947:28 948:4,6 962:3,4,13 966:19 967:2 972:11,12 978:3 979:6,27 980:1,2,4,5 985:25 987:18 990:15 1001:17,19,21 1002:21 1006:24 1013:18,19 1024:9 1033:10 1037:13 1038:6 1042:17 1043:2 1044:5 1045:4 1047:13, 24,25 1048:14 1070:12 1215:21,23 1229:1,3,6 1260:3 1261:16 1262:27 1264:25 1287:10 1288:4 1289:24 1301:17 1305:9, 11,14 1306:23,24 1307:3, 5,26 1308:1 1310:7,17,22 1312:10 1315:8,12 1318:3,4,10,17 1335:17 1341:2 1342:17,19 1360:2 1364:10 1510:1 1511:11, 15 1518:2,15,20 1519:5,6 1520:1 1526:4,5 1532:9 1541:22 1542:2 1560:2 1563:7 1564:20,23,26 1565:3,7,10,13,16,21 1567:18 1568:4 1569:20 1572:2 1573:20,21,25 1574:9,11 1575:12,21 1577:22,24 1578:27 1580:3 1643:5 1654:12 1661:8 1662:8 1666:12, 13,14 1668:12,15 1672:6, 21,22,23 1673:10,15 1674:2,9,11,17 1676:20, 21 1679:4,10 1681:13,14, 16,18 1682:25,28 1828:6, 10,15 1832:18 1836:10 1838:8 1846:1 1855:7,12 1858:13 1860:18 1867:9 1873:3 1877:14 1886:11 1891:24 1892:15 1904:14 1907:1 1913:13

questioned 171:27 709:23 1810:6

questioning 340:11 404:27 629:15 670:10 671:23 910:18 959:20 1227:6 1251:24 1836:4 1856:17

questions 4:18 10:16 18:17 38:2 156:1,5 305:23 319:12,18 322:18,21 329:12 334:17 338:12 339:2 349:28 351:5,11 354:25 355:19 401:14 610:24 627:21 635:8,14 636:25,27 638:23 640:11, 19 642:5,11,20 647:27,28 649:8 652:17,28 659:20, 28 661:5,14 665:9,25 670:1,8 672:16,19,21 673:9 675:2,24 678:7,26 679:7,12 718:25 719:1 722:2,9 730:21 731:17,19, 22 733:26 737:2 739:20 747:5 760:12 770:26 908:3,6 913:11 916:18 921:18 928:13,18 937:23 957:9,25 969:1 970:28 972:7 980:3 991:25 992:5 1002:23 1007:10 1010:20 1017:10 1029:7 1031:2 1046:17 1047:11 1048:12 1063:26 1070:16 1072:4, 17 1073:1 1216:6 1251:10 1268:14 1270:21 1274:15 1288:21,26 1289:1,6 1310:25 1311:2 1319:21 1320:4 1321:11 1322:1 1332:8 1334:4,8 1342:1 1352:6 1365:13,16 1520:7,26 1526:15 1552:21 1557:8 1564:6 1568:12 1577:13 1579:9 1647:13 1649:25,28 1650:14 1651:24 1668:18 1673:19,25 1681:17 1809:24 1822:27 1823:3 1827:14 1838:2 1872:14, 17 1882:22 1901:3 1923:6,7 1924:2

quick 308:20 317:26 395:10 405:16 642:8 768:28 781:14 1003:18 1004:6 1020:19 1028:8 1058:12 1059:1 1067:21 1077:19 1282:1 1358:3 1362:3 1506:15 1575:4 1579:23 1602:8 1874:9 1879:8 1887:2 1908:20

Quicken 728:16

quicker 332:17 405:8 1563:23

quickly 156:3 157:1 158:4 312:1,4,16 352:11 660:18 684:28 718:11 747:28 996:19 1250:17 1349:23 1531:1 1560:19 1604:17 1615:17 1656:23 1871:1 1895:24 1899:24, 28 1908:19

quiet 405:10 1005:16 1076:1

quilting 1605:11,12

quinceañera 610:9 1825:27

quinceañeras 929:13 933:25 943:27 1022:16 1659:13

quintessentially 402:20

quit 361:26 373:22 392:13 759:9,11 968:9 1677:12, 15,17

quitting 774:28

quizzical 605:28

quote 19:9 159:18 327:15 340:14,15 348:11,12,13, 15 361:14 402:10 403:8, 26 646:2 659:9 661:17 697:22 748:24 757:5,6,11, 14,15 761:8 998:21 1066:4 1215:13 1225:24 1227:25 1575:22 1601:10 1915:18 1916:19 1923:4

quote/unquote 347:4 610:10

quoted 29:2 645:10 662:16 757:8 1821:4

quotes 662:12 663:14 670:20 761:3 764:26 955:5 1038:12 1041:13 1830:6 1923:4

quoting 1901:14

R

R-A-M-O-S 703:3

R-I-O 1049:28 1326:14

R-O-D-R-I-G-U-E-Z 1049:28 1326:14

R-O-S-E-M-A-R-Y 917:5

rabbit 318:3 397:21,23

race 163:24 164:5 340:22, 24 342:25 659:5,12 664:5 669:20 1863:13 1883:11, 16,19

race-based 1894:3

racial 12:19,21,23 13:16 388:10 389:12

racially 389:9

racism 334:25 335:3 338:3 657:15 661:2 676:9 1628:15 1899:10 1901:1 1918:19

racist 340:21,25 347:21 385:15 659:14 664:6,13, 20 1871:27

racists 335:23 347:17,18 382:18 385:7 660:27 1628:20

racked 320:12

radiation 1552:8

radio 966:15,16 1632:1,4

rainbow 1826:4

rained 775:1 1889:15

raise 27:3 40:11 719:1 915:9 973:17 1008:15 1049:15 1278:16 1326:2 1588:1 1837:26

raised 6:26 7:1 9:16 14:2, 6 16:7,8 34:3 175:24 355:15 612:5 671:28 723:3 909:26 911:14 974:27 1600:22

raises 7:24

raising 374:14 613:15

rallies 1824:26 1868:10

rally 970:17

Ramos 703:3 1367:20

ramping 1612:27

ran 918:3 992:21

Ranch 32:6 36:12,14,16, 17

Rancho 2:26 152:26 302:26 602:26 902:26 1202:26 1502:26 1802:26

random 357:2 692:11,13

randomly 692:28

range 391:27 668:13 1634:20

rape 367:19 368:11 372:27 376:3 683:19 1524:23 1648:19

raped 361:23 365:19 366:20 368:4

rapidly 380:9 1579:27,28

rapist 365:20 366:15

rare 1566:28

ratified 1901:7

rating 753:14 775:4 1508:7 1547:17 1648:5 1818:18

ratings 775:7,10 1547:13, 15,17 1648:7

rational 1873:27 1874:13 1883:18

reach 747:26 1231:16 1281:26 1345:21 1350:25 1918:12

reached 5:7 398:28 700:1 749:5,17,22 1223:4 1236:17 1269:22 1281:10 1284:21 1293:17 1352:12 1642:13 1643:9,27 1686:4 1816:20 1891:5

reaching 1513:13

react 1317:28

reaction 351:11 969:23, 24 970:1 1066:1 1073:16

read 164:19 307:11,13 311:2 320:20 322:25,27 323:3 336:18 338:19 342:16 344:16 369:16 399:22 400:9 607:3,22 618:22 630:24 631:3 632:3,14 648:20 650:13, 18 661:8,18 664:23 670:2 672:16 692:5 694:27 736:18 943:3 976:10 1036:7 1055:15 1209:5,26 1210:23 1252:14 1253:24, 25 1255:1 1261:16,18 1262:2,5,12,13,14 1275:17,28 1276:11,20,23 1305:9,13 1307:24 1310:1,4,5,17 1311:4 1314:21 1320:1 1335:19 1366:14 1505:19 1507:15 1509:24 1513:15,21 1521:7 1542:2,5 1563:19 1564:19 1567:6 1570:18 1571:4,21 1572:4 1573:6 1575:7 1578:28 1582:6,8, 15,17,28 1583:2,16 1584:7,10 1587:10 1672:23,25,28 1673:20 1674:2,3,13 1678:16 1683:1 1823:11 1828:4,7, 9 1851:23 1908:19 1922:19

readily 913:23 1542:11

reading 307:18 314:5 632:8 702:5 916:15 1074:24 1211:1 1218:27 1254:27 1275:18 1276:5, 22,23 1312:15 1533:9,12 1571:12 1575:18 1673:16 1835:17 1851:26 1916:20

reads 664:27

ready 313:9 351:3 620:14 678:20 718:22 733:28 735:21 738:20 746:24 747:7 756:21 914:12 920:7 950:8 986:14,15 1018:5 1070:1,6,17,18 1209:3 1236:9 1327:6 1340:26 1341:1,20 1522:9 1532:3 1675:17

readymade 1018:8 1019:19

real 2:17 6:24,25,27 7:3 8:21 11:10,19,25 16:11 18:25,26 19:4,9,12 20:11, 21 21:1,8,20,25 22:18,23 24:10 26:10 28:4,8,16,23 30:20,24 33:10,13,17 34:13,14,19,23 35:9,11 36:28 152:17 157:9,16,21, 24,28 165:18 166:8 167:7, 12,20 168:23,26 169:3,13 170:16,23 171:21,28 172:2,5,9,14 302:14 313:8 325:18 326:13,14,22 336:1,4,7 341:9 348:11,26 350:15 351:1 356:19 357:27 359:22 360:1 361:27 362:16 363:19,22 364:24 365:21,28 366:1 367:27 369:20 370:17 374:1,18 376:13 379:4 381:10,12,17 382:2 386:11,14 391:24 392:26 393:4 394:4 396:27 397:6, 10 398:1 402:15 602:14 608:10 611:4,9 613:5 616:18 633:11 637:21 638:1,10 642:8 643:14 645:14 646:10 647:7 648:16 657:19,21 662:5 663:13 684:26 686:21,27 687:7 692:20,21 694:10 695:19,20 696:12 697:9, 22,24 698:25 701:9 708:8 712:13 723:22 740:18 756:27 757:28 759:23 760:20 765:16,24 766:8 767:20 768:24,28 769:4 771:6,9 772:4 774:24 775:13,26 778:11 780:4, 11,27 781:14 902:14 916:20 923:2 927:13 929:25 960:1,26 970:12 1059:1 1067:21 1202:14 1211:18 1212:22 1213:1, 4,26 1215:28 1216:18 1219:14,15,20,28 1220:8, 21,28 1221:5,11,17 1222:3,18,25 1224:17,26 1234:25 1256:13 1257:4 1258:26 1266:13 1282:1 1340:19 1358:3 1502:14 1524:25 1546:14 1558:4 1596:2,8 1605:18,28 1650:2 1802:14 1865:3 1873:1,6 1882:27 1888:16 1889:16 1890:6 1892:9,23 1893:1 1901:14

reality 770:28

realize 37:27 310:14 321:15 367:23 639:15 673:1 772:4 930:21 1217:20 1329:16 1819:9

realized 373:27 729:24 739:26 748:7 767:12 968:10 1208:17 1301:20 1623:12 1627:12 1888:28 1919:7

realizes 1883:18

Realizing 926:3

realm 351:27 354:20 395:15

reals 1254:10

reask 1013:18 1042:17 1043:27 1047:13 1518:19 1826:21

reason 161:6 174:18 175:4,5 313:8 318:19 322:23,25 323:10,11 324:5 327:13 328:18 331:16 337:23 372:19 380:3 401:13 617:28 619:5 660:7 673:17 679:4 682:14 695:2 704:13 723:16 750:20 751:24 762:14 765:15 911:23 1028:2 1039:9 1213:2 1246:17 1266:3 1298:27 1303:4 1524:1 1601:12 1626:7 1635:18 1664:10 1677:15 1820:12 1832:6 1857:10,18,20,24,27 1858:2,3,5,8,18,20,21 1859:6,7,11,19 1860:1

1861:20,22,25,26 1867:9 1870:3 1889:26 1896:11, 14 1901:28 1915:2

reasonable 177:3 400:25 673:12 718:28 953:3 1649:26 1896:19 1910:9

reasons 324:28 356:2 359:16 363:4 383:7 637:12 655:19,28 662:8 665:9 683:24 684:12,17 692:16 693:6 704:11 707:28 712:27 721:18 907:11 1346:13 1636:14 1652:5,10

reassert 157:18

rebroadcasting 1844:12

rebuttal 714:24 972:15 1839:10 1840:3,4 1841:26

recall 5:10 174:2 379:6 653:24 686:26 721:18 946:15 951:5 957:27 972:16,21 986:10 1007:19,20 1015:1 1026:28 1034:8 1039:1,4 1057:3 1071:14 1230:1,13 1232:19 1245:24 1246:12, 15 1252:22 1254:27 1255:10 1261:13 1284:26 1286:24 1290:23 1291:8 1297:4 1300:13 1301:12 1302:7,12 1308:18,22,26 1312:27 1314:15 1338:20 1340:19 1342:18 1368:17, 26 1369:4,19,22 1518:9 1553:21 1563:2 1622:6 1809:14 1822:28 1823:6

recalls 1563:6

receipt 931:25 1067:22 1227:10

receive 37:13 41:7 176:23 339:7 754:23 757:18 774:24 930:14 993:13 1244:1 1298:5 1346:1 1523:17 1814:27 1820:14 1822:7 1835:28 1907:17 1912:3 1922:9 1927:9

received 38:1,24 316:14, 25 381:13 604:25 683:13 694:23 905:7 926:19 930:16 942:23 956:3 961:18 991:11 1001:25 1054:1 1205:4,5,6,7,8,9, 10,11,12,13,14,15,16,17, 18,19,20,21,22,23,24,25, 26,27,28 1206:4,5,6,7,8,9, 10,11,12,13,14,15,16,17 1207:5,6,7,8 1210:11,17 1219:6 1235:28 1241:4 1251:5,18 1267:15,16,24, 26 1312:25 1319:6 1323:16 1324:20 1363:21 1365:1 1506:3 1511:1,2,4 1514:10 1524:18 1586:10, 12,17,19,21,24 1587:16 1634:15 1652:7 1667:14 1670:9 1805:6,7,8,9,10, 11,12,13,14,15,16,17,18 1808:8,15 1814:14,28 1824:24 1825:8 1841:14, 16,18 1874:26 1888:11 1893:1 1927:12,14

receives 1822:2,5

receiving 684:6 1219:7 1525:16 1812:22 1901:12

recent 177:6 724:25 729:15 730:9 774:12 778:21 1897:24 1902:2 1906:3 1914:21

recently 12:10 29:19 719:27 935:5 1009:22 1327:13 1369:6 1897:11 1902:23

reception 402:17 745:21 932:6,11 948:20 964:7,21 1055:28 1057:24,26 1242:6,9,16 1243:1,23 1249:10 1297:5,28 1322:14,15 1323:24 1331:24 1337:19 1356:16 1357:5,12,13,20,26 1358:1 1521:27 1540:18 1541:7 1543:18 1544:23 1610:2 1629:27 1630:22 1650:27 1664:20,22

receptions 925:18 1540:23 1811:13

receptive 318:9,14 397:19 618:2,7 642:24 651:5 683:1

recess 41:6 180:21 307:27 348:3,4 405:14,22 685:16,17 734:11 735:12, 13 782:1 915:21,23 957:10,11,12 984:10,15, 17 1008:7,8,9 1049:7,8,9 1077:20,21 1244:11,12,13 1276:15,27 1277:2,3 1325:19,21 1545:25,28 1546:1 1579:15 1580:13 1637:13,14 1675:12,13,14 1686:22,26 1807:15 1841:2 1842:19 1875:14, 15 1918:26,28 1927:18

recipe 681:1 682:7 965:17 975:24 981:11 1000:28 1018:2,22 1578:11

recipes 679:20 680:25 681:7 682:5 762:3,11,13 767:22 975:24 981:2,20 982:10 998:25 1018:17, 21,24,25 1019:18,23 1035:6,12,13,18,21 1247:26 1359:26 1360:3 1521:8 1612:17,26,27,28 1613:12,20 1817:17,19 1834:28 1850:14,20 1869:9 1880:27 1888:9

reciprocity 723:25

recitation 1003:21,22

recognition 1870:1

recognize 10:14 18:13 606:25 720:12 929:4,6 942:14 944:14 1229:20 1252:17 1265:20 1334:17 1337:24 1363:11 1569:6 1668:1 1849:10 1862:6 1866:14,18

recognized 14:24 163:4, 10 385:9 668:8 1542:15 1848:1 1866:13,28 1867:7 1868:3 1881:15,16 1887:24 1888:20

recognizes 16:27

recognizing 38:11

recollect 1293:9 1302:2,8 1305:1,3

recollection 654:24 1232:13 1265:25 1281:9, 24 1284:18 1286:4,19 1309:21 1310:12 1312:17 1323:23 1340:16 1350:14 1522:2 1623:6 1817:3

reconsider 652:8,11 695:13

reconsideration 318:19 329:7 698:15

reconsidering 318:19

record 5:18 9:7,9 14:14, 16 17:10,14,21 37:15 154:6,9 164:11 304:13 339:26 345:6 346:10 348:6 387:22 394:1 405:3, 5,6,21 606:2 662:24 686:10 694:27 721:7 735:14 906:9 908:20 909:21 912:21 914:18 915:24,27 917:4 927:17 948:3 957:13 974:6 984:16 985:23 1008:10,25 1039:21,25 1049:10,26 1054:4 1077:17,19,22 1208:9,12 1210:23 1215:7 1227:5 1239:18 1244:15 1253:25,28 1257:25 1261:18 1276:5 1278:9 1279:2 1305:13 1311:4 1312:11 1319:18 1325:20, 22,24 1326:12 1335:19 1505:20,22 1507:16 1527:16 1542:5 1544:25 1546:3 1564:12 1581:9 1582:6 1586:26 1588:12 1589:22 1637:15 1653:13 1671:9 1672:25 1674:3 1675:15 1676:11 1683:1 1806:9,26 1807:17,27 1824:4 1837:16,22 1841:1,3,7 1843:10 1875:16 1876:10,14 1919:1 1926:24

recorded 658:16 763:19 1882:6

recording 1824:1 1844:11

records 383:13 644:28 647:13 906:24 907:8,9,10

recount 1879:17

recover 1548:20 1552:8

recovery 1552:9

recross 972:8 1007:14 1204:11 1275:11 1324:21,

24 1526:14 1579:11 1804:7 1838:3,5 1839:2

rectangular 1274:12

recurring 633:3

red 728:18 995:15 1918:16

redact 32:12 1215:16 1216:10 1224:13,19 1364:13

redacted 1215:19 1219:4,5 1224:15

redaction 1217:6 1224:27 1364:10

redecorate 1597:18

redirect 904:7,11,19 971:2,4 1006:15,17 1048:16 1204:7,10 1268:15,17 1320:5,7 1325:11 1504:6,13 1520:11 1574:27 1576:28 1577:3 1578:21 1804:6,7 1827:2,5 1838:2,20,22

redo 996:10

reeducation 1904:2

refer 29:21 171:24 382:28 615:6 652:22 704:25 773:11 961:13 1032:22 1054:23 1056:6 1074:13, 18 1229:9 1247:25 1258:8 1514:28 1634:19 1635:12, 20 1641:21,24 1659:10,15 1677:5,6 1683:6 1816:9 1845:6 1852:8 1857:6 1890:18 1905:11

referal 651:16

referee 10:22 33:20 34:3

reference 176:21 313:1 317:19 398:3 649:10 665:6 1021:21 1551:17 1563:27 1671:1 1831:3

referenced 365:20 667:4 1680:7

references 381:22 682:18 1222:15 1879:3

referencing 1270:12

referral 766:16 961:12 1537:10,17 1555:9,15 1634:9 1834:16 1850:22 1906:5

referrals 966:15 1536:21, 23 1537:8 1549:20,23 1555:12,17,20 1556:4 1632:22 1634:10,16,27 1635:4 1816:13,17 1834:20

referred 37:18 310:6 338:26 342:24 387:23 390:15,19 663:7 760:22 923:10 961:16 1038:2,11 1074:9 1368:21 1505:27 1551:6,7 1568:18 1626:22 1633:4 1634:16 1635:17 1677:1 1812:3 1851:20,24 1852:5,16 1906:28

referring 14:21 29:18 323:22 334:24 388:3 609:10 670:4 704:25 942:22 977:10 1054:15,18 1055:4 1074:11 1270:5 1560:21 1568:11 1569:9 1579:3 1586:7 1594:3 1635:25 1675:4 1686:3 1816:20,27 1819:6

refers 738:2 1676:25

refine 978:24

reflect 170:18,22,24 914:18 1338:1 1549:18 1876:11,14 1922:15

reflected 1882:20 1893:23

reflecting 761:1

reflection 1240:21 1882:5

reflects 612:26 1513:24 1514:5 1549:17 1551:4 1878:9

reframe 690:14

refresh 612:4 687:5 947:2 1254:26 1309:20 1310:12 1323:23

refreshingly 1853:6

refrigerated 741:19 921:22 922:6

refrigerator 1542:18,19 1567:25 1620:3

refrigerators 667:10 1063:14

refugees 1881:20

refusal 174:3,6 175:10 646:3 1857:15 1890:13 1908:27

refuse 346:11 611:15 622:4 748:25 941:4,13 1350:2 1867:3 1884:8 1914:28

refused 159:15 162:7 174:22 175:12 348:18 356:18 378:10 646:21 690:17 741:15 941:7 1256:6 1271:5 1363:7 1675:22 1844:23 1845:9, 21 1850:27 1866:17

refuses 611:16 1250:24 1508:25

refusing 14:22 27:25 174:26 175:5 954:26 1229:16 1867:20 1868:11 1908:28 1909:9,11

refute 711:24

regain 1547:21,24,25

regard 373:18 640:4 652:27 700:1 760:15 761:15 909:22 965:11 968:12 1002:20 1033:20 1036:27 1535:2 1570:6 1594:4 1623:6 1632:24 1879:18 1880:10,13 1893:14 1903:6 1904:21 1905:23,26 1906:13 1910:21 1911:2 1913:7 1914:27

regime 1882:25

register 921:23

registration 1807:25

regret 694:16,17 1212:16 1317:24 1318:11,21 1509:7 1511:7,12,16 1514:15,19

regrettable 696:2

regroup 1347:18

regular 13:14 947:20 981:9 998:8 1000:25 1004:8 1616:23

regularly 981:7

regulate 1915:27

regulations 777:24 1532:12

regulatory 777:23 1529:4 1532:6,10,20 1593:22

rehired 1628:3 1883:2,3

reign 1891:25

reincorporate 1560:19

reinvest 717:2

reiterate 173:3 343:17 392:8 627:19

reject 177:12 606:12

rejected 174:18 1075:1 1830:23 1848:27

relate 633:19 1220:23,24, 25

related 28:5 376:17 609:27 620:10 645:14,19 646:10 909:12 1548:23 1549:12 1550:1 1676:3

relates 4:27 394:18,26

relating 395:27 777:15

relation 770:28 1905:8

relations 1909:6

relationship 18:24 23:5 169:17,24 714:1 983:22 1029:20 1223:18 1234:16, 22 1327:20 1351:13 1549:24 1550:28 1551:4,5 1609:13,17 1626:8 1633:14 1660:25 1835:26 1905:6

relationships 764:3 1549:21

relative 1906:28

relaxed 308:1 1339:2

Relay 1631:6

release 1824:13

released 1618:3 1891:16

releases 1824:21

relevance 310:17 349:19 388:12 390:13 391:12 394:14 645:1 695:5 696:24 717:14 929:26 930:6,11,13 954:20 982:12 1004:21 1028:4 1044:17 1046:11,26 1047:1,5 1048:22 1213:28 1214:12 1217:16 1219:12 1220:19 1239:25,28 1240:12 1267:6 1295:12 1297:22 1524:13 1525:25 1559:12 1562:1 1563:24 1567:8,12

relevant 27:10 28:9,21,24 31:10 34:9 319:15 333:22, 26 334:7 343:3 349:1 351:16,18,24 353:9,19 354:9,28 355:1,6 356:4 358:4 359:1,10,12,15,17, 19,27 361:25 363:17,21 364:10 365:9,10,17,22,24, 27 366:3,4 367:24,25,28 372:24 383:8 389:2,13 390:1 392:27 393:13 394:7 399:8 608:9 620:23 628:1 637:13 642:23 643:15,16 644:3,5 646:21 647:9 649:12 652:7 653:26 678:27 679:27 680:17 687:24,25 688:18 689:27 690:9 691:2 695:18 705:24 707:24,27 708:3 711:22 715:5 716:4 1046:13,18 1047:8 1214:11 1215:18 1216:1, 9,12,15,20 1217:14 1235:11 1523:28 1524:2 1557:21,23 1654:27 1872:21 1876:20 1890:9 1923:24

relied 1900:6 1924:5

relief 5:6,15 6:22 11:6 324:22 641:3,5 663:21 678:1 755:21 1903:16

relieve 1582:23

relieved 1039:19

religion 17:12,27 332:3,9, 10 333:13 341:27 343:20 391:18 395:9 404:20,22 629:6 642:28 657:2 658:14 665:7 688:15,26 693:16 756:7 770:1 774:11,20 778:4 954:1 1600:25 1829:26 1845:13, 16 1867:27 1871:23 1881:17,21,25 1887:6 1898:19 1904:15 1910:20 1911:10 1915:27 1916:4 1924:1,4 1926:4

religious 7:27 8:10,11 13:24 15:13,16 16:26 21:9,11 161:24 162:24,26 334:25 335:2 336:15,19 346:7 388:26 399:25 400:15,25 403:26 404:9, 11,16,23,25,27 619:17 629:2,15,20,22 631:15 641:18 643:20,21,25 656:27 657:14 661:6,14, 28 664:9 673:14 676:28 677:18 678:25 687:15 689:13 690:6 691:27 693:12,19 696:13 705:11, 25 706:3,6 707:26 708:2 709:24 715:14,15 716:26, 28 718:19 720:3 736:19 741:11 751:26 752:26 753:5 756:10 760:16 774:5,16 780:19,22 1001:13 1033:19 1062:9 1300:13 1302:6,10 1304:18 1316:2 1317:16 1361:14 1525:14 1642:2 1650:1 1674:6 1678:8 1680:18 1808:20 1826:2 1845:10 1846:3 1862:2 1867:28 1868:4,14 1870:8,12,16 1878:2 1881:19 1883:17,23 1884:1,4 1886:23 1887:4 1888:6,21 1893:11 1897:5,8,12,18,19,26 1898:3,22 1899:5 1902:4 1903:22 1904:12,15 1907:5 1908:27 1910:18, 19,20,23 1911:5,14,16 1912:6 1913:10 1914:22 1915:1,21,23,25 1916:3 1917:3,22 1918:18

religiously 401:25 1851:15 1852:1

religiously-based 403:10

relitigate 695:15 696:26

relitigating 339:20 340:4

relocate 1543:23

rely 688:5 691:11 762:3 1622:24 1920:27

relying 618:23,24 661:19 727:26 1222:1 1896:8

remain 329:6 621:17 1893:5

remained 1880:3

remains 390:22 1861:16

remarkable 178:21

remarkably 616:6

remarks 4:21 36:3

remarried 1811:9

remedies 8:1,12

remember 29:3,6 30:7 909:4,9 913:10 928:27 931:27 941:10 945:25,26 946:17,22,24,26 954:10 971:8,15 972:1 980:25 989:19,24,27 990:17,18 991:6 998:2,23 1002:8,10 1003:24 1004:3,14 1006:3 1012:23,25 1015:24 1017:9 1018:19 1023:1 1025:1,3,19,21,22,25 1029:22 1032:17 1034:26 1041:26 1042:2 1046:2 1051:23,25 1059:27 1060:10 1064:8 1065:9 1066:3 1067:8,22 1069:6, 24 1071:10 1074:22 1227:18,28 1228:7,12 1231:7,8,9,12,24 1232:17 1234:24,26,28 1235:16, 17,20 1237:13,14 1240:6 1245:26 1247:19,20,21 1255:13,14 1257:2 1271:8,10 1273:13 1274:25 1281:7 1284:3,5, 8,12 1285:7,11 1287:1,14 1290:20 1291:6,9,12 1293:7 1297:11 1300:16, 19 1301:18,27,28 1302:1, 3,17,18,23,26 1303:3 1304:13,17,20,27,28 1305:2,3,28 1306:4 1309:1,2 1310:16,19,23, 28 1311:7,10 1313:2,4 1317:8,11 1320:14,24,25 1330:19 1332:2 1340:1 1342:19 1343:24 1354:9 1360:25 1368:25 1369:16 1509:15,19 1510:2,6 1515:3 1516:27 1520:17 1521:12 1522:12 1556:26, 27 1557:3,4 1560:15 1627:2 1655:1 1660:17 1663:26 1668:24 1671:10 1676:28 1677:10 1684:17 1685:27 1686:2,7 1812:10,25 1813:3 1819:12 1822:19 1823:26 1825:3 1832:18,22 1856:11,14,26 1886:11 1894:22

remembered 1312:18

remind 694:1 697:28 949:1,4 1863:1

reminded 985:19,26

remodel 1622:14,21

remote 379:1 1858:4

remove 381:21 630:22 916:7 973:28 1077:28

removed 656:2 909:13

removing 915:28

rendering 623:17 625:22

renew 318:12 1630:11

renewable 1528:25,26, 28

renewing 398:22 676:19

renounce 1904:3

rent 716:26

rental 1618:21 1807:23

reopened 154:27 1358:6

repeat 654:14 655:17 656:1 771:5 1033:10 1037:13 1038:6 1045:4 1047:25 1069:12 1072:16 1229:6 1231:8 1297:25 1307:18 1313:18 1331:22 1360:2 1511:15 1532:9 1533:23 1583:26 1631:19 1653:6 1668:12 1879:11

repeated 1626:22

repeatedly 334:24 335:1 689:22

repeating 355:21 633:6

repeats 1583:25

repertoire 1590:19

repetition 319:6,7

rephrase 623:28 980:5 987:18 1248:9 1253:1

replenish 996:21

replica 1603:22

replicate 1023:10 1615:6

replied 1349:23

reply 177:24

report 405:7 660:13 750:2 762:24 920:15,18 984:12 1269:8 1579:16 1599:4 1601:22 1686:26

reported 2:27 152:28 302:28 602:28 766:22 902:28 1202:28 1502:28 1802:27

reporter 2:28 37:15 41:5 152:28 302:28 602:28 702:2 902:28 963:6 1039:13,18,25 1202:28 1253:23 1305:16 1319:17, 20 1502:28 1516:22 1517:20 1582:24 1672:24 1802:27 1899:25

REPORTER'S 2:18 152:19 302:17 602:17 902:17 1202:17 1502:17 1802:17

reporting 724:27 984:11

represent 10:12 18:26,27 19:17 22:11 31:22 159:22 168:3 170:13 403:19 1559:3

representation 21:18 23:22 40:17 168:12 169:25 170:5 342:21 356:25 377:23 398:6 645:3 707:11 935:1 942:25,27 1219:2 1241:26 1611:8

representations 1221:14

representative 931:1 1368:24 1525:10 1563:12 1611:14 1880:16 1882:23

representatives 916:22 1910:27

represented 20:10 154:16 168:2 388:1 711:10 758:2 927:21 1208:22 1221:14 1563:13 1902:18

representing 19:11 21:27 347:9 374:18 398:2 1210:2

represents 781:1 939:23

reprimanded 965:18

reproductive 778:18

Republican 397:3 657:23 665:2 1219:17 1221:3 1268:4

Republicans 662:4

repudiate 1901:9

reputation 966:10 1547:18 1631:9 1667:11 1893:22

request 181:5,8 313:4 314:10,18 329:8 338:6 341:17 342:26 343:16 344:14 345:3,8,21 350:23 605:12,13,19 608:24 610:6 614:7 620:8 631:26 632:1 641:5 645:7,8 646:6 654:12,21,24,27 655:2,5 656:15,23 658:3 669:9 674:9,23 675:28 686:12 906:17,21 907:2,12 971:17 1210:22 1224:12 1275:25 1336:17,20 1545:15 1566:7 1569:28 1570:1 1599:28 1810:7

requested 611:5,9,13,25 613:6 633:11 779:12 1337:21 1557:13 1558:18 1560:4

requesting 172:27 629:17 662:27 663:4 1335:6 1519:24 1557:9

requests 26:16 28:22 313:8 314:15 604:16,17, 18 609:24 624:18 630:10, 11,22,23,26 631:3,7 632:6,16 644:22,23 655:18 656:24 906:28 1235:27 1505:13 1535:3 1647:17

require 19:1 22:12 161:19 165:13 315:3 354:23 756:5 910:25 1259:17 1273:25 1551:23 1599:28 1660:14 1856:6 1859:4 1903:17

required 24:26 30:22 162:23 752:22 773:23 918:25 1532:22 1539:1 1857:23 1892:27 1906:4 1910:20

requirement 689:18 750:24 1858:17,22,26 1863:6 1872:22

requirements 159:6 346:15 1529:8

requires 704:9 705:21 744:17 753:17 756:12 1259:5,23,26 1260:6,10 1853:21 1911:22 1915:10 1921:25

requiring 165:21,22 171:15 688:23

reread 1335:17 1672:22 1682:25,27

rescheduled 1851:13

research 312:25 628:14 1055:22 1056:7 1553:25 1869:14

resembled 1871:18

reserve 155:14 173:2 328:23 673:21 708:15 710:14 711:13 1832:26 1875:12

reserving 711:16

resident 917:20

residents 744:23

resignation 1677:19

resolution 38:4

resolve 312:7 696:5 909:10 1214:27

resolved 374:15 401:6 677:26 701:18 1650:7

resonate 1642:4

resource 1553:18

resources 374:22 393:1 1530:17 1553:11 1554:9

respect 5:19,25,26 7:16 8:9,27 9:23 30:8 33:19,27 34:8 180:7 306:27 308:13 313:16 314:9 315:27 321:26 345:1 347:2 351:11 376:24,26 377:7,9, 14 380:13,15 381:17 390:20 404:11 606:14 624:8 632:23 645:11 669:25 697:6,21 715:7 721:9 723:28 728:24 763:3 907:3 908:12,14,23 926:18 953:26,28 954:3 1006:28 1012:6 1219:12 1262:21 1314:14 1505:12 1536:25 1832:15 1841:5 1870:7 1917:28 1918:2 1926:18

respected 403:11 774:6 1896:20

respectful 1650:1 1918:18

respectfully 620:8 653:17 978:14 1680:2

respecting 953:25

respects 1532:28

respond 26:18 181:6,8 340:28 400:7 614:1 627:16 670:28 709:25 711:2,12 732:12 1072:19, 20 1073:19 1223:22 1288:25 1324:10 1532:24

responded 34:12 623:1 646:9 649:27 750:8 1072:11 1518:10 1627:14

respondents 34:12

responding 1288:27

responds 1254:11

response 12:27 34:5 37:25 157:15 342:16,18 377:23 648:4,7,19 649:3, 13,18 651:2,3 683:18 718:15 721:15 732:10 969:7 985:25 1001:18 1024:11 1211:16 1250:6

1268:6 1288:1,2,3,7,28 1290:21 1307:3 1345:7 1507:13 1534:27 1543:13 1628:16,21

responses 4:15 155:16 325:14 341:6 614:6,9 656:5 711:13 722:12 723:24 732:24 909:28 1275:24,25 1505:14 1927:5

responsibilities 992:14 1280:27 1281:2,15 1530:13

responsibility 737:14 969:27 991:17 1039:19

responsible 321:11 374:12 704:23 907:17 993:23 994:19 1554:4 1555:27 1559:22 1562:24

responsive 26:17 1235:24,27

rest 32:1 616:14 672:6 1210:26 1211:1,4 1225:8 1328:17,18 1526:23 1609:19 1637:3 1874:7 1875:12

restate 1048:4 1306:26

restaurant 981:18 992:26 1852:25 1853:4,5 1863:8 1883:12,13 1913:16

restaurants 1913:17

resting 1275:17 1526:26 1843:15

restraining 1649:12

restrict 1648:15 1865:20

restrictive 1873:14 1911:24,27 1917:16 1920:21

rests 1526:20 1839:9 1841:23,25

result 627:7 693:28 705:16 1351:26 1354:19 1547:9 1906:24

resulted 689:12 1852:20

results 38:22 172:4 1561:18

resume 985:15 986:16 1077:15 1226:9,25 1546:5 1548:9 1637:18 1675:18 1809:6

retained 168:2 171:16 623:12 626:8

retainer 18:28 22:10 23:5 170:6,14 1222:22,27 1223:7

retaliated 1029:2

retaliation 175:21,26 690:7 991:14

retaliatory 660:24 1900:19,20

retire 1529:10

retrospect 177:14

return 604:9 746:22 985:9 1030:8,9 1236:2 1561:20 1627:23 1653:11

returned 746:28 1042:23 1867:17

returning 1926:19

returns 1531:11

revealed 777:9

revenue 619:13 729:8 731:2 733:24 910:1 1530:27 1634:18

revenues 621:17 1548:22 1549:11,13

Reverend 675:21

reverse 376:21 1282:12

reversing 1864:21

review 25:7 26:14 31:26 32:13 158:4,9 165:15,26 166:13 177:13 695:7 913:3 1232:20 1252:17 1353:18,19,23 1508:21,23 1510:28 1680:16 1836:5,6 1915:10 1921:25

reviewed 31:27 635:7

reviewing 1250:22 1680:15

reviews 1547:16,20,22, 27 1834:5

revision 158:22

revisiting 312:11

rhetorical 37:24

rheumatoid 1524:28

ribbon 1272:11 1605:20 1606:17

ribbons 1605:22

Rice 1603:27

rid 404:6

ride 1341:13 1556:19

rides 1027:12

ridiculous 613:15 616:12 732:28 733:1 1541:11,12 1628:22 1917:6

right-hand 745:26 1054:25 1209:28 1603:1

rightly 389:19 1900:1

rights 6:27 9:25 17:11 29:4,6 30:3 156:14 158:20,22 161:26 162:1 174:8,17 616:9 675:20 736:19,23 737:19 750:3 777:17 953:19 1218:15 1233:18 1352:8,11,18,21 1534:7,11 1821:9 1845:15 1846:3,7 1868:15 1870:6 1887:5 1895:20 1897:13 1898:2,10 1899:8,16 1900:17 1901:27 1902:4 1906:19,27 1909:25 1913:16 1914:17 1918:13, 17 1925:10

ring 733:27 1052:17 1329:15

ringing 1646:14

Rio 2:15,16 152:15,16 302:13 602:13 646:1,2 648:9,13 657:25 750:19 769:6 772:22 902:13 904:12 1005:3 1049:14,27 1050:14 1202:13 1204:5, 12 1226:10,15 1244:22 1247:1,8 1250:22 1251:23 1252:7,25 1255:11,15 1260:8 1262:19 1267:28 1298:20 1326:1,13 1359:3 1502:13 1504:5 1506:4, 13,20 1508:21 1510:15 1512:23 1513:8 1514:22 1518:4 1587:2 1643:10 1802:13 1831:5 1832:16 1848:13 1890:15 1894:26 1912:26

Rio's 743:26 744:7 754:19,27 1246:23 1510:27

Rios 352:15,19,25 353:7 357:5,13,15,19,25 358:4, 7,11,20,24 359:3 366:16 368:27 615:11,12 643:26 646:25 710:28 739:7,19 744:2 747:16 749:24,26 753:21,25,27 755:10 989:15 990:6,19 1005:26 1321:27 1638:25 1684:12, 16 1685:5,15,18 1809:15 1811:23 1812:11 1815:24 1823:9,19 1825:19 1826:1 1833:19 1836:25 1849:13 1857:6 1867:14 1912:2

Rios' 323:27 941:17 956:3,15,21 1040:15 1685:24 1874:28

rise 396:3

risen 1900:28

risque 1032:18

road 2:25 10:23

roadmap 305:6

Roberts 167:2 169:27 779:21

Rodriguez 769:10 1220:3 1265:16 1266:13 1912:10

Rodriguez-del 2:15 152:15,16 302:13 323:27 352:15,19,25 353:7 357:5, 13,15,19,25 358:4,7,11, 20,24 359:3 366:16 368:27 602:13 615:11,12 643:26 646:1,2,25 648:9, 13 657:25 710:28 739:7, 19 743:26 744:2,7 747:16 749:24,26 750:19 753:21, 25,27 754:19,27 755:10 772:22 902:13 904:12 941:17 956:3,15,20,21 989:15 990:6,19 1005:3, 26 1040:15 1049:14,27

1050:14 1202:13 1204:5, 12 1226:10,15 1244:22 1246:23 1247:1,8 1251:23 1252:7,25 1255:15 1260:8 1262:19 1267:28 1298:20 1321:27 1326:1,13 1359:3 1502:13 1504:5 1506:4, 13,20 1508:21 1510:15,27 1512:23 1513:8 1514:22 1518:4 1587:2 1638:25 1643:10 1684:12,16 1685:5,15,18,24 1802:13 1809:15 1811:23 1812:11 1815:24 1823:9,19 1825:19 1826:1 1831:5 1832:16 1833:19 1836:25 1848:13 1849:13 1857:6 1867:14 1874:28 1890:15 1894:26 1912:2,26

Roger 709:11,22 715:7, 22 1624:2 1880:2

role 5:27 371:15 975:21 980:13 1280:28 1593:16 1885:17

roles 997:9

roll 309:14,25 982:24,25 1050:9 1616:26 1617:13 1839:13

rolling 973:5,9

rolls 975:27 992:15 1340:23 1617:2

romantic 1051:17 1328:3

Rome 1882:15

Romeo 1558:26

room 758:1 769:23 776:2 1260:18 1314:16,19 1322:5,7,9 1627:6 1628:23 1879:22 1883:27

Rosa 171:8

Rosemary 712:12,14 738:12,16,17,19,21,27 739:4,12,15,22 746:12,16, 21,22,26,28 765:12 773:2 904:5 914:27 917:5,17 928:3,24 939:13 957:23 1063:20,22 1064:18 1065:10,15,19 1066:9,17, 19 1067:3,11 1068:16 1069:7,19 1070:3,7,8,28 1071:7,17,22,25 1072:1,5, 14,18,22,24 1073:4 1227:25 1228:18 1237:10 1247:16 1249:8,9 1271:10 1300:24 1333:12,14,21 1334:4 1335:1,5,11,22 1336:1,26 1337:5,22 1338:2,5,6,12,27 1339:12 1340:17,27 1341:1,21 1342:3,14 1359:6 1515:19 1521:13,15 1578:3 1638:16,24 1639:17,18,19 1646:3 1684:8 1685:4,12, 14 1811:11,22 1825:25 1867:16 1895:2 1900:26 1918:1

Rosemary's 1333:24

rosettes 615:15 1056:27

Rosie's 917:28 918:3,11 958:9,10

rotate 760:7 989:23 1595:3 1598:7

rotating 989:22 995:14

rough 993:3

round 614:10,16 695:14 746:14 922:23 1063:8 1272:7 1361:20 1605:13, 14 1809:16

round-shaped 1245:28

routinely 313:7 659:22

row 339:6 1900:11

Rs 1050:9

rub 160:21

ruckus 1344:7

rude 970:25 1363:1,5 1887:21

rudely 321:18

rudimentary 1603:16

ruffle 1663:8

rule 30:10 40:20 179:12 315:5 316:6 318:4 347:23 355:28 390:26 400:3 654:18,26 673:21 684:13 703:27 911:4 926:19 940:20,23 1262:13 1274:18 1520:23 1684:26 1870:18

ruled 159:18 319:21 331:8,11 391:1 392:15 654:16 655:1 686:21 687:20 699:28 912:14 986:5 1054:3 1251:19

ruler 1603:16

rules 314:28 726:20 1067:3 1339:26 1869:20

ruling 4:20 5:13,18 6:11, 14 7:7,12,13 10:9 37:10, 13 40:7,9 41:7 154:27 155:4,22 165:11 178:27 179:8 180:13,25,27 312:25 317:19 321:27 349:23 373:28 375:10,27 376:22,25,27 390:9 399:3 607:8 617:25 618:25 630:14 631:24 632:27 633:1 652:8,11 653:4 674:21 677:1,16 683:26, 27 684:19 695:13 697:7 702:16 708:15 710:20 735:17 906:21 909:6 913:11 1218:28 1309:9 1358:16 1569:6

rulings 312:9,22 317:24 318:17 329:5,6 605:25 616:4,5 640:20 695:2,8,11 715:12 909:12,15,21 914:11 985:28 1917:23,25

rumors 178:23

run 737:22 915:2 921:23 1001:16 1076:19 1507:21 1532:17 1569:15 1591:23 1620:10 1633:16 1871:1

running 767:25 1003:16 1348:10 1854:12 1869:17 1876:25

runs 691:26

rush 175:27 1900:8

rushed 656:24

rushing 1900:15

rustic 1064:27 1615:3

S

S-A-L-A-Z-A-R 1279:4

S-A-L-I-N-A-S 703:2

S-A-M 385:28

s-h-i-t 1368:9

sacrament 609:26 743:16 763:12 937:7 940:15,27 1568:27 1569:8 1600:20 1601:4 1671:25, 26 1679:17 1827:17 1849:18

sacraments 1550:23

sacred 938:21 1601:4 1868:5 1879:4

sad 953:15

safe 918:15 945:8 1669:2

safety 392:15 771:17

Saindon 1367:27

saint 1902:11 1916:6

sake 996:5 1586:19

salad 992:22

salads 992:21,23,24 993:2

Salas 1012:21 1017:12 1024:16 1028:13,20

Salazar 376:15 377:6,25 386:9 387:5 1204:8 1211:17,28 1265:16,27,28 1267:28 1278:13 1279:4, 23 1298:17 1299:9 1302:23 1305:20 1312:23 1325:25 1887:9 1894:27

Salazar's 377:15 378:15 380:14 1211:17

sale 614:22 761:1 1595:11,12

sales 619:13,23,25 624:19,25 626:7 725:14 726:24 729:21,23,25 730:6,7 731:1 774:26 921:23 1548:15,17,19,23 1549:4,11 1550:1 1562:28 1632:8 1854:15,17,19,20, 22

Salinas 701:26 702:27 703:2,8,16 1012:24 1024:28 1027:17 1624:21 1628:4

salutation 382:26 389:20

Sam 377:25 382:3 747:28 748:9 1070:23 1211:17,28 1230:15 1250:1 1254:7,9 1265:28 1279:23 1285:20 1286:5 1291:15,20,22 1292:2,3,27 1293:14 1299:9 1300:8 1301:2,7 1304:25,28 1305:25 1308:18,20 1309:17 1314:9 1316:5,7 1322:18 1341:17 1343:20 1641:5

Sam's 680:13 682:14,21 1000:21 1308:27 1565:15, 22 1613:28

same- 987:13

same-sex 159:16 174:4, 23,26,27 175:6,7,13 360:22 400:19 608:13 610:16 614:27 632:25 634:20 639:13,16,20 642:11 660:22 662:28 663:17 665:28 666:13,16 667:14,19 688:24 706:23 737:27 739:6,26 740:3 744:10,13 747:13 752:9 753:4,28 754:21 756:28 760:17 765:7,13 766:3,14 767:5,27 768:1,6 771:7 773:8 925:14,18 928:26 929:28 930:22 932:11 939:17,25 947:14 949:10 950:15 953:27 959:7 960:16,25 961:7,11,16,24 967:4 971:27 976:26 986:23 987:23 1002:12 1005:9 1022:24 1023:16, 17 1025:4,7,10,13 1026:2, 7,8 1028:10 1032:5,22 1037:11,16,23,27 1044:15 1048:19 1073:14 1074:17, 27 1247:25 1252:26 1253:11 1263:15,20 1301:21 1302:5 1304:19 1317:17 1342:22,24 1343:26 1344:3 1363:3,7 1364:1 1515:2,6 1532:25 1533:27 1535:3,5,12,15, 28 1536:1,10,21 1537:8 1557:10 1568:10,14 1569:5 1571:1 1624:7,14 1625:10,21 1626:15 1628:15 1632:22,26 1634:2,11 1635:9 1638:11 1639:11,20 1641:13 1642:1,6 1644:19 1667:7, 8 1668:9 1670:2,7 1671:22 1672:4,15 1673:6,13 1674:4,18,24, 25 1676:17 1677:28 1812:3 1819:8,9,10,19,23 1820:10,17,18 1826:24 1828:11 1829:6,8 1830:27,28 1833:5 1834:15,16 1835:27 1846:19 1848:21,22,24 1849:8 1860:16 1861:23 1862:2,7,10,13,14 1863:18,28 1875:1 1876:8,9,12,15 1881:27 1884:8 1886:14 1888:7,28 1890:20 1893:18 1894:12 1909:5,14 1910:16,21 1912:1 1915:16 1916:25, 26,27 1917:11 1919:13,15 1920:11 1923:19 1925:21

Sammy 1071:15 1075:13, 25 1296:23 1343:16 1346:8

Sammy's 1270:11

samples 1604:16 1619:2

Samuel 376:15

San 2:25 918:12 1615:11

sanctity 400:16,26

sandwiches 993:2

Sandy 1366:28

Santa 2:26 152:26 302:26 602:26 902:26 1202:26 1502:26 1802:26

Saran 1019:5

Sargoy 1893:26 1909:22

sat 692:27 748:13 777:25 1017:13 1072:26 1076:3 1347:17 1575:3 1633:8 1864:22

Satan 1048:9 1886:23

satanic 609:19 770:5 1519:2,8,11,14 1533:6 1670:26

satisfied 688:13 1309:8 1822:3 1851:22 1858:22 1860:1 1874:4

satisfies 1850:2,5 1864:4 1873:10,13 1874:4,8

satisfy 613:8 688:2 1661:6 1863:6 1867:24 1914:22 1920:21

Saturday 1068:27 1538:15

Saturdays 989:23 1664:4

savagely 1890:23

save 958:13 1059:8 1518:28

saved 1070:3 1284:1

saves 317:17

Savior 776:22 1642:3 1682:5 1890:21

savvy 775:6 1369:12 1514:18

sayings 1597:7

scale 15:9

Scalia 1849:5

scaly 746:15 1064:28 1065:1

scan 1268:26

scared 657:22 665:1 745:14 771:17 969:20 1268:3 1644:9 1891:10

scary 976:14 991:9 1360:26 1599:6

scenarios 635:16

scene 740:8 772:21 991:20 1073:26 1292:21 1344:6 1626:27 1627:5 1811:24

scenes 1029:26

schedule 179:15 305:18 307:25 308:14 309:11 924:17 977:27 1070:16 1239:7,10 1241:8 1357:5 1561:19 1592:8,11

scheduled 21:7 35:27 1208:18 1359:12,15 1816:6

scheduling 972:26 973:11

scheme 1063:28

scholarly 339:9

school 607:2 759:15 917:22 1589:12 1590:6,9, 10 1593:7 1891:7

schooled 975:8

schools 1590:14

science 982:7

scones 992:15

scope 637:23 638:15 639:2 641:4 645:17 646:13 665:19 667:1 671:1,24 908:12 957:26 1218:8 1567:10 1676:7 1872:18

scrape 1619:27 1620:2

scraped 1632:15

scratch 400:18 761:27 982:17 999:23 1018:12,18 1019:14,18 1035:7,12,18, 21 1036:1 1037:9 1069:18 1287:27 1351:2 1353:8 1522:22 1577:18,27 1591:12 1613:13 1616:20 1685:20 1880:26 1894:22

scream 678:21 1292:20 1344:7

screaming 951:4

screen 386:8 762:22 772:3 942:11 1259:18 1594:3

scribner 9:2 24:6

scripture 670:27 717:24 718:23 761:3,8 777:8 1551:3,6 1683:25 1829:21

scriptures 1633:12

scroll 1282:11 1507:12

scrolling 1230:18

scrub 381:20 383:14 386:28

scrubbed 383:11

scrubbing 385:17 390:15

scrutiny 28:13,17 404:2, 3 613:9 688:2,18 737:8

754:5 1873:10,11,14,18, 24,26,28 1874:3,5,8,13, 17,24 1875:11 1890:9 1897:17,23 1898:1,7 1911:21 1914:23 1915:10 1916:14 1917:16 1920:18, 19,20 1921:19,20,22,25, 28 1922:2,17,21,22

Seahaus 167:23

search 746:3 1061:20 1063:6

searches 1239:20

searching 1281:22

season 1538:12,13 1597:17,20 1655:19 1656:8,15 1657:5,6,24

seat 915:16 973:24 1008:22 1049:22 1278:23 1326:9 1588:8

seated 986:12 1226:16 1506:5

seconds 379:15 718:11

secret 169:6 762:2 1041:17

secretly 1911:14

secrets 683:3

section 22:28 34:22 36:8 166:23 167:5 381:2,4 778:5 1300:20 1637:23 1914:16 1917:8

sections 171:25 1554:18 1883:13

secular 1597:4,26 1904:4

secularist 1882:25

seek 16:19 158:13 169:6 177:24 324:7 386:13,25 645:15 646:11 656:25 663:21 695:26 1231:16 1647:14 1837:20 1870:13 1878:14 1921:10 1926:2

seeked 1231:18

seeking 11:23 13:6 16:4, 11,12,13 19:3,7 22:9,13 23:3,11,12,18 24:14 26:5 31:19 36:8,9,25 156:8 160:4 172:10 635:18 644:18,19,25 646:6 647:10 648:17,23 649:2,9 662:28 663:1,23 753:9 755:22 756:1 779:2 947:13 1223:4 1267:10 1335:1 1535:5 1644:23 1826:1,4 1867:14,23 1884:4 1904:19 1921:12

seeks 31:17 645:13 646:10 741:8 1583:2 1878:10,12,24

sees 339:15 666:15 1362:20 1881:4 1885:11

select 1053:4 1055:25 1336:14 1685:25 1880:17

selected 159:2,6 173:25 1053:5,11 1054:21 1576:6

selecting 1896:4

selection 1576:18

selective 156:17 159:13 173:26

selectively 164:4 386:8

self-employment 1529:21

sell 361:18 614:20,25 615:2,4 717:1 753:8 754:15 755:6 759:27 760:6,13 764:10 910:2 1596:24 1607:1 1629:11, 14 1665:26 1674:23,25 1676:1,2 1829:7 1855:28 1859:16,17

selling 752:25 753:3 754:10,22 757:16 1529:2 1853:27 1854:7 1894:23 1907:16 1925:5,23 1926:4

sells 741:18,21 935:18 1855:27 1859:14

semicolon 1568:9

send 611:16 612:21 624:18 673:4 732:12 739:27 740:2 747:14 750:25 754:14,24 766:26 769:25 770:4 771:27 775:24 776:11 955:24 1032:25 1033:13 1074:28 1228:22,23 1270:25 1289:13 1290:2,4,16,21 1324:7,8 1343:9 1346:24 1355:5 1363:9 1658:7 1665:14,19 1846:16,19,21 1852:11 1867:2,23 1874:25 1890:3 1894:10 1895:16 1920:7,10,12 1922:3,7 1924:15

sending 611:20 740:4 758:3 761:4 1023:17 1048:19 1213:10 1228:10 1342:28 1347:9 1523:7 1571:1 1572:11 1579:2 1665:3 1668:13 1829:9 1832:5 1834:7 1852:19 1885:6 1900:10 1925:6,8

sends 402:6,20 763:25 1572:7 1664:9,11

senior 1528:5

sense 11:3 25:16 29:28 31:8 32:8 33:21 364:22 697:10 759:25 926:5 993:9 1229:5 1287:15 1343:7 1344:25 1346:12 1347:21 1644:5 1907:9

sensitive 732:1 778:17 1888:3

sentence 32:10,11 649:3 664:23 736:15

sentiment 397:11

separate 155:17,21 170:7 345:23 627:22,24 659:2 671:18 699:12 704:20 997:6 1068:20 1561:10, 16,18 1562:18 1828:16,18 1867:11 1887:19 1899:22

separately 345:22 350:26 1680:22

separation 1858:19

September 975:20 1282:10 1566:2,17 1581:18 1634:3 1654:28 1655:3 1663:18 1677:26

sequential 605:8

series 1257:16 1584:8 1586:9 1596:22 1598:4 1602:7 1604:18 1614:13

seriousness 1854:11

serve 361:15 607:15 646:3 659:27 690:17 694:11 723:7 739:5 753:23 768:2,7 770:19 773:8 775:23 779:8 918:21 964:27 971:7 1249:12 1273:12 1599:14 1619:1 1630:23 1836:22 1838:27 1853:7 1855:10, 14 1863:9,10 1866:17 1878:10 1883:12 1889:24 1899:18 1925:1

serve.' 1572:21

served 35:28 644:15 721:13 750:7 776:14 1883:4 1922:25 1924:11

serves 379:2 620:26 694:19 756:9 758:4 1858:28 1916:27

service 29:18,22 361:19, 20 608:11,24 691:17,23 748:25 759:1,2 765:7 768:3,6 774:24 778:9,15 919:5 926:4 954:17 961:17 964:24 971:11 1045:17,19,21 1047:22 1048:11 1250:24 1256:6 1273:16 1294:25 1296:7 1348:1 1350:2 1351:12 1358:18 1508:25 1519:10, 13,14,26 1521:1 1533:17, 26 1534:1 1535:7 1550:11 1551:14 1572:26,28 1630:21 1856:24 1857:3, 15 1867:3 1888:11 1890:13,14 1893:16,20 1896:1,4 1904:26 1905:4, 16 1906:4,8 1912:24 1919:18 1920:11 1921:6, 9,15

services 19:3,7 22:9,13 23:4,18 31:17,19 36:8 162:8 691:15 741:16 743:9 744:17 749:6 750:19,23,25 751:20 755:27 756:14 773:6,15, 20,24 778:17 779:9 918:26 1228:24 1229:11 1250:7,13 1293:27 1346:28 1368:17,18 1520:6 1533:21,22 1548:23 1549:4,12,14,18 1550:9 1553:19 1554:23 1572:25 1630:28 1632:9 1652:21,25 1653:2 1844:20 1845:6 1846:12,

15,20,21 1848:12,16 1850:5,23 1851:22 1852:18,21 1855:6 1857:5 1858:9 1862:17,25,26 1863:5,7,15 1866:20 1867:25 1868:12,27 1870:20,28 1872:1 1883:11 1893:21 1905:21 1906:7 1912:1 1920:6,8 1921:3,10,12 1924:14 1925:16 1926:5,9

serving 730:15 759:17 911:11 981:16 990:1 1020:27 1023:9 1034:2 1048:19 1249:19 1344:5 1515:15 1900:23

session 3:4 4:2 153:4 154:2,5 303:6 304:2 306:22,23 315:2 603:6,9 604:2,19 686:2 903:6,7 906:2 985:2 1203:6,7 1208:2 1278:2 1503:6,7 1505:2 1581:2 1803:6,7 1806:2 1843:2

sessions 3:2 153:2 303:2 603:2 903:2 1203:2 1503:2 1684:6 1803:2

set 8:5 10:9,15 155:1 178:6 179:1,13 310:8 311:24 339:26 351:2 374:6,16 383:13 633:9 638:6 739:14 746:24 767:14 778:19 936:8,13 1012:8 1029:26 1042:11, 21 1060:2 1069:11,13,20 1070:17,18 1071:10 1241:21 1281:27 1282:19 1284:23,24 1285:2,8 1297:9 1301:25 1329:12 1337:14,16 1350:3 1356:5 1363:1,8 1522:7 1530:9 1531:18,20 1533:10 1544:1,9 1567:26 1576:20 1623:12 1627:10 1653:13 1654:18 1837:22 1840:28 1896:3 1897:21 1918:23 1919:3

sets 34:13 1069:19

setting 178:16 180:18 963:4 964:22 1022:4 1034:24 1281:24 1284:27 1301:28 1521:27 1533:13 1539:10 1567:21 1611:2 1905:6

settle 38:12 1066:10

settled 5:2 6:16,19 27:28 1364:6

settlement 37:27 38:15, 16,17,19,26 39:1,7

setup 639:25 1614:14 1640:11 1809:24

seven-layer 1517:11

seven-tiered 1629:22

severe 392:11 688:26

sex 14:23 340:24 669:20 780:17 1674:9

sexist 340:25

sexual 346:12 356:20 389:10,13 401:15 402:3 609:1 611:15,18 632:24 634:5,10 642:16,27 646:4 648:15 688:22 691:24 736:24 737:4,11,17 741:17 743:4 744:7 747:22 750:21 751:25 752:13 756:14 763:23 764:10 770:4 778:22 780:9,17 918:21,27 962:11,20,24 963:10 964:3 976:15 1023:21 1219:21 1220:13 1221:18 1294:28 1348:2 1358:18 1514:24 1515:6 1518:6,23 1520:20,28 1533:5 1551:11 1652:26 1653:3 1671:28 1673:14 1674:19 1679:28 1828:12,16 1829:3,13,19 1844:18,27 1845:9 1846:8 1848:24 1857:11,17 1858:7,20 1859:5,7,10,19,20,24,27 1861:21,25 1862:1,10,15 1863:13 1866:22 1867:3 1868:12 1882:24 1884:25 1885:3 1894:12,15,17 1897:13 1899:22 1903:19 1908:14 1909:6 1910:1 1920:23

sexuality 1075:4,6 1327:24

shade 1628:23

shades 1621:28

shake-down 1871:6

shakedown 1845:3

shaken 967:22

shamrock 1025:27 1625:9

shamrocks 1025:22,24 1556:25

shape 609:21 615:12 742:8 761:24 930:25 1063:8 1072:8 1073:2 1606:5 1616:5 1880:17

shapes 1026:22 1272:14 1602:13 1606:16 1616:5 1618:24 1619:2 1630:26

share 34:24,26 157:22 397:13 619:16 622:3 707:25 761:13 781:2 1211:26 1219:23 1517:4 1575:28 1598:8 1609:19 1628:9 1817:19 1821:22 1830:7 1850:14

shared 168:7,21,25 169:1,10 172:17 690:15 908:18 1210:23 1344:21 1513:8,10

shareholder 741:7

shares 764:27 1511:28 1879:1

sharing 168:9 779:15 1041:25 1220:14 1362:20, 21 1608:21 1686:23 1830:21

she'd 998:14 1032:18 1638:16

she'll 711:2 1619:27

sheds 1217:20

sheer 317:22 1834:1

sheet 725:8 745:20 1056:27 1064:5 1065:22, 23 1237:11 1238:7,16 1245:5 1274:9,12 1338:7 1355:17,19 1680:13 1809:17,18 1815:28 1816:1

sheeter 1608:6

sheets 624:23 908:24 988:26

shelf 1595:18,20 1596:9

shellfish 338:9 661:9 667:7 670:3,24 671:3,6,27 672:16 1901:4 1914:4

shield 23:22

shift 919:16 920:15 997:9 1011:3 1592:15

shifted 394:17

shirt 1538:26 1539:6

shirts 964:18 1539:4 1885:24

shit 1368:9

shock 348:17 1073:18 1075:27 1076:1 1292:17 1644:6 1891:18

shocked 730:20 740:9 987:11 1294:6 1295:7 1642:15

shoehorn 1884:23

shoes 745:24 997:15 1059:15 1281:11

shoot 699:17 1331:8

shop 758:22 759:23 760:19,23 775:7 920:7,21 923:1 992:20 1058:19 1247:22 1282:7,15,28 1300:10 1598:19 1636:2 1867:28 1889:28 1908:21 1922:13

shopped 1854:14

shoppers 1871:20

shopping 328:10,11,17 329:25 330:24 336:8 348:12 349:26 350:9 352:8,16 353:4 354:1 738:6 755:11 1281:11 1525:24 1845:2 1871:3,5, 17,21 1889:3 1924:8

shops 1011:22

short 165:9 166:17 308:10 651:3 910:21 915:19,21 1008:7 1244:11,12 1275:16 1582:11,26 1584:28 1586:11 1619:4,8 1644:13 1807:15 1828:7 1889:10

shortcut 1916:28

shorten 179:5 1648:13

shorter 1292:4,5 1314:22

shorthand 1563:8

shortly 19:6 660:5 767:10 1254:17,19,23 1280:16 1341:5 1530:2 1535:26 1546:17 1591:1 1817:15 1882:1

shot 906:20

shots 386:8

shoulder 1686:4

shoved 771:15

shovels 320:5

show 15:21 37:12 159:21 160:4 164:23 331:28 334:28 340:18 343:1 359:20 360:3,26 362:15 370:24 371:22 372:13 387:12 388:23 401:14 608:16,17 616:22,24,25 618:5 620:19 637:11 665:6 676:21 685:7 692:13 693:26 698:18,20, 24 700:14 707:24 722:3 723:19 726:12 734:19 744:28 751:7 752:24 757:26 759:24 768:27 770:7 921:26 942:26 960:20 1020:5,24 1022:5 1057:11 1063:13 1067:3 1212:12 1217:10 1220:12 1240:13 1246:27 1251:2, 12 1254:2 1257:16 1258:24 1316:11 1317:6 1323:11 1339:25 1362:5 1365:5 1511:24 1516:5,20 1524:24 1600:6 1604:20 1640:26 1660:21 1814:19, 21,24 1847:10 1858:20 1860:2 1861:24,26 1874:25 1880:10 1885:18 1893:15,25 1897:9 1902:19

showed 17:12,18 164:12 343:11 739:4 760:3 765:24 1256:28 1512:14 1516:25 1621:3 1622:4 1643:21 1646:27 1871:14 1907:27 1908:2 1922:2

shower 1022:15 1830:28 1876:18

showered 1239:11

showers 635:23 943:27 1549:25 1676:4 1847:23 1862:19

showing 156:28 160:23 341:21,23,24 343:9 370:6 385:17 613:25 656:3,4 702:17 757:24 762:21 765:14 770:11 909:25 912:4 921:19 1253:22 1364:22 1546:22 1603:13, 15 1606:21 1905:24

shown 390:19 694:14 762:17 960:12 1251:13 1551:9 1582:13 1587:9 1831:10 1832:15 1859:11 1889:5

shows 13:11 16:22 164:17 343:3 386:7 387:13 659:5 661:27 752:11,12,15 929:27 1266:2,6 1364:18 1632:3 1634:8 1859:18,19,27,28 1902:28

shut 348:14 660:17 705:18 729:5 1312:24 1319:28 1320:1 1547:4 1900:9 1906:7

shutting 727:14

siblings 1050:17 1056:15

sic 688:28

sick 1031:23 1349:2 1638:9 1836:15

side 159:27 180:26 311:13 314:23 346:21 355:1,16 374:9 389:2 395:22 396:10 605:1 630:12 687:3 689:6 717:28 721:19 732:17 740:22 911:17 976:1 994:22 995:24 1065:22 1071:21 1209:12 1256:24 1260:17 1274:10 1338:6 1357:16,20 1512:2,26 1545:16,17 1548:21 1558:15 1603:1 1604:4 1607:18 1608:3,4,9,12 1614:27 1615:10 1641:15 1643:12 1841:20 1842:3 1895:1

sidebar 1564:8,12 1676:11 1837:16

sideburns 667:8

sides 14:11,15 37:14 176:13 320:1 630:11 631:7 737:20 757:13 770:8,10 1823:21

sides' 346:20

sifted 991:14

sight 760:27

sign 314:20 976:10 1061:28 1068:13,17 1332:26 1334:21 1362:25 1611:27

signed 379:23 738:25 754:7 947:5,17 949:13 1066:17 1069:7 1070:24, 27,28 1339:15,16,18 1815:27

significance 1361:23,24 1610:20 1611:5

significant 306:6 388:24 394:10 623:26 706:19 733:16 758:7 1219:11 1627:4,7

signifying 1916:28

signing 314:12

silent 751:8

silk 1605:27,28 1606:26

silly 1029:25 1852:28

silver 1057:1 1633:7

similar 12:22 22:21,23 159:14,17 168:16 171:23 653:12 700:25,28 742:16 746:14 755:14 935:8 1010:17 1247:26 1256:20 1344:22 1346:12 1357:8 1359:22,27 1360:4 1521:8 1606:24 1621:25 1823:18 1825:19,22 1850:20 1856:3 1902:22 1912:18 1913:1 1917:4

similarities 30:8

Similarly 1853:12

simple 402:4 639:4,6 679:25 736:27,28 737:1, 20 744:6 756:12 780:18 923:12 942:1,3 945:27 1020:20 1064:26 1620:22 1831:2,11,26 1845:18,19, 26 1871:6 1885:28 1886:28

simpleness 741:26

simplify 317:11

simplistic 311:8

simply 13:18 18:9 29:14 30:28 37:5 39:2 40:7 173:1 177:12 331:14 338:1 343:13 371:14 379:4 401:23 612:17 640:17 658:24 664:18,21 667:2 678:8 914:1,6 1312:15 1543:21 1853:20 1868:7,11 1875:2,7,10 1878:1 1900:6 1906:5 1924:12

simultaneous 179:6 181:7 1837:12

sin 338:16 661:10 1550:25 1626:11

sincere 335:2 336:16 400:25 401:22,24 631:16, 18 671:16 688:15 693:12 751:26 1033:18,22,24 1316:2 1907:4 1911:5

sincerely 13:24,27 15:13 403:10 641:17 667:18 709:24 717:18 760:16 1262:20 1808:20 1878:2 1883:17,23 1888:6 1901:5 1904:12,14 1908:26 1912:5 1913:10

sincerity 340:11 399:24 400:15 404:9,15,27 629:2, 5,20 671:23 678:25 705:11,25 715:14,20 720:3,16 948:1 1810:7 1883:28

single 659:8 681:8 706:26 718:22 763:4 907:2 942:21 1044:13 1215:28 1513:22 1538:14 1594:17 1608:12 1645:18 1655:15

singled 331:4

singling 331:9

sinner 1913:28

sinners 667:18 1626:11

sins 668:10

sir 954:16 1304:27 1305:22 1306:12 1308:18 1314:12 1315:9 1318:8 1360:18 1363:12 1591:7 1913:6

sister 1814:23

sister-in-law 1255:10

sit 305:28 306:3 760:24 972:14 1003:27,28 1348:27 1612:3,4,6,7,11 1618:25 1830:1

site 700:3

sites 690:25 1821:28

sitting 178:18 308:6 311:14,18 344:15 760:26 986:3 1018:9 1038:4 1604:3 1610:4 1639:8

situation 11:7 20:18 29:15 31:15 168:16 177:9 308:1 371:8 373:24 392:18 640:2 667:21 675:4 704:15 713:13 763:4 771:4 937:2 941:14 959:2,8 960:14,25 1027:13 1034:28 1057:15 1212:4 1255:7 1309:18 1321:16 1344:11 1349:3 1358:14 1535:11,19,25 1551:28 1558:5 1572:20 1623:1 1624:11,20 1625:24 1629:17 1636:6 1645:10,26 1646:1 1670:6 1856:20 1860:21 1863:21 1876:21 1879:26 1887:23 1888:5 1890:27 1891:19 1892:18 1905:10 1910:13

situations 306:4 343:13 638:7 652:17 672:22 953:11 1552:1 1676:25 1860:7 1866:9 1870:26 1876:21 1900:27

six-inch 1609:7 1620:26

sixteen 1595:18

sixth 936:26 938:14,19 940:1,13 1670:28 1674:22,27 1675:4 1677:16,27 1678:4 1679:15 1849:15

size 761:24 930:25 1034:2 1566:22 1604:20 1616:5,23,28 1831:16 1880:17

sizes 1599:11 1602:13 1618:28

skates 337:13

Skeleton 1661:19

skill 769:26 995:20 1259:5,18,24,26 1260:7 1874:20

skills 1036:27,28 1834:28 1905:28

skinny 1656:22 1658:12

skip 158:2 171:6 1054:13 1280:22

skipped 1904:22

skydiving 1328:24

slavery 675:17,19,23

sleep 780:14

slice 1238:3 1647:22

sliced 1238:2

slices 749:12

slid 951:9

slide 760:2 1047:4 1068:22 1602:15 1892:21 1893:24 1903:14 1904:9, 10,23 1906:21 1907:14,27 1908:10,18,21 1909:2,22 1910:14 1911:1,21 1912:9 1913:13 1914:16,20 1916:11,18,19 1917:14,18

slides 759:28 1885:18 1886:6 1892:10 1895:26 1897:9 1901:2,17 1904:22 1908:4

slightly 1543:23

slip 1820:10 1860:17

slipped 1864:1

slippery 1887:3 1925:3

slope 1887:3 1925:4

slot 1068:13

slow 702:1,3 963:6 1215:26 1253:3 1362:26 1516:23 1517:21 1589:20 1656:7 1657:6 1658:19

small 15:11,27 16:17,24 610:18 657:3 681:27 722:23,26 745:18 749:16 758:22 1018:9,14 1529:28 1530:12 1602:23 1642:21 1876:26 1880:7 1882:8 1889:12 1890:22

smaller 621:10,12 922:24 1000:14

smart 395:26 396:13 1317:20,26 1318:5

smear 358:23

smile 1242:20 1599:18

smiling 977:10 1063:24

Smith 643:18 644:2 716:23,24 1874:10 1920:28 1921:18

Smiths 1635:14

smoke 1866:23

smooth 1005:15 1537:20 1556:19

snack 1610:15

Snapchat 1821:25

snippets 1900:6

so-called 332:27 661:22 909:23

soaked 389:27

social 9:27 356:17 357:1, 13,27,28 358:8,11 360:17, 24 362:21,22 373:3 374:5 375:8 391:17,19,20 394:12 395:14 675:8 683:21,28 686:22 687:8, 11 690:24 691:15,17,23 692:23 696:1 697:10,12, 13,27 729:28 772:10 955:1,6,11,16 956:14,18 1051:9 1076:16 1211:19 1212:17,27 1213:8,21 1229:15 1230:9 1232:21, 24 1233:1 1293:10,17 1312:24 1313:5 1317:21, 25 1318:6,12 1320:26,28 1321:7,12,16,26 1322:2 1323:9 1345:12 1350:22 1353:14,26 1354:18 1509:14,25 1511:6,13,17, 27 1514:16 1522:11,15,24 1523:2,17 1524:15 1525:3 1526:1 1544:26 1546:21, 24 1547:4,10 1551:25 1631:25 1646:7 1812:22 1814:15 1815:7 1821:24 1822:10 1833:4,24 1834:2,3,4,8 1836:17,21 1838:7,9 1870:2 1877:8 1889:17

socially 387:18

society 695:28 1551:1 1849:1 1870:1,19 1882:7 1894:18 1902:9

sold 614:15 1022:17 1023:7,12 1635:7 1817:15 1845:20 1854:6 1859:25

sole 156:7 379:9 704:15, 22 741:7 1892:19 1905:8 1906:25 1907:9

solely 646:4 1554:1 1561:4

solemnly 915:11 973:19 1008:17 1049:17 1278:18 1326:4 1527:8 1588:3

solicited 720:8

solidity 999:5

solo 1907:3

solution 1636:11 1878:1

solve 34:4

solvent 621:17

somebody's 337:6 351:26 353:20 642:26 651:24 671:16,23 733:14

someone's 642:15

someplace 740:6 1855:14 1856:2,9 1924:12

sophisticated 1869:12

SOPS 1645:13 1860:16

sort 5:23 6:21 7:27 10:6 14:6 38:4 39:27 166:14 176:27 305:6 314:5 319:2 344:22 349:12 366:2 375:12 387:26 398:14 607:23 622:12 623:3 624:7,19,22 631:9 632:20 659:18 676:3 677:27,28 686:14,15 692:25 695:27 696:23 716:27 720:4 733:24 907:14 993:3 1019:11 1022:26 1023:6 1054:25 1214:19 1217:10, 13 1551:25

sorts 615:15 1034:6

sotto 1511:22

sought 7:16 334:19 348:15 645:18 692:22 715:23 756:28 1649:11 1889:19

soul 708:19

sound 180:3 382:9 683:8 1245:23 1264:19 1281:13 1283:1 1338:17 1349:18, 26 1356:10 1818:7 1840:18 1876:25 1891:22 1920:8

sounded 684:2

sounds 179:22 180:5 394:22 664:28 671:20,22 679:17 733:28 735:9 920:20 1053:11 1068:19 1258:22 1268:2 1308:2 1329:23,28 1350:9 1356:27 1903:28

South 779:18 1897:27,28 1913:15,21 1917:25

Soviet 1904:1

Soyeon 302:22 304:17 602:22 618:16 902:22 1202:22 1502:22 1802:21 1852:26 1853:2,10 1864:10,11

space 1562:16 1684:22

spaces 1000:20

spatula 1831:23

spatulas 1602:26

speak 8:18 10:13 166:26 167:13,14,18,22 170:14 173:10 317:17 400:7 607:19 612:9,10 624:16, 17 632:10 680:2 703:24 713:17,22 726:26 770:2 908:4 909:11 917:8 956:25 974:3 1005:22 1008:23 1049:23 1214:23 1224:1 1226:18 1233:14 1278:27 1303:23 1304:1 1316:8 1506:6 1527:14 1588:9 1649:15,17 1840:13 1890:26 1915:11

speaker 1027:26 1916:7

speaking 14:13 163:15 305:10 308:25 781:21 1282:18 1837:12

speaks 168:23 937:13 940:20,23 1683:9 1857:1

special 310:11,12 325:14 327:10 645:26 648:8,18 981:1 992:16 996:14 1000:28 1001:7 1043:1 1058:5 1328:8 1607:20 1610:23

species 1882:12

specific 4:17 17:14 322:4 323:22 324:7 325:3,4,17 327:28 331:19,27 333:14 341:15 343:18 346:15 349:26 356:23 358:17 390:10 611:10 612:13 622:21 630:27 637:28 638:1,10,11 649:24 650:20 662:12 663:4 670:27 672:19 677:26 679:4 687:27 690:3 698:25 701:1,4 735:11 754:24 756:25 930:4 936:14 937:5 943:7 972:12 980:28 1015:15 1016:21 1026:11 1256:28 1257:19 1258:8 1295:23 1309:16 1368:23 1505:26 1511:11 1655:12 1915:11 1917:1 1922:4,7 1924:1

specifically 19:16 36:16 322:28 329:10 332:11,14 367:19 374:3 375:24 619:4 632:1 643:17 644:17 689:5 690:5 709:1, 10,16 916:23 927:16 979:22 981:4 1005:12 1299:14 1348:7 1366:1 1652:24 1670:23 1866:10 1876:8 1911:3

specifics 318:5 368:25

speculate 344:19

speculating 346:2 389:17

speculation 619:7 727:9, 11 959:9 978:1 979:2,13, 16,18 983:14,15 1016:7 1033:5 1040:28 1043:25 1307:12,15 1313:11 1344:18 1539:28 1540:11 1541:9,20,21 1542:26 1557:17 1676:13 1824:5 1826:15,17,18 1830:18 1836:26 1838:12

speculative 344:4 618:20 619:2,3 620:10 633:23 635:6 726:9,12,17 1876:20

speculatively 619:26

speech 11:20 28:10,13 335:27 388:26 401:1 608:20 611:22,23,24 612:7,14,16,19,21 613:7 616:14 669:23 682:22 736:20 754:2,3,4,6 757:18 769:17,18 770:17 774:14, 20 1315:23 1845:16 1846:4 1868:15 1873:5, 22,28 1874:15,16,23 1884:21 1885:28 1886:4, 7,27 1887:5 1894:21 1895:10,14,15 1897:1 1898:17,19,21,23 1901:24,25,26,27,28 1905:20,22,24,26 1907:17 1915:4,6,9,12,20,22,25 1916:2,3,9,17 1920:14 1921:21,24,25,26,27 1925:10

speechmaker 1895:11

speed 309:23 1619:19,21

spell 304:25 917:3 974:5 1008:24 1049:25 1279:1 1326:11 1527:15 1588:11

spelled 387:25

spelling 37:16

Spence 402:10 1907:13

spend 370:4 399:2 681:3 910:14 913:3 1011:19 1053:27 1276:3,7,15 1610:25 1614:8 1646:5 1815:10

spending 398:14 617:19 728:17

spends 1508:26 1861:15

spent 398:16 977:2 1065:9 1522:10 1547:18

spice 918:12 1565:2

spin 354:14

spinny 1869:10

spirit 1536:7

spirits 609:19 1679:28

spiritual 1670:27

split 28:3 1839:26,27

splitting 162:6

spoke 181:2 956:27 1249:8 1537:6 1832:17

spontaneously 661:15

spoon 320:6

spot 317:24 1544:6

spots 746:4

Spradlin 709:11 715:7,10 716:10 719:10 720:19 730:22 1624:2 1880:2

Spradlin's 709:22 715:22 718:19

sprayed 1018:3

spread 1821:17

spring 1538:13

square 1272:7,16 1535:17 1557:13 1605:13, 14

squares 1642:22

St 1025:23 1898:11,12,14

stability 1578:8 1637:1

stable 1035:19 1613:5

stack 1019:8 1621:4 1657:19

stacked 305:26 320:12 1019:8 1034:20 1540:22 1543:21 1567:25

stacking 1539:19 1540:17 1541:17 1543:25 1611:4,7,13

stacks 1617:13

staff 314:22 376:2 765:20 767:3 993:26 994:1 1003:2,4,5 1004:4,8,13, 15,25 1014:22 1539:3 1547:7 1551:24,26 1593:13 1622:25 1627:7, 15 1638:7 1663:21 1683:28 1684:2 1831:7 1905:9

stage 398:12 627:28 659:25 1071:10 1543:27 1544:12 1614:15

stages 1536:3

staging 1614:15

stairs 1242:8,13

stakeholders 168:20

stall 1348:17

stamp 386:7 1054:25 1059:7 1664:24

stand 306:1 315:6 317:20 343:26 347:27 354:10 405:14 605:26 719:10 770:15 915:9 944:20 957:15 973:17 986:13 1058:6 1218:18 1226:14, 15 1244:16 1252:2 1278:16 1326:2 1527:7 1534:19 1546:3 1587:27 1675:16 1809:4 1917:22 1927:18

stand-alone 311:10

standard 158:12 388:28 389:5 608:23 609:24 665:13 743:19 935:8 937:10 938:19,25 939:14 941:2,13 945:4 948:11 950:15 965:13 1000:15, 16,27 1003:18 1569:21,27 1570:11,13 1578:12 1600:5 1623:15 1624:4 1645:13 1675:2,3 1680:3 1815:20 1819:2,16,24,26 1829:15 1848:2 1864:8 1869:15 1879:19

standards 10:15 22:6 346:8 608:21 611:11 615:7 635:28 636:2,8,26 639:18 640:25 665:11 718:18 736:10 739:5 742:19,21 744:4 746:27 752:5 762:21 763:8 934:9, 13,26 935:4,6,15,21,24,26 936:2,5 937:18,24 949:9 958:16,21,27 959:6 960:28 961:6 976:8,16,25 1032:11 1339:25 1523:10 1533:2,7,10,14 1551:13 1570:16 1598:26 1599:1, 23 1600:18 1601:11 1622:25 1623:5,7,26 1632:19 1669:16 1674:28 1675:26 1678:7 1679:6, 22,26 1680:7 1682:8,17 1683:20,23,26,27 1684:12 1829:16 1860:10 1861:6 1878:13 1885:12

standing 321:9 638:8 689:13 693:11,28 745:1 771:14 1291:17 1292:16 1301:2 1345:9 1547:22 1575:5 1640:25 1641:3 1888:25

standpoint 310:1 311:20 316:27 317:8 322:2 388:20 606:27 617:28 636:11,15 640:13 667:17 696:10,12 703:24,26 1210:28 1638:13

stands 41:6 673:8 986:14 1350:1 1558:27 1618:20 1890:7 1894:7

staple 311:14

stapled 390:5

star 775:4

Starbucks 748:9 1009:16 1075:13,24,26 1076:7,18 1213:7 1250:3 1292:25 1293:1,21 1294:14 1305:25 1345:11 1346:17, 18,21 1347:15 1348:9,10 1362:2

stare 7:17 22:20

stars 1353:24,25

start 41:14 181:18 305:14 310:19 312:2 319:5,18 320:22 321:16 339:19 372:16,17 397:20 405:28 605:22 607:7 632:8 635:14 662:26 719:18 735:2 756:21 764:18 781:25 782:9 924:14 957:25 967:26 991:20 999:27 1011:7 1052:25 1058:19 1059:9 1064:6 1209:2 1215:3 1285:8 1505:17 1506:18 1530:15 1548:1 1573:20,22 1574:9,10 1575:11 1591:10 1594:1 1612:7,13 1621:10,17 1646:12 1678:28 1840:6,26 1842:4 1886:18 1914:9

started 11:9,13 19:5 20:12 23:14,16 26:22,25 334:16 352:14,27 360:16 714:20 729:21 730:3 745:6,9,13 747:5 748:15 771:24 909:17 914:24 919:1,4 924:15 934:6 945:2 975:19 983:26 985:24 987:11 993:14 997:22,26 998:23 1007:27 1010:27 1017:25 1020:3 1031:13 1034:15 1040:6 1041:14 1051:3 1055:9 1059:10 1072:25 1076:23 1244:10 1275:19 1286:26 1287:6,7,12 1290:6 1328:2,28 1329:10 1330:12 1332:7 1337:12 1340:14,26 1341:28 1342:10,11,23 1348:19,28 1529:27 1548:20 1591:12 1608:21 1612:27 1629:28 1630:4 1635:24 1646:14 1647:13 1651:1,12 1652:8 1668:25 1812:22 1852:24 1855:17 1871:3,15

starting 161:16 305:14, 18 351:4 677:10 967:17 1262:7 1530:25 1685:19

startled 1644:2

starts 11:8 318:13 321:12 344:22 640:26 679:5 739:19 781:8 945:6

state 2:1 4:25 5:21 7:13 11:1 19:10,15 21:27,28 23:20 152:1 159:10,12 160:15 176:4 177:16 178:9 302:1,6 332:8 338:11 339:7 343:9,11,27 344:6 345:12 352:26 353:1 371:13 374:12,22 392:8,28 393:8,15 394:7 602:1,6 615:24 671:15 672:28 688:3 769:28 778:2 779:14,22,25 902:1, 6 907:9 915:11 917:3 925:24 926:3 968:26 973:19 974:5 1008:17,24 1049:25 1202:1,6 1212:6 1213:28 1221:22 1278:18 1279:1 1306:28 1326:4,11 1502:1,6 1524:14 1527:8, 15 1528:16 1529:8 1568:15 1588:11 1589:13, 14 1665:15 1802:1,6 1807:26 1827:20,26 1844:17 1882:17,22 1887:25 1894:10 1896:22 1898:2 1900:20 1903:9, 12,23 1904:8,19 1906:18 1910:26 1911:22 1917:25

state's 7:28 8:12 174:12 1904:11 1907:1

stated 8:14 14:9 21:19 160:8 162:14 340:1 395:4 622:8 625:13 632:1 645:13 674:8 707:21 774:5 907:11,28 913:4 1556:14 1848:5 1885:7 1912:26

statement 7:3 155:17,21 173:3,13 175:12 309:8 329:13 340:8 346:27 374:13,26 397:1 603:11 616:20,24,26 639:9 725:8 734:15,18 735:22,24,26 751:11 757:4,25 762:15 772:14 777:2 781:21 1045:20 1208:16 1213:9, 12 1217:1,9,10 1219:23 1222:2,15 1224:17,19,20 1266:7 1269:1 1270:3,6, 11 1308:13 1312:15 1574:23 1575:22,24,26 1576:1 1598:23,24 1599:3 1647:26 1826:5 1875:3,25

1876:3,6 1879:7

statements 13:15 17:11, 15,18 164:11 170:21 327:11 328:19 331:19 332:5 342:1,5 353:15,16, 19 354:28 362:22 405:18, 20 624:20,23 657:11 658:5,28 660:25 669:3,15 726:24 779:12 955:5 1217:3 1222:14 1525:11 1650:6 1898:18 1919:24 1923:28 1924:1,3

states 7:8,10 19:8 38:3 159:3 164:6 175:10 337:24 401:1,20 402:9 403:6 662:14 667:24 753:6 757:11 774:3,10,13 779:19 976:11 1529:3 1601:6 1848:28 1884:2 1887:16,17 1893:27 1898:8 1902:3 1906:2 1909:4 1910:13,25 1911:3,8,12 1914:21 1919:20

stating 1910:15

station 1632:4,5

statistical 13:10,13

statistics 163:23 164:9

status 4:26 7:14 27:17 175:2 323:28 1848:19,20 1862:6

statute 15:22 19:16 21:20 25:16 36:11 663:23 664:3

statutes 777:24

statutorily 15:16

statutory 5:4,14 16:4,13 17:1 22:17 23:12 755:19 1897:15

stay 34:26 621:18 706:14 728:28 734:4 740:7 745:16 964:27 971:6 1012:22 1027:22 1273:15, 17 1276:28 1304:14 1324:9,15,17 1350:7 1356:16 1361:16,18 1563:14 1596:9 1677:18 1844:8 1922:25

stay-at-home 1030:17

stayed 180:28 339:5 991:2 1274:1 1900:10

staying 307:20 1057:16 1677:17 1852:26

stays 753:15

steal 651:13

steep 774:26

stencil 1604:26

stenciling 1606:21

step 5:9 156:27 165:3 351:8 373:8 604:15 625:5 627:17 771:16 972:23 974:1 1077:16 1275:13,14 1526:16 1579:13 1839:4,7

Stephanie 739:27 1032:26 1074:12 1228:10 1301:21,26 1342:22,26 1349:24 1350:1,4 1523:8 1536:8,22,25 1537:6 1556:13 1626:23 1633:4, 15,25 1635:18 1641:22,24 1816:10,13 1817:4,6,20 1834:13,23,28 1835:22,25

Stephanie's 1537:8 1635:13,23

stepped 997:14

steps 394:7 658:25 761:20 1901:8

sterile 1883:24

steward 1636:17 1877:17

stick 395:7 733:2 735:6 917:18 1002:9,21 1516:1 1603:17 1666:16 1824:8

sticks 1558:19

stipulate 632:15 636:12, 21 1039:18 1040:1

stipulated 315:17 316:6, 10 323:10 616:19,23 736:3 926:28 934:18 1008:1 1040:2 1053:25 1253:21 1257:15 1270:1 1318:25 1808:19

stipulating 1059:20 1224:15

stipulation 315:28 706:16 721:4,6 1039:14 1210:10 1807:13,19,26 1808:9,17,18,21,26 1841:11 1927:12

stipulations 317:4 1806:23

stock 1603:2

stocked 921:24 993:2

stole 368:13 378:9 1042:10,20 1626:27

stolen 1030:2

stones 673:23

stood 1015:3 1075:9 1077:1 1642:17

stools 1003:27

stop 29:26 344:17 373:9, 16 375:5 393:19 396:20 622:1 660:28 681:13 685:12 724:22 728:12 984:9 1062:19 1068:4 1077:8 1524:27 1525:3 1550:1 1650:3 1653:19 1819:3 1861:18 1863:24, 25 1867:26 1868:1,2,9 1886:2,19,27 1887:1 1892:1 1893:19 1925:22 1926:7

stopped 347:18,19 376:18 713:12 724:19 729:7,24 730:1 1061:11 1554:1 1623:13 1648:25 1823:11 1853:27

stopping 1304:4

stops 1868:8,11

stopwatch 1842:7

store 29:21 346:16 742:18 747:9 919:4,17 937:20 959:8 1000:19 1006:1 1019:12 1072:28 1073:21,22 1264:8,11,16 1300:6,8 1547:5 1562:16 1877:21 1924:10

store-bought 745:20 1612:22

storefront 737:14 1651:17 1652:3

storefronts 1651:28

stores 982:18 1274:13 1854:16,23

stories 1327:15

storm 360:17 687:19 729:28

stormed 1891:15

story 359:25 364:18 692:25 727:22 1255:25 1309:2 1313:10,21,25 1314:2,10 1325:7 1512:1, 2,3,11 1513:10,21

straight 36:10 339:26 744:2 753:23 961:3 971:28 972:4 1340:13 1361:3 1557:9,12 1594:8 1653:13 1826:7 1837:22 1847:6 1848:7 1854:8 1859:14,16,23,26 1860:27 1861:13,16

straightforward 611:8 644:15

strange 906:27

strategies 173:6

strategy 24:1 165:25 687:11 692:23 693:1 719:7 772:27 1845:3 1871:6

strawberries 1617:6 1619:17

strawberry 995:12 1565:2 1619:16

straws 657:24 665:3,4,5 1268:5 1270:16

stream 725:2 729:20 733:24 910:1 1844:11,12

streaming 1839:17 1844:10

streamline 707:10 943:15

streamlining 705:19

street 2:22 152:23 302:22 602:22 741:20 750:27 902:22 1202:22 1502:22 1802:22

strenuously 633:28

stress 27:9 981:14

1552:6,10

stressed 1525:1,2

stressful 658:21 1023:23 1552:1

stretched 1552:15

stricken 1024:10,11 1288:7 1311:19 1540:4 1543:12,15

strict 22:17 28:12 404:2,3 613:8 688:2,18 737:8 754:5 1640:8 1873:10,12, 13,18,26 1874:3,4,8,13,17 1890:9 1897:17,23 1898:1,7 1911:21 1914:22 1915:10 1916:14 1917:16 1920:18,20 1921:19,20, 25,27 1922:21,22

strictly 996:1

strike 344:24 346:26 397:18 643:7 651:5 662:18 674:2 930:12,13 939:5 954:6 998:20 1013:10 1015:9 1024:8 1234:28 1288:1 1307:2,7 1311:25,27 1321:24 1540:2 1543:1,2,8 1563:1 1565:12,28

strikes 353:6 674:12,15

striking 339:17 738:6

string 1265:26 1266:4

strive 981:22

striving 981:19 998:22 999:16

strong 718:4 747:23 1547:20 1551:19 1887:10 1898:18 1910:10

strongly 27:23

struck 766:12 1312:11

structure 1551:1 1593:1, 2

struggle 1358:10

struggled 1882:21

struggles 1831:25

Stuart 1012:21

stuck 161:22 1661:5

student 1051:6

students 1646:12

studied 605:14 1208:15

studiously 1895:6

study 605:3 606:18 674:11

stuff 11:27 306:19 317:7 354:24 387:10 606:22 675:12 692:16 718:24,25 722:26 732:26 745:27 762:2 763:22 771:26 975:27 976:15 977:4 999:2 1062:26 1071:24 1077:6 1208:27 1217:23 1224:20 1327:12 1335:10 1342:10,12,27 1347:11 1356:10 1357:13 1358:6 1369:15 1522:9 1524:25 1809:28 1825:14

stumbled 738:7

stunned 646:2 648:14 660:9 740:9 1294:6

stunning 1606:18

stupid 696:1 720:26

style 990:27

styled 6:20

styles 1669:6

Styrofoam 775:23 1256:14 1258:27 1596:3 1832:1,6,12

Suarez 25:26

subject 8:24 12:28 20:1 22:5 35:1,15,25 38:20 165:26 166:9 168:20 318:6,7,18 328:20 348:24 388:9 390:12 397:17 621:4 628:7 645:21 646:15 653:7 657:8 676:18 678:11 700:26 715:4 929:24 930:11,13 972:15,21 1007:19,20 1211:1,4 1224:12 1311:24,27 1526:24 1545:20 1546:10 1570:16 1636:25 1637:6 1638:15 1676:9 1888:14

subjects 1312:7

submission 179:15 181:7 390:23 391:2 628:5, 23,25 674:6 675:13,28 676:2,11 735:20,23 909:9, 16 1926:16

submit 176:22 310:3 311:15 380:16 631:26 1039:22

submitted 37:12 41:6 174:1 179:8 310:27 326:11 334:27 336:6 343:14 380:2,17 630:25 654:10 910:17 1077:26 1505:14 1843:25

subpoena 718:12 1235:18

subpoenaed 381:11

subpoenas 157:15 644:23 647:12

subsequent 721:18 910:4 1851:17,18

subsequently 910:12,16 911:22 1851:11,12

substance 383:4,5 656:19 680:6

substantial 13:7 17:8 643:17,19 647:1,5 728:10 753:18 1857:10,18,19,23, 26,28 1858:2 1896:10,13, 21 1908:13,15

substantially 688:16 700:25,28 753:4

substantive 163:7 172:3 388:20 1563:20 1567:9

substantively 1308:10

substitute 1051:4 1592:2

substitution 1238:15

succeeded 374:17 1550:9

successful 1888:2

successive 1583:3

sucked 704:4

sudden 319:13 616:22 1856:23

suddenly 319:14

suffered 167:12 348:17, 28 626:18 1890:8

sufficient 164:22 175:28 331:12 355:12 650:24 662:9 735:19 778:14,20 1308:2 1586:26 1621:2

sufficiently 757:17 1907:16

sugar 739:28 746:4,8 747:15 748:7 750:26,28 766:22,27 767:14,17,21 773:10 778:10 961:14,16 977:11 1032:26 1060:26, 28 1061:8,10,24 1074:11, 12,28 1075:17,21 1228:11,23 1229:10 1245:13 1247:12 1248:6, 12 1270:26 1271:7,15 1284:6,9,15 1289:14 1290:17,22 1299:22 1301:22 1324:8 1332:5,18 1346:21,25 1347:14 1349:25 1359:23,27 1360:4,12 1521:9 1523:8 1537:9 1555:10,13 1556:2,10 1607:13 1626:23 1634:1,10,11 1635:6,14,21 1641:22 1816:9,13,28 1817:10,12, 20,22,26 1834:13 1850:10,12,15,19,22 1852:20 1857:7

Sugar's 1818:3

sugar-free 1001:11

sugar-frees 1001:8

sugars 1000:18

suggest 336:7 377:18 654:28 690:28 730:28 755:23 1066:13 1257:26 1355:22 1574:3 1610:16 1880:21

suggested 179:20 1062:12 1237:11 1507:20 1636:5 1650:26 1879:24 1883:5

suggesting 25:7 717:3 1060:28 1061:24 1825:13 1881:2

suggestion 395:19 654:2

suit 30:21

Suite 2:25 152:23 302:22 602:22 902:22 1202:22 1502:22 1802:22

Sullivan 1317:10

sum 347:12 1244:4 1358:4

summarily 606:12

summarize 400:2,4 618:24

summarized 625:1

summary 20:14 176:19, 27 177:25,27 178:1 334:2 339:24 359:9 611:28 612:6 613:12 646:27 655:22 705:26 750:11 910:5 1295:27 1872:6

summation 1844:14 1875:21

summed 1856:28

summer 940:8 1614:3 1628:11 1656:6,7

summertime 1021:23

sun 756:6 1853:14

Sunday 606:7 911:25 1027:24 1538:16

Sundays 1881:24

super 1658:18

superimposed 21:16

superior 2:1 152:1 154:7 167:24 177:7 302:1 602:1 902:1 1202:1 1502:1 1534:8 1802:1

supervise 1622:18 1905:9

supervised 38:16 39:1,7

supervises 758:23

supervising 996:13 1905:17

supervisor 980:8 994:3 996:28 1330:5

supervisors 994:3,5

supplement 1530:3

supplemental 179:4 648:7 649:3,13,18 651:2 659:28

supplemented 648:3,19, 21

supplied 910:13

suppliers 679:20

supplies 158:19 680:14 999:28 1563:4

supply 689:23

support 18:8 175:6 176:1 325:14 327:11 338:22 342:11,14 357:7,14 373:13 607:17 621:12 624:24 669:2 692:8,9 740:13 749:6,17 752:17 910:5,12 956:4,6,14 994:24 1001:27 1002:2,6 1029:6 1077:6 1217:19 1322:26 1323:1,6 1346:1, 13 1348:21 1506:24 1507:3 1508:15 1550:16 1552:18,19 1593:17 1649:7 1814:19,22,24,26, 28 1815:4 1824:24 1825:11,13 1846:16,19 1868:10 1875:5 1893:9 1908:25 1909:1 1915:16 1917:12 1920:10,13

supported 353:3 358:27 692:14 698:6 759:18 1217:26 1221:11

supporter 1215:13 1216:4 1220:8 1225:13,24 1508:27

supporters 957:3 1814:18 1825:9

supporting 698:7 956:11 1354:3 1575:22 1885:25

supportive 1327:1 1649:8,9 1814:14

supports 747:24 750:27 1345:23 1573:3 1851:5 1875:6 1922:8,11

suppose 169:18 397:25 399:1 674:28 709:5 719:5 1040:20

supposed 15:22 16:1 33:1 173:22 335:28 358:11 396:19 649:4 673:14 712:1 736:7 918:20 920:4 941:8 965:20 988:16 1007:8 1348:13 1620:27 1622:10 1659:26 1684:4 1685:16 1820:7 1872:25

supposedly 341:8 763:13 1878:16 1883:12

suppress 1915:28

suppressed 1917:10

suppression 1916:2

Supreme 7:8,10,12,22 15:25 17:3,13 27:23 29:17 38:4 159:12 160:8 164:6, 12 173:19 174:16,24 175:8,21 333:22 334:20 337:24 401:20,21 402:9 403:7,11 404:2 639:13 644:2 653:27 657:4 660:21 661:3 662:14 663:2 667:24 669:18 688:7,12 691:18 736:15 737:2 754:6 757:12 768:11 774:3,13 778:21 779:19 781:4,7 1845:26 1846:2,26,27 1848:28 1849:2 1862:5 1863:2 1873:16,17 1874:1,14 1884:13 1885:19 1886:12 1897:5,7,11,24,26,28 1898:8,24 1899:1,4 1902:3 1906:2 1909:4,8 1910:4,14,24,25 1911:8 1914:21 1919:20 1920:15 1924:5,23

surgeries 1552:12

surprise 620:4 621:7 651:4,8 722:10 723:14 733:13,27 747:4 910:20 952:2 1052:19 1328:20 1536:14 1539:4 1630:8 1882:25

surprised 351:5 399:4 709:14 718:16 723:4,17 730:21 739:21 740:1 772:26 952:6 1052:14 1056:25 1559:26 1811:8 1878:22

surprising 1559:8

Surprisingly 765:1

surreal 1347:20

Surrender 1635:14

surrounding 678:15 744:18 757:21 1907:19

surroundings 1361:3

surrounds 1614:26

survive 1550:11

survived 724:21 1550:9 1920:17 1921:20 1922:22

survives 737:8 1920:20

surviving 750:11

suspect 313:25 635:13

suspend 1560:20

sustain 344:9 962:28 963:1 969:9 978:2,24 979:5 1042:16 1295:22 1309:7 1537:1 1541:14 1578:22 1672:11 1826:20

sustained 937:15 940:5, 21,24 954:22 959:10 961:28 962:4 963:15 968:16 969:6,11 983:15 987:20 988:10 1004:22 1006:25 1013:17,26 1015:6 1017:15 1024:10, 22 1026:14 1028:6,15 1041:1 1043:27 1233:25 1255:22 1274:17 1275:2 1287:23 1288:13 1294:10 1295:14 1296:3 1308:24 1312:21 1313:23 1314:6 1321:20 1333:19 1335:20, 27 1344:19 1358:22 1522:27 1525:27 1526:12 1540:1,12,20 1542:27 1548:25 1549:8 1557:19 1558:8 1577:23 1650:11 1683:10 1822:15 1826:17 1830:19 1837:17 1838:13

SVT 31:3 33:5,15

swamped 998:13

swear 1049:17 1588:3

swears 347:26

sweep 643:5

sweeping 394:12

sweet 360:10 746:5 1031:17 1061:18 1245:14 1248:6,13 1271:17 1332:19,20 1336:3,4 1521:16 1545:17 1633:9 1635:14

sweetness 1271:6,14 1335:12 1336:2

swept 607:24 627:2

swirly 1605:12

switch 1312:7 1637:5

sworn 917:2

symbol 609:3 1625:17 1916:27

symbolic 612:20

symbolisms 612:27

symbols 1041:12 1533:6 1598:11 1888:21

symphony 1026:26,27 1631:4

synonymous 1884:24

Sysco 1000:12,15

system 38:28 627:4 670:11 767:1 780:2 1531:19 1536:21 1537:7, 10,19 1658:3 1912:2 1914:26,28 1917:1

T

T-A-N-A-C-E-A 304:27

tab 1310:3 1319:12

tabbed 670:27 718:22

table 634:17,22 701:23,24 770:18,24,25 909:11 1300:18 1361:2 1543:23 1544:8 1566:24 1567:4, 25,28 1610:4 1627:7

tables 770:21 1003:28 1300:17,21 1361:1 1522:7,8 1640:28 1642:24

tactics 713:28 1872:4,9

tag 364:14 1364:7 1513:18,27

tagged 364:14,17 1255:11 1512:3,4,9,17 1513:1,12,13,24,26 1514:1,2

tagging 692:24 1230:1 1325:5 1362:16

tail 977:8 1054:5

taints 8:12

take-home 1075:19

takes 20:5 304:6 347:27 604:6 608:6 643:9 686:6 716:15 719:4 906:6 966:3, 4,25 985:6 1208:6 1278:6 1330:15 1505:6 1581:6 1656:24 1806:6 1843:6 1873:22 1905:27

taking 11:20 171:9 314:25 317:28 324:3 617:20 778:26,28 779:7 907:22,27 908:8,15 914:21 918:16 919:5 929:1,4 934:14 952:26,28 973:4,9 977:3 987:12 1038:5 1039:19 1064:2 1071:18 1209:11 1214:18 1281:23 1282:5 1290:7,15 1305:3 1335:23 1341:22 1522:6 1534:20 1536:4 1542:13 1556:9 1592:10 1637:24 1638:1 1684:1 1869:7 1900:24 1901:8

talent 966:3 1259:26 1260:11

talented 1888:9

talents 777:7

talk 18:26 19:20,27 21:1,2 22:24 23:1,19 38:10 166:19 167:5,9 168:5 178:6 180:27 305:8 306:19 320:18 322:28 330:1 340:21,27 341:8 345:26 346:25 352:10 362:17 366:19 367:16 369:24 370:3,28 371:7,26 373:4 378:15 379:26 380:9 390:25 393:4,7 604:26 607:10 625:14 626:7 628:5 629:21 635:25 646:22 647:4 649:25,28 654:25 656:13 658:12 659:3 665:11,13 671:2,5 676:6 685:8,10 699:17,18 703:28 710:2 713:3 715:22 732:19 756:24 773:22 921:15 923:8,23 924:4 934:9 941:16 969:13 977:26 990:7 1009:13 1011:18,21 1012:6,9 1014:8 1051:1 1053:17 1058:21 1065:19 1075:15 1076:1 1217:6 1225:20 1230:11 1236:20 1255:28 1258:6 1261:27 1276:13 1277:1 1282:18 1283:17 1285:23 1286:2 1351:12 1352:13 1355:19 1368:21,27 1526:1,2 1532:5,27 1535:4,19 1536:8 1537:22 1560:2 1589:17 1593:26 1595:22 1608:13 1612:12,13,14 1632:18 1638:15 1642:26 1659:9 1684:15 1815:14 1847:13 1855:7 1872:17 1877:24 1880:5 1895:24 1906:19 1924:20 1926:3, 23

talked 23:16 36:4 40:4 164:8 168:18 169:24 172:28 309:12,15 334:23 366:18 391:21 646:28 648:22 651:8 652:19,20, 26 656:1 660:6 666:3 671:6 683:13,24 714:1 726:24 748:10,22 776:20 934:8 942:21 947:12 950:6 958:15 976:21 1005:9 1007:7 1038:12 1041:16 1219:15 1227:7 1236:19 1239:1 1241:14 1314:15 1320:26 1329:26 1331:4,8 1342:3 1352:7 1355:16 1359:19 1362:1 1516:9 1532:23 1536:13, 22 1555:21 1562:28 1570:6 1591:8 1596:13 1611:20 1612:5 1623:4,14 1624:6 1625:24 1641:17 1654:7 1664:8 1668:4 1670:5 1816:8 1820:24 1822:17 1835:25 1839:23 1862:4 1869:3 1871:25 1872:15 1893:4 1909:3 1923:14

talking 14:17 16:14 20:23 24:9,11 26:15 35:8 38:15 309:3 310:9,22 311:11,19 312:2 317:26 320:22 321:6,18,20 322:9 323:19 325:5 327:26 328:1,23 329:25 330:4,13 332:2,3 333:2 335:11 339:5 345:7 346:13,23 347:13,25 350:20 351:13 352:23 353:23 357:26,28 362:13 363:13 372:7 375:26 378:4,18,26 381:9 382:27 384:7 387:23 389:3 390:12 391:20,26,27 392:28 396:23 398:2 402:24 609:7,12 625:25 626:27 627:1 636:6 643:2 649:26 650:11 651:22 656:19 659:17 669:19 671:17,21 675:26 678:1 691:8 717:27 719:20 722:18 727:3,18,19 728:26 729:1,17 744:27 751:6 757:1 906:20 922:22 924:4 927:8,14 930:28 977:2,10 985:23 987:9,11 999:11,13 1005:18 1007:8 1033:26 1035:20 1041:26 1055:10 1065:11 1067:2 1075:11 1213:23 1215:9 1217:8 1220:1,5 1222:21 1224:11,16,23 1225:9 1240:18 1242:13 1253:6, 20 1257:28 1270:17 1271:10 1287:7 1293:3 1294:13,16 1306:22 1308:4,14 1314:5 1321:12 1331:3 1340:14 1342:2 1343:27 1346:19 1355:23 1369:2 1539:17 1541:24 1555:8 1568:8 1572:1,16 1573:16,19 1575:14 1585:27 1593:28 1594:16 1595:23 1610:1 1613:28 1618:8,16 1628:5 1629:28 1630:4 1636:1 1637:5 1639:24 1641:4 1652:1 1653:3 1655:16,17 1665:21 1666:4 1667:23 1671:24,25 1672:1,15,16 1673:6,13,14 1674:18,19 1815:3 1819:13,24 1828:11,12 1833:11 1834:1 1848:22,23,24 1856:18,28 1862:13,14,15 1866:26 1869:5,6 1872:2

1880:7 1883:25 1893:25 1894:22,23 1900:5 1904:18 1905:3 1915:28 1924:22

talks 19:26 22:25 36:13 38:10 171:15 664:4 665:14 667:5,6,8 762:10 936:26 1331:4 1608:27 1680:25 1857:19 1858:12 1879:2

tall 1292:2,9 1644:10,11 1686:3,9

taller 1644:14 1686:10,11

Tanacea 302:21 304:16, 27 325:10,18,25,28 326:5, 9,22,27 327:3,8 328:9,14, 22 329:24 330:14 342:4,7, 8,19,22 343:8 344:28 345:1,9 347:1,2,12 350:7, 12,18,20,23 378:26,27,28 380:20,24,28 381:3 382:6 383:25 384:9,16,23 385:25 386:20 389:18 390:5 400:6 602:21 604:12 607:18,20,26 609:10,12,18 610:22,23 613:19,22 614:4 617:7 624:16 625:2,4,5,24 626:1,4,24 627:13 629:9 636:24 637:11,15 638:18 640:21,22 641:1 644:9 652:24 653:17 654:19 655:7,9 658:7,8 659:21,24 662:20 668:26,28 669:28 670:13,18 674:3,8 679:23, 24 682:4,6,13 683:17 706:15 707:19 716:18,22 720:23,25 721:1 723:27, 28 724:9 725:7,11,19,22 726:8,19,23 727:5,8,23 732:6,9 902:21 904:18 906:11 907:16,19 908:14, 23,26,28 913:9,10,14,27 914:6 916:26 977:19,28 978:23 979:1,12,15,20 982:12 983:13 984:7 987:14 988:9 990:9 992:2, 4 1001:23 1002:26 1004:23 1006:14,24 1007:15 1028:25 1038:26 1040:28 1042:13 1043:24 1044:7,17 1045:7,27 1046:11,23 1047:3 1202:21 1209:3,5 1210:20,21 1211:8 1212:20,21 1214:23,26 1215:7,11 1217:7 1218:10,12,24 1219:1 1221:25 1224:22,25 1225:3,5,18,21,23 1226:12 1257:25 1258:4, 14,21 1275:20,25,28 1276:8,26 1323:13 1364:11,14 1502:21 1504:12 1505:16 1524:7 1534:14,18 1536:24 1539:28 1540:2,11,19 1541:9,12,20 1542:2,6,25 1543:1,4,8,11 1548:24 1549:6 1550:3,6 1552:22, 23 1553:2,5 1557:20,25 1558:9 1560:1 1562:6 1563:19 1564:1,4,11,13, 16,17 1565:25 1567:6,9, 15,16 1568:6,19,21 1570:17,21,25 1571:6,16, 19 1572:1,6 1573:6,9,13, 15,22,27 1574:3,5,7,11, 12,16,17,25 1575:1,2,4,6, 11,15,17,18 1576:23,24 1577:19 1578:16,19 1579:12 1802:21 1807:10, 13,20,22 1808:6,12,17,18 1926:13,28 1927:1,2,6,15, 16

Tanacea's 607:16 618:26 655:5 733:2

tandem 1915:20

Tandon 1897:27

tangential 733:9

tanked 729:21

tantamount 1901:5 1902:25

tape 315:7 1582:26

Target 748:13 1076:20, 21,22 1348:12,14

targets 393:16

tarts 1617:3

task 1656:28

tasks 1657:3

taste 738:22 739:13 740:7 746:22,23 747:7,9,10 766:8,12 1037:3,6 1061:3, 14,16 1236:26 1270:28 1271:3,4 1284:25 1287:17 1288:11,18 1304:15 1324:9,15 1339:13 1343:6,8,11 1506:23 1612:8 1638:25 1645:7 1684:20 1888:27

tasted 767:21 1023:26 1248:5,11,27 1249:1,2 1271:11 1359:22 1360:12 1811:27 1888:18

tasteful 1682:18

tastes 961:20 1073:28 1599:10 1631:17

tasting 325:20 738:25 739:9 749:8 947:16,17 949:1,14,17 950:3 977:7 989:21 1012:8,10 1058:20 1060:2,11,15 1061:9,22 1066:13,15,17 1068:4,11, 26 1069:6,11,14,19,20,25 1071:7 1073:8,21 1236:21,27 1237:7 1249:5 1270:24 1282:19,23 1283:4 1284:9 1285:9,14, 27 1286:2,13,17 1296:23 1302:4 1324:7 1332:1,15 1339:16,20 1340:24 1341:20 1342:6 1349:14 1350:14 1355:11,28 1359:12,15 1361:16 1362:25 1526:9 1595:23 1614:4 1616:28 1630:7 1631:17 1639:6,7 1645:7 1658:7 1684:15 1811:27 1815:27 1867:17,18 1888:23

tastings 992:25 1005:16 1006:3 1059:27 1281:25 1284:4 1531:23,26 1592:5 1595:22 1645:19

Tastrie's 28:4

Tastries 2:12,25 35:10 152:12,26 161:24 302:9 323:27 340:12 348:14 349:27 352:18,22,24 357:3,7,14 358:5,27 360:12,20 371:21 372:4 602:9 607:14 608:24 612:9,13 614:15 615:4 619:12 620:27 621:1,2,4, 9,12 623:7 626:7 643:25 662:28 663:3,5,16,17 664:1,2 665:12 666:4,11 672:21 687:7 688:23 690:17,18,25,26 692:2,10 693:1 694:6 698:5,17,18, 21,27 699:2 700:21,22 704:24 705:4,18 706:18 707:5,14 710:15,26 728:11,12,25 737:12,26 738:1,2,7,10,11,14 739:5, 7 740:24 741:2,5,7,15,18, 21,25 742:4,17 743:27,28 744:2,7,9,10,19 746:9,12 748:4,19 749:4 750:23 751:1,19 753:22,26 754:1 755:12,22 756:6,8,9,15 758:13 762:24 765:17 766:4 776:10 777:20,21 902:9 917:27 918:24 919:1,8,10,13 921:4,17 922:16 923:3,6,9 924:10 925:12,17 928:25 929:27 931:1 932:2 933:13,23 934:10,13,25 935:2,18 936:10,15,17,27 937:24 938:5,15 939:24,28 940:9, 10 941:7,19 942:17 943:21 944:18 946:6 948:12 951:19 952:26,28 953:8 954:24,26 955:12, 17,24 956:2,3,7,11,15 957:3 958:9,11,18,26 959:1,4,13 960:5 962:7 964:11,14,18,24 965:12 966:9,24 967:1 968:2 970:13 971:6,10,13 975:10,11,12,14,21 976:5, 7 977:18 978:13 979:9,11 980:24 982:9 983:5,7,18 986:22 989:8,14 991:2 992:7 998:4,8,21 1000:7, 22 1002:6,13,28 1004:5 1009:15,18,20,22,25 1010:1,3,26 1014:8 1015:2,8 1017:5,28 1021:5,12 1022:10,17 1024:2,13,25 1026:16 1030:14,26 1031:13 1032:1,4 1033:27 1034:9, 12 1037:10,14,25 1040:5 1041:3 1042:5 1043:5,17 1044:2 1048:8,19 1061:26,27 1062:2,3,13 1063:10,16 1064:10 1067:4,7,12,17 1068:1,11 1069:10,13,27 1071:6

1202:9 1212:19 1216:3, 14,21,22 1227:7,12,19,26 1228:24 1229:10,16 1230:5,26 1231:15,21 1232:25 1233:16 1236:11 1238:16 1243:22 1247:9, 13 1248:2,10,13 1249:8, 12,25,26 1250:22 1252:18 1253:15 1255:2 1256:21 1263:13 1269:12 1270:22 1271:11 1273:4 1274:3,6 1284:18,22,25 1285:2 1286:5,6 1287:16 1293:18,27 1295:6,26 1296:7,13 1299:23 1300:14 1301:23 1305:24 1309:18 1310:14,20 1312:24 1313:1 1319:28 1320:15,18,19 1322:19 1332:24 1333:24 1335:14 1336:21,24 1337:18,22 1338:3 1339:22,26 1340:2,6,11,25 1341:16 1342:5 1344:23 1346:16 1349:5 1350:14 1351:26 1353:14,15 1354:20,23 1355:16 1356:13 1357:9, 28 1359:6,8,14,20,28 1360:5,11,13 1362:1 1367:21 1502:9 1510:28 1511:8,17 1515:9,20 1521:10,25 1522:3,15 1523:18 1524:2 1526:7 1531:9 1532:11,21 1535:13 1536:11,15,18 1537:7,23,24 1538:5,20, 23,25 1539:1,3,6 1541:25 1545:22 1546:17,19,25 1547:14 1548:7,16,28 1549:6,28 1554:15 1555:12,13 1556:25 1557:12,14 1558:24 1559:9 1560:6 1561:2,3,7 1562:7,26 1563:1,4 1565:7,11,26 1566:1 1569:3,13 1570:28 1572:7 1573:2 1574:19,22 1577:5,17,26 1578:9 1579:6 1591:18 1592:22 1593:2,16 1594:4 1599:17,18 1608:26 1622:13 1630:20,28 1631:9 1632:23 1634:12, 21 1636:8,21 1637:1 1643:19 1644:24 1646:7 1648:24,26 1651:12,28 1652:7 1653:6,12,15,27 1655:9,26 1656:5 1659:22 1660:11 1661:26 1662:1, 12,17 1664:9,12,13,24,28 1665:2,3,14,19 1666:2,20 1667:3,6,19,24 1668:22, 26 1669:27 1674:23 1675:22 1676:1,2,25 1677:1,5 1682:10,15 1683:15,19 1684:13,19 1802:9 1811:20,27 1812:22,25 1814:9,12,14, 19 1816:14,27 1817:7,23, 27 1818:14,25 1819:2,15 1820:9,16 1821:11,18,24, 27 1822:2 1824:1,14,18 1825:20,22 1826:8,11,18 1830:26 1838:10,16 1843:12 1844:22,25 1845:4,5,19,20,21 1848:11 1849:12,23,28 1850:3,4,7,9,11 1852:14, 15 1853:12,16,20,27 1854:2,4,7,25,26 1855:5, 15 1857:5,7 1859:13,24 1860:18 1862:16 1867:15, 18,21 1868:11,19,23 1869:23,24 1871:19 1876:24 1878:28 1880:17 1881:10 1885:23,25 1888:17,20 1892:15 1893:17,23 1896:26 1905:12 1911:4,26 1912:19,21,22,23 1913:1 1921:11 1925:20

Tastries' 358:18 359:12 368:13 607:12 612:15 637:5 690:22,23 691:4 731:2 741:15 742:13 750:7 767:22 943:18 945:4 948:25 949:9 956:19 957:6 958:15 1015:11 1017:21 1021:10, 15 1022:22 1023:7 1035:3 1230:9 1232:14,17 1248:5,7 1271:14,19 1321:26 1336:2 1356:15 1359:22 1523:9 1537:27 1545:8 1548:3,22 1553:11 1554:17 1565:14 1573:2 1648:13 1663:13,14 1665:12,17 1667:20,25,26 1669:18 1674:28 1675:26 1818:4 1850:20 1857:14 1858:6 1860:3 1861:22

tasty 1922:10

tattoo 1045:19 1518:25

taught 994:25 1590:7,10, 15

tax 1531:11 1561:19 1818:20 1849:7 1854:15, 17,19,20 1869:24 1925:27

taxes 621:2 1561:13,17

Taylor 997:23 1012:24 1024:28 1027:17

teach 747:2 950:8 1590:8 1816:6 1870:14

teacher 1050:22 1051:5 1065:12 1309:15 1327:18 1590:15 1592:2 1818:8,11

teacher's 1647:5

teachers 1647:3 1812:19

teaches 1551:4

teaching 1589:14,27,28 1590:3,21 1646:19

team 920:9 980:8,9,17 994:2,9,24 995:3 996:28 997:1,2,3,4,5,6,11 999:8 1014:20,21 1015:12 1028:12 1031:28 1032:12 1544:26 1590:11,12 1593:3,4,5,9,10,11,12 1638:21 1654:20,23,24

tears 991:17

tech 1369:12 1514:17

technical 911:1,14 915:22

technically 35:23 1026:27

technician 926:2

techniques 26:3

Technology 169:28

Ted 666:23 703:2 1349:22 1833:13

teeth 1882:27

telling 163:8 305:17 323:6 327:17 641:7 781:15 914:7 955:16 1068:5 1216:20 1303:3 1308:21 1369:17 1508:6 1521:12 1534:28 1611:9 1685:27 1838:26 1868:4 1881:3 1882:14 1889:23 1915:13

tells 776:4 1069:2

temperature 1578:14

template 931:9

temporary 1649:11

Tempore 302:28 602:28 902:28 1202:28 1502:28 1802:27

tems 39:3

ten 20:25 308:19 626:20 668:15 1020:21 1065:13 1076:4 1286:7 1322:13 1324:4 1548:28 1599:14 1604:16 1620:4 1809:22

ten-minute 348:3 1014:27 1244:11 1637:13

Tenacea 405:11

tend 30:13 1834:9 1835:15 1884:14

tense 968:26

tentative 4:20 154:27 155:4,22,25 157:27 158:18 161:18 164:24 165:6,16,22 166:12,22 167:28 321:27 323:25 324:24 325:7 328:3 329:1 349:2,23 355:4,18 376:22, 25,27 377:2 630:14 632:27 633:1 643:11 651:28 677:1,12 906:21

tentatively 324:6

term 1827:21 1851:12,17, 18 1865:12

terminology 5:6

terms 18:11,12,24 24:4 165:16 166:3 176:25 308:1,5 309:12 312:8 315:8 317:28 330:21 338:2 349:26 373:19 392:12 393:8 605:25 617:27 641:8 675:4 681:5 693:6 715:25 771:3 773:17,20 777:11,14,16 907:26 991:6 1021:21

1217:24 1288:24 1290:7 1330:9 1530:10 1533:13 1544:17 1547:26 1548:4 1593:1 1646:6 1853:26 1870:6 1878:6 1882:24 1892:8 1911:12 1914:3

terrible 364:26 1836:23

test 25:20 673:15 688:13, 18 1018:4,23

Testament 717:23 764:15 1914:2

testaments 776:20 1879:21

tested 1019:18

testified 358:12,21 367:1 636:22 687:12 742:10 938:24 998:19,21 1001:4, 24 1002:27 1003:1 1006:28 1037:24 1214:5 1227:10,24 1228:9 1237:10 1244:25 1249:2 1258:27 1260:21 1263:12 1273:21 1299:12,21 1304:23 1317:13 1322:5 1324:26 1329:2 1335:22 1337:5 1359:5 1515:8 1517:3 1553:10 1554:20 1560:8 1563:6 1565:26 1625:7,21 1648:9 1809:23 1810:15,26 1811:7,12,22, 26 1814:7 1815:5 1817:16 1818:8,28 1819:25 1825:18 1837:20 1849:28 1850:6,9,13,15 1858:27 1859:21 1860:7,23,26 1861:7,12 1862:12 1869:2,22 1885:21 1892:11 1924:27

testifies 628:6 710:23 1214:13

testify 353:7 363:23 364:8 369:7,8 379:6,18 390:27 621:3,15 625:18 626:13 650:13 680:25 681:6 693:23 706:17,24 707:2,13 709:19,21 712:5 713:20 714:27 715:4,6,13 731:15 733:5 754:16 755:1 910:23 917:9 1589:1

testifying 328:5 353:13, 18 354:10,27 356:6 364:11 365:14,16 369:9 370:25 371:4 372:23 378:20 621:20,23 623:8, 13 680:13 703:17 913:17 974:1 1032:3 1038:8 1211:28 1214:2 1217:14 1315:5 1513:5 1563:3

testimonies 607:13

testimony 307:6,7,11,14, 17 309:5 322:9 325:24,26 326:2,20 330:23 331:17 339:16 344:4,5 348:23,24, 25 349:16 350:1 351:19 352:19,26,28 353:10 354:7 356:5 364:23 366:7, 14 368:4 371:25 372:1,6 380:26 383:16 607:12 608:7 613:22,24 620:22 621:5,19 624:13,27 627:19 628:7,9 631:1,27, 28 633:15 639:10 640:4,9 649:20 650:20,27 651:6 656:16,28 659:19 665:26 681:6,10 684:8 689:14 694:23 701:3 705:1 707:24 709:22 710:21 711:3 713:19 715:26 716:1,3,7,11 717:15,20 722:5,14,28 723:26 724:13 728:1 732:23,26, 28 733:23 761:25 770:19 771:1,6 906:16 908:9 909:23 910:25 911:17,20, 21 913:7 973:20 990:12 1008:18 1038:21 1039:10 1041:6 1045:22 1047:7 1049:18 1211:4 1214:10 1216:27 1218:6,19,25,27 1240:12 1244:24 1246:18 1278:19 1303:4 1311:28 1318:16 1326:5 1364:12 1515:12 1518:9,11 1527:9 1534:18 1546:23 1550:6 1553:8 1556:23 1563:11, 20 1578:3,7 1587:3 1588:4 1612:16,18 1624:16 1625:8 1626:26 1627:2 1644:18 1646:4 1654:7 1662:22 1685:22 1686:2 1810:17 1811:15 1834:20 1835:10 1852:13 1856:11,26 1872:21 1878:9 1882:20 1907:22 1912:14 1923:16,20,24

Testing 661:12

text 376:14,27 381:25,27 382:5,9,12 383:6 385:3 387:5 388:2 389:3 396:27 397:13 662:2 664:24 694:15,23 951:24 952:1, 24 1060:3 1061:2 1068:10 1219:13 1235:7 1254:6,21 1265:15,26 1266:4,28 1268:23 1281:9 1282:25 1284:26 1293:25 1295:16, 18,21,25 1322:17,24 1507:28 1508:19 1685:23 1825:9 1901:13

texted 951:13 952:9,13 953:5 1060:5 1282:27

texts 383:17 384:1 1059:8 1322:20

texture 1880:19

texturing 1832:10

Thanksgiving 975:15

That' 367:13

theft 368:15 372:28 376:4,15 378:1,3,7,16,18, 20 380:14,17,27 390:24

theme 633:4 759:28 761:9 762:22 1020:27 1033:28 1576:8,17 1603:7 1615:7 1617:18 1661:16

themed 1826:2

themes 761:3 763:1 936:10 1032:13 1559:19

theological 1879:10

theoretically 764:2 1926:20

theory 333:23 616:7 719:24

therapists 649:26

therapy 647:16

thereto 345:4

Thessalonians 1601:2

thick 1065:1

thin 168:25 1620:1,20

thing 24:9 27:3 35:21 37:19 156:6 161:22 180:24 308:3 311:10 314:4 320:25 322:15 334:26 336:13,17 339:18 344:16 360:7,8 365:14 369:27 370:19 372:5 373:17 374:1,12 379:27 396:14 402:7,23 403:9,12 607:23 609:23 634:7 639:8 640:27 641:15 654:22 663:28 668:9 674:28 675:15 676:8 681:8 690:13 707:1 718:22 720:14 726:23 730:22 731:28 733:24,27 745:10 746:25 748:27 750:2 752:24 759:7 910:7 913:5,19 945:4 969:7 973:26 974:14 997:12 1003:19 1005:17 1034:6 1035:26 1040:23 1053:22 1054:11 1055:21 1212:14 1217:13 1218:1 1221:6 1223:15 1227:23 1265:6 1294:4 1308:7 1329:17 1330:8,11 1355:23 1515:7 1550:13 1590:18 1592:4 1603:27 1604:10 1632:17 1644:2 1645:3,20 1658:19 1664:14,15 1680:19 1685:24 1810:11 1836:23 1864:24 1865:3 1873:8 1878:20 1880:3 1881:9 1882:13 1885:26 1886:25 1895:15

things 29:11,14 35:5 37:17 305:9 306:26 308:5 311:28 312:2,8 313:3 314:26 318:20 319:25 330:8 332:12 334:11,15 335:19 338:10 352:6 354:22 361:4,12,13,21 362:20 364:26 366:19 368:28 371:26 372:4,25 381:14 401:7 627:2 633:15,22 637:12 640:15 643:2 649:9 658:10,23 667:6,9 670:3,4 674:7,8, 24 675:10 679:14 680:10 695:22 696:1,26 707:2 713:4 717:5,24 719:19 745:13 747:12 758:6 763:6,10,23 775:8 906:26 926:1 935:23 954:2 961:22 966:7 973:4,8 976:11,12,13 980:27 981:24 986:5 989:25

990:3 991:7 993:1 994:24 999:4,10 1000:17,18 1001:11 1003:3 1004:9 1005:15,19 1010:18 1011:23 1029:17 1042:2 1051:9,17 1056:9,10 1058:10 1059:14,16 1062:23,26 1073:2 1211:5 1217:2,11 1232:11 1235:7 1238:22 1239:7,16 1246:4,10 1273:27 1280:22 1281:3,5,6 1313:2 1325:1,7 1328:2 1329:13 1340:10,24 1351:1 1523:22 1524:24 1590:17 1591:27 1596:27 1599:5,6,7,16,19 1601:19, 21,23 1611:11 1615:7 1631:7,8 1632:13 1636:25 1642:16 1647:22 1662:9 1678:13 1679:11 1680:4 1683:3 1818:6 1820:15 1823:21 1824:6 1837:8 1847:1 1853:1 1868:9 1869:10 1878:10 1880:7 1889:22,26

thinking 10:6 163:28 174:23 307:5 310:16,17 343:27 345:13,14 346:2 349:17 371:3 396:24 640:14 745:7 1062:12 1218:25 1599:5 1639:24, 26 1640:15 1684:23 1852:23,24 1864:23

thinks 10:2 717:20 753:12 1047:8

third-parties 21:13

third-party 16:20 358:25 373:9,12,14 379:3 391:28 392:1,4 396:20 644:23 916:6

thirds 1538:3 1544:21

Thomas 754:7 769:22 1902:8,17,22 1903:10 1904:3 1916:6 1917:4 1921:23

thought 8:27 12:9 22:28 28:22 32:7 37:19 169:15 312:27 328:16 343:24 344:6 349:3,19 356:1 374:12 392:27 606:8 638:21 644:7 646:14 654:15 694:25 698:10 717:28 718:10 721:17 725:16,25 750:1 763:17 907:26 911:20 912:15 946:12 947:13 948:23 953:1,3 965:18 1007:2 1029:25 1030:6 1042:9 1057:9 1065:27 1077:10, 12 1208:14 1214:19 1217:8,28 1223:9 1225:20 1226:7 1235:11 1248:12 1251:1 1257:11 1264:10 1348:17 1354:15 1515:28 1517:2 1530:3 1547:12 1559:23 1600:14 1627:11 1640:16 1641:13 1646:9 1650:28 1806:23 1809:27 1814:25 1835:25 1846:16 1862:8 1892:12,13 1921:24

thoughts 4:19 9:4 13:3 24:4 344:27 349:21 355:25 356:8 405:19 617:24 654:26 720:6 908:18 930:15 1317:22 1318:7 1347:18 1570:27

thousand 1602:13 1669:3

thousands 26:15,19,26 373:20 392:12 615:27 766:11 775:3 1878:28

thread 1212:26 1254:8 1268:24,28

threatened 968:22 1509:16,22 1510:6 1889:25

threatening 1313:5 1507:21 1509:20 1510:3 1834:9

threats 373:26 392:14 771:24 774:28 991:10,11, 12,13 1212:10 1255:16 1313:9,20,27 1314:11 1321:6,7,12,22 1524:22 1546:28 1648:19 1650:3 1677:25

three-digit 1210:2

three-layer 1256:12

three-tier 402:14 614:11, 16 760:8 775:22 942:5 1063:8 1245:28 1361:20 1535:17 1542:22 1616:2 1619:11 1655:18 1885:15

three-tiered 610:2 615:13 746:15 942:16 995:10 1022:8 1655:20 1892:10

threshold 156:28 333:19 341:21,23

throat 974:12

throw 673:23 913:28

throwing 702:4

thrown 337:19 339:13 341:25 396:12 749:19 1614:9

thrust 347:3 403:14 404:8

thumbs 1648:21 1668:4,5

THURSDAY 1503:5 1505:1 1581:1

Tibbetts 1317:9

ticket 722:26 766:24

tie 365:13,15,18 368:19 373:14 1213:25,26

tied 23:9 655:2 695:18,19, 24

tier 775:21 1594:18 1604:5,23,24 1607:9 1608:4 1619:11 1620:21 1621:3,4 1655:16,17 1832:5

tiered 999:5 1835:22

tiers 742:8 761:24 775:22 924:5 932:26 995:6 1034:5 1064:18 1236:17 1237:8,15 1238:19 1243:26 1248:26 1256:11 1258:26 1271:24,28 1272:3,6,16 1296:17,25, 27 1334:10 1355:11,13, 19,22 1357:8 1559:3 1607:6 1611:9,11 1809:16 1832:1 1912:11,28

till 307:24

time 5:17 6:2,5 14:17 15:5 37:9,11 39:18 155:20 165:16 176:12,23 177:26 178:27 179:12 305:8,14 306:6 307:1,20 308:13,15, 25 309:2,27 310:20 312:10,23,24 314:17 315:1,14 318:13,15 319:3, 4,12 320:13 323:14 324:9, 16 331:24 332:6 334:5 345:19 346:16 351:3 353:11 354:8 356:7 366:18 370:4 371:6,19 372:10,26 374:24 375:14, 22 379:1 386:12 387:19 390:14 391:4 394:21 395:5 398:13,22,27 399:11,13 606:17 613:18 614:22 617:19,20 618:7 625:3 628:13 632:2,14 638:1 640:17,18 642:10, 24 650:26 652:10 657:28 676:20 680:10,11 681:4 682:28 683:25 685:5 689:1 699:13 700:4,26 704:4 706:19 708:23 714:11 722:16 723:7 728:8 732:13,18 735:2,3,6 738:19 739:12 742:20 746:19,20,21 747:3 753:16 760:11,14 762:13 764:25 765:25 766:20,21 767:25 770:7 781:17,18 910:11,15 912:17 913:3 920:22 924:17,24 934:28 937:21 940:4,8 943:2,7 944:23,26 946:8 947:11 949:7 950:9 958:26 959:28 960:2,5,9,16,22 966:19,20,21,22,24 970:18,28 975:23 977:2,6, 16 979:9 980:14 983:27 984:11 989:2,22,28 991:18 992:11 993:4 994:18 995:2,14 996:6 997:9,11,17 999:7,22 1001:10 1004:17 1005:9 1010:5,27,28 1011:1,19, 27 1013:14,24 1017:2,4 1018:7 1020:7 1021:20 1023:23 1025:1 1027:11 1030:23 1038:11 1045:23 1049:7 1051:6 1052:2,6 1053:27 1055:10 1057:16 1059:8 1063:7,25 1064:9 1066:9 1068:13 1069:6,21 1070:25 1071:11,14,19 1073:4,17 1075:26,28 1077:12 1211:2,6,7 1220:20 1221:9 1225:11 1231:26 1237:3 1238:25

1239:5,11,13 1250:4 1251:20 1252:19 1254:28 1263:10,13 1270:23 1274:6 1280:16 1284:24 1285:7,8,11 1289:2,7 1290:10 1292:6 1293:21 1297:18,27 1298:9 1299:7 1300:23 1301:14 1313:22 1314:2 1322:10 1329:16 1330:3,15 1331:15 1337:2,15 1338:28 1339:22 1341:28 1345:6 1356:11 1357:18 1359:14 1363:27 1364:3 1509:3 1511:18 1514:17 1517:9, 16 1518:9 1522:10 1525:1 1527:6 1529:13,16,24 1531:3 1532:17 1535:10 1537:18 1539:8,12 1544:21 1545:22,25 1546:10 1547:27 1548:2, 24,27 1549:16 1551:22,24 1552:4,15,21 1553:16,22, 27 1554:10 1559:19 1563:26 1565:26 1566:1 1569:5 1577:19,21,27 1579:15 1582:23 1585:23 1587:26 1590:5 1592:26 1594:21,23 1597:1 1601:28 1607:1 1610:8 1612:2 1615:6 1622:12,20 1624:8,15 1631:27 1632:25 1634:3 1635:16, 19 1638:20 1640:12 1641:27 1644:5 1646:5,16 1647:15 1649:6 1654:26, 27 1655:3 1657:4,8 1660:7 1662:18 1675:6 1680:20 1684:19 1809:24 1810:2,20,22 1812:2,6,28 1813:9,13,14,26 1815:10 1816:5 1817:1,17 1819:5, 13 1828:15 1832:17,26 1835:6 1836:3 1839:24,28 1840:2,3,5,8,9,25 1841:20 1842:6,9,12 1843:14,17 1854:9,22 1855:2 1856:22 1858:28 1864:9 1869:16 1870:8 1871:8 1875:13 1876:15 1888:25 1889:10 1890:19 1892:4 1893:20 1899:2 1908:4,9 1915:3 1916:12 1918:22 1925:12 1926:20

time-honored 774:6

time-wise 1637:8

timekeeper 781:18

timeline 1256:27

timeliness 616:11 617:10

timely 344:21 345:17 348:2 349:10 356:12 376:6 624:2,4 627:15 628:1,2,15,16,18 635:12 638:28 640:8 651:20 653:8 722:8 912:11 913:22

times 24:11 322:6 349:9 382:10 392:10 629:5 639:20 664:8 695:11 710:13 721:22 753:11 755:19 759:16 761:27 765:8 766:5 776:21 956:25 980:14,15 984:5 991:23 993:20,28 998:15 1001:6,15 1004:12 1014:1 1025:6,11,14,19 1235:3,4 1239:8 1358:7 1368:23 1509:26 1531:20 1532:18 1539:17 1540:25,26 1541:3 1561:3 1601:18 1609:28 1616:12 1626:25 1628:13 1641:16 1661:13 1662:26 1667:6 1678:2 1811:19,21 1832:20 1836:19 1848:3 1849:17 1890:17 1892:18 1898:4

timestamp 1350:12 1364:18,22,27 1919:7

timing 37:10 39:14 40:2, 3,8 307:21 333:5 335:14 347:6 735:11 1313:14

Timothy 1601:2

tiny 1029:28 1616:17

tips 1602:20,23 1603:12

tire 612:17 682:19

tired 403:2 1864:22

title 1327:5 1531:2

toast 1239:16 1610:13 1682:18,19

today 4:14 10:24 176:14 178:6 312:8 319:24 320:24 322:8 324:11,13 344:16 353:13 380:12 402:28 403:24 405:2,10 676:10 715:12 734:13 745:3 767:6 927:23 1031:3 1054:4 1253:20 1315:9 1328:24 1358:15 1363:1 1369:2 1506:5 1518:11 1579:21 1623:7 1634:22 1654:7 1675:9 1811:12 1833:18 1880:8 1902:21 1926:15

token 673:27

told 178:17,22 325:25 329:21 377:24 386:16 397:4,7 398:10 606:7 626:15 648:27 649:12 651:2 657:21 663:13 667:9 668:2 697:12 731:8 739:2 746:11,28 747:14 765:10 771:4 777:12 939:14 941:10 947:13,19 950:2,14 955:23 987:15 988:8,9,10,17 991:22 998:3 1015:12,28 1016:9, 26 1024:17 1027:23 1036:1 1041:15 1062:1 1064:17 1068:15 1071:17 1072:9,22 1073:10 1074:12,14 1076:2,15 1246:17 1247:25 1262:19 1263:14,19 1264:9 1288:10 1299:17 1315:8 1319:24 1328:14,15,16, 18,26 1336:8 1337:13 1359:26 1360:3,6,7,8,11 1368:23,27 1369:14 1506:24 1507:2 1521:8 1524:26 1535:20 1598:12 1626:23 1630:9 1633:11, 16 1639:19 1640:21 1646:20,22 1647:5,9,20 1651:25 1658:17 1660:16 1661:7 1662:21,22 1666:22 1675:21 1686:7 1810:3 1811:8 1834:22 1843:21 1856:8 1898:4 1923:12

tolerant 1882:17

toleration 1917:28

tomorrow 765:12 781:27 1077:15,17 1627:16,17 1686:27

tone 1073:12

tool 178:1 1572:15

tools 1602:16 1603:16 1621:14

top 12:6 677:11 742:25 743:1 762:20 768:23 775:21 936:8,21 944:6,15 995:27 996:3 1026:28 1056:28 1060:23 1063:14 1222:1,2 1227:14 1241:20 1256:12 1258:26 1270:9 1272:23 1282:5,13,14 1297:10 1361:2 1366:18 1506:20 1516:10 1559:2 1603:24 1604:4,23 1605:11 1619:11 1641:6 1656:12 1680:4 1682:8 1810:25 1813:26 1831:24 1832:2,4 1840:15 1882:9

topic 678:9

topics 734:2,4

topper 610:4 754:28 768:22,24 965:6 1015:20 1272:22,25,26,28 1273:1, 4,7 1300:2 1320:10,20,25 1336:20,24,27 1338:10 1361:5 1521:17,18 1544:18 1605:28 1606:2 1607:26 1633:8 1892:25, 27

toppers 1596:27,28

topping 1065:5

toppings 1237:24

total 308:19 309:3 347:12 757:24 999:19 1555:23,24 1605:1

totality 16:23

totally 389:5,6 966:6 1546:28 1625:6 1658:26 1828:18

tote 738:24 755:12 946:15,27 1067:20,23 1227:11 1340:5

touch 687:10 1291:13,14, 15 1332:27 1343:14,17 1577:15 1891:6

touched 687:24

touching 1291:9 1654:19

tough 1925:22

town 364:16 773:8 1044:14 1057:22 1248:21 1330:2,4 1528:21 1668:1

track 307:1 311:5 315:4 316:2 319:21 730:5 758:10 1054:2 1901:18

trade 683:3 762:2

tradition 715:25,28 1898:26

traditional 13:28 21:11 170:5 775:14,15,18,24 776:3,7,8 1223:17 1256:8, 9 1316:2 1563:21 1669:12 1892:24

traditional-looking 1559:20

traditionally 612:25 613:2 1026:20

traditions 612:26 1608:23

trained 918:24 1566:11, 13 1590:11 1683:28 1684:2

training 756:2 982:1,4 995:21 1035:11 1531:17, 21 1684:6 1903:26,27

transaction 352:14,27 637:28 638:11

transcript 2:18 152:19 302:17 307:16,19 602:17 658:14 902:17 1036:3,8 1039:22,23 1055:16 1074:25 1202:17 1246:25 1303:1 1325:25 1502:17 1552:26 1571:27 1581:14, 19 1802:17

transcripts 306:21,28 307:2 605:15 908:1 1926:18,25

transfer 748:23 1349:24 1350:2 1537:12,14,15,16

transferred 1537:12 1555:16 1556:1

transferring 1556:10 1634:2

transgender 660:22 1850:28 1900:19

transition 174:7 1613:2

translate 725:15

transpired 633:11 724:25 912:3 1309:18 1347:18

tray 1597:11

treason 1903:1

treat 37:20,21 330:10 697:16 699:12 947:19 961:23 962:18 963:9,20 971:27 978:13,18,20 1358:17 1521:3 1617:5 1626:18

treated 308:12 346:5 743:9 963:26 1043:10 1345:22,25 1353:21 1563:12 1870:2

treatment 331:5 975:19 1231:20 1322:19 1552:8 1907:2,4 1910:9,11

tremendous 1546:20

trend 1919:28

trending 1898:24 1899:5

trespass 326:5,7,15,16

trespassed 325:19 326:17

trespasser 327:16,24 328:6,27 330:5,22,28

trespassers 325:20 326:24,28

TRESSELL 1841:13

trial 6:13 11:17 20:14 38:14 178:19,21 179:13 305:20 306:2 307:7 308:4, 16 310:2,21,26 312:5,7, 17,24 313:19 319:2,13 321:7 323:8 326:10 329:7 332:16 334:5 344:26 348:2 366:6 384:7,9,18,20 398:17,18 399:17 400:13 604:19 605:2 606:7,10,24 608:23 609:13 616:3,7 617:18 618:10,23,24 619:4 628:10 632:19 635:2 660:23 661:22 662:17 672:16 678:12 687:21 689:2 693:5 700:11 704:12 705:20 707:10 709:19 713:25 714:17,20 718:17 721:5, 10,11 744:1,20 757:8,13 779:13 780:13 911:2 912:15 916:8 926:14,23 927:10 986:2 1022:7 1054:16,23,24,28 1055:2, 4,7 1077:24 1208:14,23 1276:19 1369:8 1842:1,11 1844:1 1850:6 1877:11 1880:15 1893:26 1902:18, 19 1903:15 1904:10,11 1907:13 1908:1 1910:12 1912:14 1915:8 1922:28 1923:25 1926:15

trials 178:16 310:3 320:12,15 617:1 1902:21

tribal 1882:9

tricky 33:24

trip 1027:8,14,15 1072:15 1227:11

triple 1658:3

trips 1027:2

TRISSEL 1202:25

Trissell 2:24 4:10 27:1,14 28:2 35:24 152:25 154:18, 19 173:10,11,12 177:2,21 180:6,7 181:11 302:25 304:23,24 308:24 311:4 313:18 345:3 347:5,26 355:2,3 384:10,14,18 385:27 386:6 387:4 405:13 602:25 604:13 623:1 680:20,21,23 681:2, 14,17,22 902:25 906:12 1209:13,15,22,23 1210:14,15 1223:22,23, 27,28 1224:2 1502:25 1587:1,6,9 1802:25 1806:26,27 1807:6 1821:8 1926:14

Trissell's 332:26 654:11

trivial 1858:5

TRO 332:28 333:4,5 339:3 340:3 367:7 660:5 663:23, 25 750:9 1867:1,9 1872:4 1900:14

trolls 357:2 1321:17

trouble 674:20

troubled 674:17

truck 1538:17 1648:23

true 333:1 337:5 344:6 348:25,28 349:5 350:14 369:23,26 389:8 656:10 677:4 724:4 725:19,23 1034:10,27 1035:4,8,13, 19 1036:27 1037:4,28 1039:10 1040:17,27 1041:8,24 1042:5,21,22, 23,24 1045:3,6,15,26 1046:10 1047:18,28 1052:3 1061:1 1214:4 1245:6,15,22 1246:5 1247:9,22,27 1248:3,8,14, 24,28 1249:13,15,20 1250:8,14 1252:28 1253:12,16 1255:16,27 1256:14,21 1259:1,5 1260:19 1261:1,5 1262:25 1263:1,16,20 1264:12 1265:17 1298:20 1306:9, 15 1307:22 1313:10,28 1314:12,18 1315:27 1316:8,15 1317:17,22 1318:8 1319:25 1320:2 1359:9,10,24 1360:1,13, 21 1361:25 1362:22 1364:2 1366:15 1368:28 1369:10 1507:4,10 1509:1,2,5 1511:8,14,17, 18 1513:25 1515:10,17,18 1517:4,5,14,25 1518:24 1519:8,16,19 1520:4,5 1546:13 1556:19 1601:20 1654:9 1824:1,2 1862:27 1878:11 1896:2 1912:19

Trump 17:16 1215:13 1216:4 1218:15 1220:8,10 1224:27 1225:13,24 1331:5 1364:1 1508:27

trust 32:3 765:6 1625:5

trusted 969:27 1623:3 1923:23

trusting 398:14

truth 347:27 657:10 693:25 906:24 907:28 908:9 915:13 973:21 1008:19 1049:19,20

1278:20 1326:6 1523:25 1527:10 1588:5 1890:26 1891:1

truthfully 1834:25

tub 682:14 1613:27

tubs 1612:25

Tuesday 723:9 903:5 906:1 985:1

turn 25:1,22,27 26:12,14, 25 173:27 304:10 315:3 335:28 673:19 953:15 1018:26 1021:10 1290:7 1356:21 1509:25 1615:22 1645:17 1663:24 1685:2 1820:6 1865:19 1911:1

turnabout 698:12

turned 314:19 320:14 1029:3 1356:23 1621:25 1647:17 1918:3

turning 30:4 608:19 619:18 634:25 1211:9 1349:17 1514:15,20 1555:8 1621:15 1682:21

turns 371:26 681:2 1542:24

turpitude 378:5,21 379:13

tutoring 1590:6

tuxedo 1238:23

TV 342:2 664:1 750:5 956:24

twelve 1604:8 1605:3,4 1629:25

twenties 771:26

twist 736:28 746:8 977:11 1060:26 1061:1,24 1635:14,21 1647:20

Twitter 1821:25

two- 760:8

two-page 1512:21

two-step 156:19

two-thirds 946:20 1887:15

tying 364:7

type 9:23 17:7 156:18 175:27 178:1 338:22 346:9 347:21 373:11 385:13 389:9 392:23 401:26 640:12 687:22 694:23 748:4 757:1,2 758:28 765:7 923:3 930:25 932:26 961:25 964:10 965:12 1022:17 1051:9 1329:8 1334:11 1347:11 1356:7 1513:22 1518:26 1528:27 1529:15 1531:8 1539:23 1545:1 1548:5 1551:17 1591:27 1645:10 1682:19 1835:20 1865:10,16 1866:1 1876:17 1877:8 1883:6,25 1891:23 1901:12 1903:21 1904:6 1911:28

typed 324:5 1512:3 1513:1,24

types 13:11,12 322:21 327:11 634:6 639:28 674:13 694:14 1239:9 1347:11 1356:6 1529:20 1533:13 1547:14 1606:21 1628:28 1836:17

typical 11:7 1538:10,12 1592:17 1605:9 1615:2, 25,28

typically 38:22 163:15 621:9 922:23 981:15 986:28 993:23 994:8,23 995:9 1006:8 1216:28 1531:26 1543:7 1592:8, 12,13,16 1593:7 1596:28 1614:26 1615:18

tyranny 1887:6

U

U-N-R-U-H 703:2

U.S. 159:3,5 161:17 164:18 639:13 669:18 778:7,21 1881:21 1897:7, 11,24 1913:9

Uber 169:28

ugly 953:12,15 954:2 967:18 1345:28 1523:22 1883:20

Uh-huh 946:25 974:28 988:2 989:13 1000:5

UK 1825:10 1884:13 1909:8

ultimate 180:25 1046:12 1047:6 1576:19

ultimately 10:21 161:26 162:9 708:8 1248:16 1290:11 1360:16 1531:13 1536:8 1551:3 1847:26 1913:5

umbrage 1883:15

Umm 1321:23 1325:4

unable 620:4

unacceptable 1518:7,24 1519:1 1856:3

unaffiliated 751:1,18 1850:10

unavailable 1612:3

unavailing 1903:8

unaware 930:9

unbeknownst 759:15

unbiased 160:2

uncle 1902:20

unclear 1222:7,8,9

uncomfortable 308:8 773:4 950:5 1263:8 1666:21

uncommon 687:17 1040:22 1317:14 1567:24

unconstitutional 12:18 27:13 28:27 29:8 336:25 1891:2

uncovered 1638:28 1639:1

undecided 1521:28

undeniable 1912:5

undeniably 776:13

underground 705:3,22 707:3,23 710:21 759:8 765:7 968:12 988:21 1006:20 1007:1 1038:3,4, 7,12 1624:17,22 1636:24 1638:22 1670:5,10 1677:9

underlying 12:16 27:8 35:12 624:22 626:10,26

undermine 765:21

undermined 767:2

underneath 994:6 1000:20 1507:19 1610:24 1620:17

underscore 342:25

understand 7:2 14:20 162:4,27 163:2,13 170:27 171:1 177:28 180:12 335:17,21 340:15,20 346:19 354:11 361:25 363:17 364:1,2 365:16 367:25 372:13 373:10,28 374:4 380:6 392:17 396:19 397:24 402:12 605:17 617:7,9,13,24 618:1 640:3,10 642:5,7 643:1 665:17,19 667:1,2, 11 670:28 683:23 684:3 689:20 694:21 695:5,25 696:9,11 697:11,18 699:19 703:23 715:1 716:7 719:3 728:14 751:15,22 765:11 772:13, 16 907:21 908:28 911:4 914:13 926:24 935:28 937:17 942:20 980:4 1057:12 1077:18 1213:27 1214:17 1217:16,18 1218:24 1222:17 1229:3 1237:26 1293:26 1294:18 1296:7,10 1308:9 1318:9 1336:1 1344:2 1346:7 1364:9 1508:15 1512:25 1529:7 1532:16 1537:15 1542:12 1554:11 1566:21 1568:16 1569:20 1593:25 1614:11 1635:7 1652:27 1653:1 1655:23 1666:10, 11,12 1668:9 1680:12,21 1813:21 1827:20 1828:14 1835:18 1836:27 1841:6 1907:26 1923:21

understanding 14:27 365:25,27 366:2 380:1 394:16 618:12 640:13 647:2 678:10 689:21 700:19 703:5,7,25 764:27 914:2,3,8 918:19 936:4 938:17 942:24 954:3 961:9 976:28 994:28

1016:3,8,13 1017:11 1033:17 1066:16 1074:14 1210:9 1269:9 1283:9,12 1285:4,15 1287:19,25,27 1288:9,15,17 1290:8 1294:1 1295:2 1306:7,12 1307:9,16,20 1315:19 1316:3 1320:28 1321:18 1324:14 1333:23 1335:24 1336:13 1337:7 1353:9 1366:26 1526:7 1533:12, 19 1534:21,24 1535:8 1536:12 1540:14 1541:18, 23,24,28 1542:8,10 1544:28 1545:3,21 1555:18,20 1574:2 1577:16 1653:24 1677:14 1685:22 1807:18 1827:25 1833:20 1896:18

understands 381:8 725:7 1672:6 1922:4

understatement 340:9

understood 323:12 353:22 371:5 372:21 394:20 612:23 696:8 701:16 744:16 754:19 757:22 776:13 910:22 947:25 976:24 1211:8 1214:22 1285:17 1336:10 1539:25 1643:2 1827:10 1828:8 1907:21 1908:24

undisclosed 701:21 702:11,14 709:1,10

undisputed 11:18 400:21 633:10 1852:19 1876:15 1878:2

undoubtedly 1888:2

unduly 709:18 1564:7

unequivocally 165:20

unexpectedly 1539:5

unfair 620:4 624:26 648:11 722:10 723:14 910:20 1558:6 1836:14 1900:26

unfairly 709:14 730:21 1353:22

unfold 720:17

unforeseen 772:19

unforgiveable 1879:10

unfortunate 374:10 382:15 694:16 765:18 1537:18 1882:4 1887:23

uniform 770:10 964:12, 17 1558:15 1607:19

uniformity 981:18 1831:24

uniformly 1910:8

unimaginable 775:2

union 169:5 776:18 1609:21 1641:13 1828:1, 19 1868:6 1886:13

unions 1915:16,17

unique 13:21 20:18 29:14 163:14,26 668:7,11 758:6 975:26 1558:13,21 1559:5,7 1602:17 1885:2 1895:16

unit 1591:24 1598:16

United 7:8,10 38:3 159:3 164:6 337:24 401:1,19 402:9 403:6 662:14 667:23 757:11 774:3,10, 12 779:19 1848:28 1884:2 1887:16 1898:8 1902:2 1906:2 1909:3,4 1910:13, 25 1911:7 1914:21 1919:20

universally 1884:18 1885:15,20

unjust 1551:10

unlawful 1910:3

unlicensed 1040:10

unlike 14:5 159:4 718:7 779:3 1834:6 1905:13

unmarried 373:24 716:26

unnamed 1900:13

unnecessarily 307:3

unpleasant 1645:11

unplug 772:2

unqualified 8:15 29:24

unquote 748:24

unrealistic 1880:11 1900:27

unreasonable 723:16 1908:23 1910:5

unrelated 670:8

unrelenting 771:24 1901:12

unring 986:4

Unruh 11:15,18 14:26 16:2 23:13,15 27:5,8,12, 26 28:9 161:26 162:1 163:5,10,12 172:12 174:21 175:1 331:10 335:26 337:8,10,13 357:24 362:8 371:8 400:22,27 404:1,14 608:18 612:9 619:10,27 637:8 638:3 664:19 669:19 687:27 689:21 690:10 692:2,3 693:18 703:2,26 706:7 716:15,28 717:13 736:23 737:8,15 740:19,27 744:16,17,21 749:28 750:10,13,16 752:17 753:1,2,7,17 754:1 755:17,22,26 756:5,12 773:23 777:15,26,28 778:3,4 1220:24 1228:26 1532:15,16,23,27 1533:9, 12,24,28 1534:4,9,10 1554:21 1652:20,24 1653:1 1818:25 1835:10 1844:22,23 1845:15 1846:7 1847:9 1848:5 1850:3 1851:10 1853:20 1854:3,9,25,26,27 1855:3, 22 1856:4 1857:9,24 1859:4 1862:25 1865:5,7, 11,13,14,18,20,24,26 1866:2,9,12,25 1867:5,8, 12,21,26 1868:6,7 1869:25 1870:24 1872:24, 25,28 1873:9,13,19 1874:3,4,8,12 1879:28 1881:13,26 1893:12,24 1895:18 1903:27 1904:18, 21 1906:11,15,26 1908:10,15 1909:18,24,25 1910:4 1914:16,24 1920:17,20 1921:6,16,20 1922:22 1923:2 1924:7, 12,17,21 1925:28 1926:1, 10

Unruh's 1863:6 1867:24

unsafe 968:22

unsatisfied 1822:6

unsupported 383:1

unsure 635:22

untethered 656:10

untimely 612:2 623:2 721:17 911:1,15

unusual 5:4 360:23 637:19 959:24,27 970:5 1558:10,19 1644:22,24

unwittingly 169:14

upcoming 24:11 39:15

update 1350:4 1618:14 1623:23

updated 1820:8 1864:1,2

upfront 385:20

upheld 660:23

uplifting 761:14 762:25 1551:14

upper 1272:3

uproar 989:24 1889:20

upset 658:23 690:18 771:14 953:1 967:9 968:9, 10 989:25,26 990:2,3,28 1005:8,11,15,24 1023:19 1024:19 1029:2 1269:24 1294:3,4,17 1304:21 1321:16 1344:12 1345:2 1351:25 1366:26 1833:21

urge 614:5 640:23 669:14 1867:13

usual 738:5 1923:3

utilitarian 1874:21

utterance 969:4,6

V

vacated 1898:6

vague 940:3 967:13 989:27 1013:24,25 1015:5 1016:19 1026:13 1045:7 1222:2,13 1223:25 1310:24,27 1313:22

1314:1,2 1321:19 1322:21 1548:24 1577:19 1679:7 1826:15

vagueness 1314:4

Valentine's 1656:18

validity 1908:25

Valley 1052:14,15 1328:16

values 953:26 1904:16

van 359:12 362:17,27,28 364:7 372:28 376:4 683:20

vandalism 372:28 376:4

vandalized 358:19 359:13 361:24 362:17,28 368:7,15 683:20

vanilla 1565:1

vantage 950:17

variations 1215:11

varieties 1355:28

variety 741:18 962:10 1603:12 1652:10

vast 393:1 1539:11

vegan 1018:14

Vegas 1027:4,14,15

vehemently 1919:19

vehicle 358:18 368:7 964:13,14 1556:21 1575:28

vehicles 1538:21 1556:14

veil 1558:14

velvet 995:15

vendor 1866:14 1917:19

vendors 1347:23 1539:13 1549:21,22

venue 6:16 745:10 746:19 934:2 1022:4 1034:25 1053:20 1055:20, 25,28 1056:3 1239:6 1288:23 1297:8 1330:14, 16,17 1539:13 1566:4 1567:19 1622:15 1633:15 1635:26 1640:2,5,7,17 1924:28

venues 1055:27 1632:13 1924:26

veracity 624:20

verify 1209:26

vernacular 387:27 1642:7

versa 157:25 166:9 170:23

verse 1598:8 1830:11

verses 1247:21 1598:7 1609:1

version 743:28 1848:7

versus 4:6 27:17,18 154:11 304:11 348:23 384:28 399:26 604:10 686:10 691:12 716:28 906:10 982:10 985:10 993:4 1026:18 1208:10 1581:10 1617:26 1806:10 1814:26 1815:4 1832:28 1843:11 1849:1 1875:17 1919:2

vertically 1604:21

viable 393:22

vice 157:25 166:9 170:22

vicinity 1291:27

vicious 373:21

victim 19:28 31:16,23 1891:4

victims 19:24,26,27 20:6, 10,15,22 1845:12 1919:21

victory 651:13

video 315:1 618:4 1039:15,18,20 1040:3 1044:27 1247:6 1259:13 1262:17 1265:1 1304:11 1315:3 1510:25 1582:19, 23 1585:1 1586:11 1619:4,8,10 1621:24 1624:21 1886:21

videographers 1918:6

videos 608:5 613:25 1582:12 1622:2

view 13:28 27:11 369:2 397:14 399:21 641:8 660:16 664:27 670:5 696:13 773:6 908:5 912:2 936:5 1216:25 1217:23 1534:9 1572:22,27 1618:2 1636:10 1685:19,24 1889:28 1898:25 1900:8 1918:23

viewed 678:10 757:17,23 1295:27 1572:17 1907:21

viewers 754:23

viewing 754:18 1874:27

viewpoint 1891:1 1917:7, 10

views 21:14 392:21,25 403:9 1219:24 1315:18,20 1628:15 1870:9 1887:10 1890:4 1899:10,11 1907:7 1918:19

vigil 970:17

vigorously 394:8

VIII 1902:13

VIII's 1902:19

vile 771:22

villages 1882:9

vindictive 348:13

violate 319:18 337:10 609:25 661:25 705:12 707:8 715:15,21 744:4 776:17 779:3,28 1023:6 1568:9,25 1570:10 1678:4 1829:16 1861:17

violated 161:26 174:21 337:13 707:12 744:21 756:15 1016:17 1352:12 1523:9 1844:22 1867:21

violates 665:15 666:16, 20,24 743:13 936:27 1681:22 1860:25 1861:9 1862:25

violating 641:22 705:6 1625:28 1854:26 1867:4 1893:21

violation 11:14,18 14:25, 26 15:1,4,22 16:22 27:5,8, 25 28:9 162:1,3,11,17,21, 23 163:5,9,11 171:11 172:11 357:24 371:9 395:16 638:3 653:22 663:10 671:14 678:3,4 715:27 740:19 750:10,13 752:18 1626:2 1844:27 1848:5 1850:3,27 1851:2, 4,10,16 1854:9 1857:9 1863:16 1866:12,15,25 1867:12 1872:11,28 1923:2 1924:7,12,18

violations 395:17 1883:10 1924:17

violence 361:8 392:24,26 688:27 770:5 991:13 1313:5,9,20,27 1314:11 1354:23 1507:21 1509:16, 20,23 1510:3,7 1546:28

violent 360:6 361:3 362:21 991:13 1002:8 1212:10

violently 1524:23

viral 360:24 364:18 692:23,25 694:13 729:28 1212:4 1306:9,15,16,18 1307:1,11,22 1320:28 1321:1,4 1323:9 1324:27 1325:8 1624:21

Virginia 2:27 152:28

virtue 1601:22

virus 772:1

visibility 1824:17

vision 1576:10

visit 700:3 941:17 947:28 948:10 957:3 1055:27 1227:7,19 1228:18 1685:15 1822:25 1830:13 1888:18

visited 1247:13 1284:22 1347:4

visiting 1232:14,17 1814:23

visits 1877:18

visual 356:25 931:6 1357:19

vitriol 771:24 1901:12

vocation 1880:21

voce 1511:22

voice 1071:8 1073:12

voiced 1024:5,18 1033:21 1041:9 1042:7

voicemail 1350:4

void 26:3

volatile 1647:8

volume 3:1 41:12,13 153:1 181:16,18 303:1 317:22 405:26,28 603:1 684:3 782:7,9 903:1 904:1 905:1 1203:1 1204:1 1205:1 1207:1 1503:1 1504:1 1803:1 1804:1 1805:1 1834:1 1927:23

volumes 615:26 684:6

voluminous 335:4 336:27 339:6 1900:10 1922:25

volunteered 346:27 1543:13

volunteering 1681:14

Vons 1347:9,10

voted 1315:25 1887:13, 15,16

vows 1057:25 1239:15 1241:23 1244:28 1630:11

vulgar 373:21 771:22 1877:8

W

W-2 1529:18 1531:6 1561:2,6 1562:21

WAC 311:6

wacko 1367:27

wait 306:5 330:15,16 339:7 380:7 387:8 764:4 990:15 998:19 1001:17,20 1051:23 1071:23 1251:24 1254:3 1568:3 1668:14 1808:1 1831:28

waited 1232:11 1300:9 1851:23

waiting 178:18 632:7 1282:26 1286:9,12 1900:11

waived 157:23 172:24 305:21 720:11

waiver 34:25 38:18,24 168:14

waiverable 38:23

waiving 166:27

walk 19:23 734:21 750:14 751:9 760:12 992:23 1018:10 1327:14 1342:23 1357:14 1610:3 1627:16 1631:14 1656:21 1855:26 1924:9

walked 738:11 752:4 765:2 769:23 776:22 951:8 977:6 1065:11 1072:1 1286:19 1287:3 1333:7,8 1341:18,19 1344:8 1345:6 1542:22 1642:18 1875:3

walking 1242:15 1627:16 1648:21

walks 16:1 611:17 1350:1 1853:25

wall 760:27 1063:13 1595:8,17 1596:1 1602:11 1641:2,3

wallet 626:20,22

walls 922:28

Walmart 1565:19 1648:22

wanted 27:3,8 32:16 36:22 171:27 177:22 313:5 350:19 352:9,17 353:24 360:13 364:18,19, 21,24,25 381:6,11 608:11 616:18 640:3 642:4 647:13 705:4 721:1 723:7 728:1 738:15 744:15 745:12,27 746:13 748:3, 12 749:6 758:10 760:4 763:11 765:5 775:13,17, 18,20,27 776:10,16 777:1 779:27 923:18 941:27 942:1,3 945:26 951:9,22 952:22 961:24 969:21 970:6,8 1006:19 1007:10, 12 1020:8,23 1021:3,7 1026:8 1027:21 1028:3 1030:16 1032:13 1033:2, 14 1035:7 1042:25 1053:12 1057:25 1058:9, 17 1063:4 1064:20,24 1066:11 1067:15 1070:5 1077:10,12 1213:16 1218:14 1219:10 1220:18 1227:26 1237:19 1245:8 1246:2 1248:1,7,13 1249:15 1256:9,21 1271:4 1274:23 1275:21 1283:13, 18 1284:23 1301:14 1306:18 1307:1 1311:13 1321:3 1323:8 1332:21 1334:2,11,14 1335:6,7 1336:26 1338:2 1342:2 1345:20 1352:11 1356:8 1357:9 1359:8,27,28 1360:5,13,16 1361:19 1363:8 1369:26 1512:10 1515:19,22,23,24 1516:15 1520:21 1521:9,10 1534:2 1535:27,28 1550:13 1553:8 1577:14 1611:11 1623:19 1625:15 1627:18 1629:18,22 1633:5 1649:17 1662:14 1677:5, 18 1809:15 1812:7 1820:3 1825:19 1826:12,24 1831:10 1846:17 1871:8, 19 1876:8,12,16 1880:2 1888:7 1892:24 1897:14 1898:20,22 1902:14 1912:3,18,21 1913:1,4 1919:11

wanting 180:26 349:26 375:2 633:17 650:16 948:1 961:7 1058:14,17 1219:22 1225:11 1576:14 1603:6 1664:10 1677:2 1908:16

war 1883:20

warned 781:6 985:20

Wash.2nd 159:11

washed 657:23 662:4 665:1 1268:4

washing 397:3 1221:2

Washington 159:12 173:18

waste 331:24 332:6 1330:6

wasting 312:23

watch 361:6 916:6

watchful 1861:18

watching 916:8,14,15 1610:6

water 973:25 974:10 1018:2 1682:22

waters 948:7

wave 397:2 657:22 662:3 665:1 675:8 1219:16 1221:2 1224:11 1225:3 1265:6 1268:3 1901:14

wavy 746:15 1065:1

ways 36:21 348:26 372:6, 23 622:6 696:11 703:27 715:19 726:18 989:5 1213:1 1516:17 1551:21 1636:5 1859:11 1861:24

weak 755:14

wear 964:12 1269:11 1538:24,26 1539:3

wearing 964:10 1222:5 1539:6 1648:24 1866:6

weather 1329:7

website 775:11 1068:16 1545:9 1559:18 1661:13 1924:22

websites 1918:8

Weddell 374:3 687:10 692:24 694:8,13 772:8,20 1211:22 1233:3,12 1254:15 1308:19,26 1309:1,12 1312:1 1316:22 1325:6 1350:19,28 1352:1 1366:18 1368:20,27 1369:16 1507:14 1508:6 1526:3 1833:8

Weddell's 749:18 1310:13

wedding 14:23 159:17 174:4,23,26 175:6,13 323:28 346:13 348:12,18 356:18 360:22 361:28 364:28 386:13,20,25 400:18 401:11,23 402:5,8, 12,18 609:25 612:15,20, 23,26 613:1,5 616:18,21

619:12 621:8,10,13,16 622:5 623:24 624:25 626:27,28 633:12,13,18, 19 634:8,20,21 639:15,16, 21,22 640:1,2 641:20,24 648:17 688:24 705:18 722:24,25 724:21,23 726:24 727:17 728:12 729:14,21,23,25 730:6 731:1 737:27 738:1,5 739:3,14 740:14 741:23 742:13,16 743:16,24,27 745:7 748:20 749:10 753:8 754:19 755:13,26 756:28 757:1,27,28 758:4, 22,24 760:10,21,24 761:21 762:19 763:3,21, 24 764:8,12,23 765:7 766:4,24 767:7,11 768:1, 7,27 769:5,15,20,21,23,24 770:3,25 773:9,12,13 775:14,15,20,24 776:1,3, 15 777:7 780:7,15 910:1,2 920:25 924:13 925:6,9,13, 18 928:26 930:9,22 932:3, 6,10,11 933:20,23,26 937:7 939:17,25,26 940:2, 10,14 941:4,8 942:2 945:13,15 946:10 947:6, 26 948:1,13,16,21,25 951:10,11,19,22 952:7,11, 17 955:12 959:6,17,25 960:15 961:7,11,26 963:4 964:6,7,25 965:4,28 970:4,8 971:7,18 972:4 982:24 986:23 987:24 996:14 998:28 999:25 1002:12 1012:7,27 1013:8,13 1014:5,6 1015:14,22,25 1016:1,24 1017:6 1018:12 1019:21 1021:15,16 1022:14,24 1023:16,22 1025:4,10 1026:7,12,18,19 1028:10 1029:4 1032:5,22 1034:1, 25 1037:11,16,19 1044:14,15 1052:26 1053:1,18,19 1056:4 1058:6 1059:4,25 1060:19 1062:15,19 1063:28 1066:25,28 1067:1 1072:9 1230:26 1236:5,9 1237:12,17,27 1238:20 1243:13,23 1245:22 1246:2,4,9,10 1247:25 1248:16,17,24 1249:10 1255:19 1256:7,8,9,17,18 1260:16,24 1263:27 1269:7 1273:1,16 1281:20 1296:28 1297:2,20 1299:13 1301:15,21 1302:5 1304:19,22 1314:14 1315:7 1320:20 1323:25 1329:26 1330:9, 22 1331:20,23 1333:9 1334:27 1335:2 1337:15, 18 1338:25 1339:5,7,27 1347:23 1355:8 1356:18 1357:2 1358:1 1359:17 1360:16,21 1361:6,24,25 1362:28 1363:8 1515:12, 20,23,28 1516:5 1517:19 1522:16,24 1523:2,18 1526:8 1535:12,15 1536:1,13,16 1537:28 1538:5,10,13 1539:8,14, 26,27 1540:17,22 1541:7, 18 1542:15,23,24 1543:18 1544:17,23 1545:1,4,5 1548:15,17,19,23 1549:4, 11,14,18,19,21,22,27 1550:1,8,10 1556:20,24 1557:14 1558:10,14,25 1566:21 1571:2 1579:1 1595:16 1600:19 1604:14 1605:9 1607:18 1608:13, 16,24,27 1609:22 1610:2, 6,9 1611:1,23,25,27 1612:12 1614:15,16 1615:3,8,13 1617:7,19 1624:7,12,13 1626:3,20 1629:4,12,14,27 1630:3 1632:8,23,26 1634:19,21 1635:2,9,24 1636:8 1637:24 1638:8 1639:20 1640:12 1641:21,23,24,27 1642:1 1644:23 1645:14, 24 1650:27 1656:8,15 1659:12,24 1660:26 1661:15 1662:5,11,13,14, 26 1663:5 1664:5,9,10,12, 18,23,25 1665:3,4,11,16 1666:19,20 1667:2,3,7,22, 24,25,26 1668:26 1669:6, 15,19,28 1670:2 1671:25, 26 1674:8,25,26 1676:17 1677:2,28 1685:5,9 1809:16 1810:7 1815:11, 20 1818:3,4 1819:1,10 1820:3,10,17,18 1826:13, 24,25 1829:2,6,7,10,17,26 1830:12,13,25 1831:3 1835:28 1838:16 1844:24 1847:13,16,19,27 1849:8, 14,18,21,23,24 1850:19, 20 1853:17,20,21,28 1854:4,6,8,28 1855:1,11 1859:14 1860:17 1862:18 1863:24,26 1866:14 1867:15,23 1875:4,6,7 1876:7,9,13,17 1877:19 1878:17,19,28 1879:1,16 1880:13 1881:11 1884:8, 19 1885:9,10,12,14,16,23, 27 1886:8,10,14,15,17,28 1888:19,25 1889:3,4 1892:10,12,24,25 1893:18 1895:16 1901:19,23 1905:3,13,17,22 1911:26 1912:15,16 1913:5 1915:5,16 1916:21,24,25, 26,27 1917:5,19,22 1918:5,6,8,11 1919:13,14 1921:24 1922:3,6 1924:26,28 1925:20,23

weddings 402:20 614:13, 18 627:1 634:17 639:14 688:24 706:23 724:19 727:15 729:7 739:6 759:22 761:16 766:11 776:7 929:12,28 943:24 949:10 971:7 976:26 1012:12 1032:6 1243:20 1339:6 1536:17 1537:28 1549:20 1557:26 1558:23 1568:10,14,26 1571:8 1591:4 1608:18,22 1609:2,27 1610:10 1614:14 1616:17,22 1617:6,14 1621:27 1651:7 1659:18 1666:4,7,16 1667:9,23 1670:7 1674:24 1819:19 1847:20 1861:23 1907:25 1920:11

wedlock 666:9,20 1625:28

WEDNESDAY 3:4 4:1 1203:5 1208:1 1278:1

weeds 719:19

week 11:12 305:9 308:18, 23 309:9 320:14 635:3 654:16 656:22 720:27 723:7 738:25 923:20 944:7 948:24 949:8 996:9, 20 1004:7,11 1023:22 1040:8 1050:20 1066:14 1072:6 1362:25 1538:11, 14 1592:12,13 1623:2 1624:21 1627:13 1645:18 1655:9,21,22,27 1656:9 1659:3,4 1820:28 1824:5 1837:6 1868:22,25

weekend 344:17 616:27 1051:11 1328:15 1329:8 1531:26

weekly 1656:5

weeks 19:20 34:15,17 718:17 740:11 774:28 969:14 1313:26 1628:7 1900:9

weigh 28:17 723:21

weighs 1912:8

weight 38:27 39:2 349:18 1221:16 1870:7

weighty 1881:7

weird 22:10 30:18 384:26 928:4 975:27 1295:9 1851:3 1866:6

welcomed 1263:10 1627:1

Welcoming 1237:6

well-qualified 621:3

well-versed 777:23

Wendy 374:3

weren't's 665:21,22

West 173:28 302:22 602:22 902:22 1202:22 1502:22 1802:22

Westlaw 311:28

whatsoever 394:8 610:4 737:16 756:13 1215:25 1601:19,20 1844:21

wheeled 758:1 776:1

wheels 375:6

whichever 663:3

whip 1354:14 1366:7

whipped 1219:25

whiskey 1683:17

whispering 1319:19

white 402:14 610:2,3 614:10,15 762:22 1000:21 1022:8 1029:16 1056:27, 28 1064:21 1314:16 1542:23 1559:21 1564:24 1565:23 1594:8 1595:18 1617:7 1621:27,28 1628:22 1669:11 1885:15 1913:23

whites 995:17

Whitney 687:10 692:24 694:8,13 749:18 772:8,20 1211:22 1233:3 1254:11, 15,25 1308:19,26 1309:1, 12 1310:13 1312:1 1316:22 1325:6 1350:18 1366:18 1368:20,27 1369:16 1507:14 1526:3 1833:8

whittle 370:10

who've 1648:8

wholesale 334:9 366:11

whooped 361:4 362:24

wide 672:25

widespread 1612:19

wife 747:24 776:24 777:2 1050:13 1058:4 1061:11, 15,28 1068:15 1070:2,5 1074:17 1075:11,16 1076:24 1236:17,18 1237:1 1326:26 1331:18 1332:27 1338:18 1340:3, 28 1341:3,8,14,19 1342:20 1344:10,14 1345:1 1346:18 1348:15 1352:15 1356:21 1358:9 1509:20 1510:4,5 1528:1 1529:15 1532:19 1609:12 1630:6 1879:7 1902:15

wife's 1067:6 1068:14 1072:25

wild 728:22

win 20:13 175:21 752:19 1004:18

wind 626:20 1528:26 1529:11

windfall 169:3

window 319:5 1301:16

wine 1052:15 1622:11 1682:15,18,22

winning 31:1

wins 640:18

wipe 396:7

wished 772:5 912:21 1820:14

wishes 930:14

wishing 742:2

wispy 942:18 1606:24 1831:22

witches 609:19 1679:27

withdraw 386:27 620:13 649:13 676:10,15,17 703:9 910:14 1038:26 1518:17 1651:6

withdrawing 377:17 624:9 676:14

withdrawn 377:6 620:20 676:21 701:27 702:7,18, 21,22 703:4,8,14 708:17

withdrew 648:27 701:26 706:16 726:25

withheld 34:10 335:27 336:2 713:8

withhold 1235:26 1917:2

witness' 623:5 1214:2 1309:9,20 1311:28

witness-type 626:5

witnessed 712:19 988:7, 8,11,12,15 1044:1,3,6,9 1856:15

witnesses 32:9 305:26 306:14 308:19,22,28 309:2 317:24 320:1 323:2 327:22 328:15 339:1 342:2,3 344:19 345:24 347:3 350:1 353:23 368:21 377:23,24 379:24 381:19 383:11 404:7 617:22 622:16,23 624:3 652:6 655:14 680:15 687:13 701:27 702:6,11, 14,23,24 706:16 708:14 709:1,10,18,20 711:19,23 712:2 713:24 714:1,3,12, 14,17,22 715:2 732:1 755:1 769:7 777:12,13 904:2,4,16 909:10,13 913:21 915:4,28 916:1,11, 17,24 972:13 973:10 985:27 1204:2,4 1504:2,4, 10 1517:3 1526:26 1579:20 1804:2,4 1878:9 1894:25

witnesses' 1534:15

woke 780:12

woman 21:12 347:17 609:27 641:19,23 666:3 667:26 668:1 673:3 743:17 763:12 764:1,13 765:11 766:17,19 780:16, 23 937:8 940:15,28 949:19 1262:21 1263:24 1534:3 1535:3 1550:27 1568:27 1569:8,16 1600:21,27,28 1601:4 1608:28 1609:25 1628:19 1645:16 1646:25 1648:26 1671:13,16,18,19,27 1672:27 1674:7 1679:18 1827:18,19 1828:2,3,24 1829:5,18 1849:19,22 1860:10 1868:6 1879:20 1882:11 1893:10 1904:13 1908:17 1917:13

woman's 1603:23

women 373:24 667:26 765:14 768:23,25 771:25 977:9 1051:27 1300:3 1629:15 1643:16 1674:5 1680:1 1845:11 1849:24 1853:18 1892:28 1899:13, 14

women's 736:16 1845:28 1899:16

won 1872:7 1897:12,18

wonderful 1009:27 1027:10 1626:24

wooden 1603:18

word 326:25 327:7,23 328:5,6 332:2,14 385:8,9, 25 387:1,2,7,22 388:6,8, 25 390:11,18 683:2 697:10 710:6 718:4 731:18 777:9 780:27,28 781:1,10 950:19 954:12 966:17 1216:1 1238:1 1244:8 1306:8,14 1307:10,21 1369:26 1600:26 1642:5 1672:19 1686:20 1821:11,17 1856:16 1865:19

words 15:8 162:23 163:20 313:20 327:7,19, 28 328:1 329:2 330:24,28 333:14 336:11 337:9,17 341:25 343:20 348:22,23 377:14 388:19 771:11 776:25 1225:25 1253:14, 17 1256:5 1264:18 1294:5 1316:6 1507:8 1603:8 1642:3 1647:21 1671:3,8 1823:5 1859:26 1916:21, 22,23

wore 1269:7 1836:25

work 8:25 9:6,10 12:3,4 18:1 24:3,8,15,17 25:1 26:7,13 32:4,15 37:9 157:6,13 158:8 165:23 166:1 172:18,20,26,28 309:10 314:7 336:23,24 346:28 365:8,10 399:9 404:6 730:16 735:11 747:1 759:2 768:21 777:20 780:3 919:17 920:10 947:3 958:14,18 959:4 964:5 969:20 975:4, 14,16,17,18 977:17,21 980:16 995:26 997:13 1000:20 1003:17 1006:3 1009:25 1010:13 1011:6 1023:27 1026:25 1030:1, 19,20,22 1031:14 1033:26 1034:4 1041:22,28 1050:20 1238:18 1327:6, 11 1332:26 1528:21,22 1529:5,10,16 1531:8,22 1532:2,7,11 1537:23 1539:4 1548:5,28 1559:9 1589:11 1590:3,20,25 1592:4,8,12,13,16 1593:3, 7,11,13,18,22 1598:14,15 1600:15 1601:14 1602:24 1604:7,25,26 1605:15 1606:20,21 1607:5,16 1608:7 1615:22 1616:7 1621:14 1623:22 1627:13, 27 1636:4 1640:8 1657:9 1660:11 1661:10,14,17

1816:17 1832:3,4,5,7 1835:4,23 1867:27 1870:3 1878:11 1880:16,18 1894:24 1902:7 1905:27 1911:15 1915:20 1922:26 1924:28

work-related 1027:2

workable 652:13 780:2 1636:10 1638:12 1878:1

worked 35:5,19 315:10 319:28 365:6 616:27 617:3,5 621:21 706:18,25 738:12,15 746:16 767:1,2, 14,19 771:25 777:22 917:27 925:20 941:23 945:21 958:8 962:7 975:7, 9 976:7 983:7,17,20 984:5 993:7 994:6,18 999:7 1006:4 1009:16 1010:23 1011:27 1017:1 1020:14 1022:4 1037:10,14,25 1041:3 1042:5 1043:5,23, 26 1044:2 1054:22 1329:23 1335:22 1356:4 1528:25 1531:4 1536:1 1580:8 1590:14 1628:1,4, 6 1633:9 1667:27 1684:8 1831:18 1835:5 1912:23

workers' 1562:4

workforce 392:13 1877:28

working 11:11 23:16 308:17 315:16 608:3 712:17 753:12 759:13 765:11 777:20 919:1 923:26 924:9 931:5 941:18 944:2 947:7 960:4 966:20 973:12 975:22,28 978:28 979:4,9 980:24 981:23 982:8,9 983:17,18, 26 986:21,28 987:3 989:23 1009:15 1011:17 1012:1,28 1014:23 1020:3 1025:1 1026:27 1030:26 1031:13 1034:15 1038:11 1041:9 1043:16 1050:28 1059:24 1067:2 1237:15 1273:28 1286:22,26 1327:17 1330:4 1353:9 1367:13 1528:20 1537:20 1560:28 1561:3 1598:17 1613:26 1616:8 1623:13 1624:24,25 1635:26 1636:21 1654:20 1834:23 1868:21 1869:7,10 1887:26 1888:1 1905:7,14

works 372:22 697:18,27 732:11 914:3,8 921:1 935:25 1513:3 1528:27 1591:24 1601:17 1818:12 1822:10 1849:7 1887:6 1924:27

world 763:17 1211:23 1212:13 1216:21 1308:20 1311:14,16 1369:17 1508:23 1825:9 1833:9 1834:25 1838:26 1882:8 1889:14

worried 326:25 327:1 328:12

worries 952:13

worry 314:25 315:6 1340:10

worrying 347:28

worse 387:20 388:27 1891:12

worship 1590:12

worst 1912:4

worth 305:11 1358:19

worthwhile 606:24

wow 1631:14

wrap 642:8 727:2 1019:5 1611:1

wrapped 305:26

writ 6:6 7:15 32:22 180:26 181:1

write 768:15,16,18 971:14 1045:14,25 1334:26 1513:10 1886:13

writes 339:8 637:2

writing 610:4 768:8 929:6 944:11 965:3 971:17 1045:18 1064:2,14,15 1065:7 1067:7 1215:5 1287:13 1336:17 1338:8 1342:10,12 1509:7 1607:22 1852:24 1886:7, 9,10,15,16,17,19 1889:21

writings 24:4

writs 1872:7

written 309:26 342:23 361:2 385:28 386:1 614:12,17 622:18 632:16 637:3,5 638:21 639:18 708:20 754:28 763:14 907:20 1056:10 1220:8 1276:4,17 1568:17 1569:10,12 1623:5 1816:12,16,18 1896:17 1903:17

wrong 161:9 324:5 331:26 363:26 385:21 390:6 617:14 672:10 673:1,24 678:8 718:23 749:14 968:7 1045:1,5,11, 13,24 1046:5 1227:22 1228:7 1264:10 1644:12 1678:24 1853:6,15 1899:9 1919:7

wrongly 389:20

wrote 26:17 31:18 655:17 1216:13,19 1224:26 1239:7 1268:6,12,13 1270:19 1354:4 1362:24 1363:25 1506:28 1507:9, 11 1509:1,3,4 1512:23 1513:11 1634:1,4 1869:28 1870:26 1879:9 1887:8 1900:14 1917:4

WTF 1368:9

X

X'G 734:19

X-RATED 1680:18

Y

Yamakas 174:25

yards 725:5

yarmulkes 1849:7

year 173:28 180:9 745:11 779:20 910:17 931:24 966:25 975:11 991:3 1009:8 1019:16 1029:13, 22,23 1052:8 1055:23 1224:3 1245:1,9 1327:22 1331:4 1351:9 1528:6,22 1530:27 1596:10 1606:28 1608:20 1612:26 1613:1, 27 1615:24 1618:12,14 1623:23 1631:5 1644:26 1651:21 1652:7 1897:26 1899:3 1915:19

years 20:25 175:24 339:21 376:16 615:28 616:7,28 626:7 638:13 658:14 669:21 706:18 709:17 722:19,23 728:7 730:6 741:4 744:25 750:11 758:15 762:13 763:13,18 766:5 769:28 772:22 777:22 910:8 918:15,19 962:8 983:3 1009:17 1020:6 1033:18 1041:3 1050:11,26 1055:24 1228:8 1279:17, 25,27 1280:8 1294:21 1327:2,21,22 1328:4 1344:26 1358:4,12,14 1528:10,12 1530:24,28 1531:4,20,22 1545:14 1547:18 1548:6,28 1549:3 1551:27 1552:11 1570:8 1589:2 1590:7,20,28 1591:13,28 1605:1,5,10 1609:27 1611:6 1614:9 1627:27 1644:28 1648:22 1652:16 1669:15 1823:1 1831:19 1854:7,27 1862:9,27 1877:4 1903:26 1905:28

years' 623:22

yell 990:25,26 1073:23 1292:20 1344:7 1811:24

yelling 951:4 990:22,24 1642:20

yellow 1629:23 1864:16

Yelp 357:3 690:23 698:6 775:8 1232:14,20 1270:3 1547:14,22 1821:25

yes-or-no 1047:24 1518:2 1519:5,6

yesterday 310:27 912:20 1215:17,21 1227:6 1228:9 1229:14 1237:10 1521:6 1613:17 1816:8 1818:9,28 1825:18 1827:15 1831:7 1885:21

You're' 312:12

young 373:24 771:25 967:21 975:7 983:11 987:8 994:12 997:26 1327:28 1607:17 1647:2 1651:2

younger 176:2 1593:6 1650:27

youth 1528:3,5,7

Z

Zamora 1367:12

zealous 23:22 40:17

zealously 10:11 159:24

zoom 1525:6 1810:10