

<b>Description</b>	<p>LS-21-002 through 004 Minutes for Hearing Day 5  Baja Concrete USA Corp, et. al.  Tuesday, June 20, 2023</p> <p>Time: 9:00 a.m.  Examiner: Ryan Vancil  Assistant: Angela Oberhansly</p> <p>Party Representatives:</p> <p>Alex Larkin, Legal Counsel for the Appellant, Baja Concrete</p> <p>Nicole Wolfe, Legal Counsel for the Appellant, Newway Forming</p> <p>Allen McKenzie, Legal Counsel for the Appellant, Antonio Machado</p> <p>Trina Pridgeon, Legal Counsel for the Department, Office of Labor Standards</p> <p>Lorna Sylvester, Legal Counsel for the Department, Office of Labor Standards</p> <p>Witnesses:</p> <p>John Edward Hinestroza Diaz</p> <p>Jose Alfredo Acosta Caballero</p>
<b>Date</b>	6/20/2023 <b>Location</b> [HXM1810606]

Time	Speake	Note
<a href="#">9:00:42 AM</a>		Examiner opens hearing
<a href="#">9:02:59 AM</a>		Examiner pauses hearing
<a href="#">9:12:31 AM</a>		Francisco Rojas is sworn in
<a href="#">9:13:54 AM</a>		Examiner pauses hearing
<a href="#">9:31:02 AM</a>		Examiner resumes hearing
<a href="#">9:31:05 AM</a>		John Edward Hinestroza Diaz is sworn in
<a href="#">9:35:10 AM</a>		Pridgeon begins direct examination of Diaz
<a href="#">9:35:26 AM</a>		Diaz responds
<a href="#">9:36:21 AM</a>		Pridgeon continues
<a href="#">9:36:41 AM</a>		Diaz responds
<a href="#">9:40:37 AM</a>		Larkin objects
<a href="#">9:40:42 AM</a>		Pridgeon responds
<a href="#">9:40:50 AM</a>		Objection is overruled
<a href="#">9:41:33 AM</a>		Pridgeon continues
<a href="#">9:41:42 AM</a>		Diaz responds
<a href="#">10:03:59 AM</a>		McKenzie objects
<a href="#">10:04:17 AM</a>		Pridgeon responds
<a href="#">10:04:28 AM</a>		Objection is overruled
<a href="#">10:04:56 AM</a>		Pridgeon continues
<a href="#">10:05:08 AM</a>		Diaz responds
<a href="#">10:22:39 AM</a>		Pridgeon uses share screen to display City Exhibit 15 and continues to directly examine Diaz regarding it
<a href="#">10:22:52 AM</a>		Diaz responds
<a href="#">10:24:13 AM</a>		Pridgeon continues
<a href="#">10:24:14 AM</a>		Diaz responds
<a href="#">10:30:01 AM</a>		McKenzie objects
<a href="#">10:30:11 AM</a>		Wolfe joins objection
<a href="#">10:30:21 AM</a>		Examiner interjects
<a href="#">10:31:21 AM</a>		Objection is sustained
<a href="#">10:31:28 AM</a>		Pridgeon continues
<a href="#">10:32:04 AM</a>		Larkin objects
<a href="#">10:32:08 AM</a>		Pridgeon responds
<a href="#">10:32:22 AM</a>		Objection is overruled
<a href="#">10:32:26 AM</a>		Pridgeon continues
<a href="#">10:32:51 AM</a>		Diaz responds
<a href="#">10:32:54 AM</a>		Examiner pauses hearing for a morning break
<a href="#">10:33:11 AM</a>		Examiner resumes hearing
<a href="#">10:50:55 AM</a>		Pridgeon continues
<a href="#">10:51:29 AM</a>		Diaz responds
<a href="#">10:53:55 AM</a>		Pridgeon uses share screen to display Hearing Exhibit 4 and continues to directly examine Diaz regarding it
<a href="#">10:54:55 AM</a>		Diaz responds

<a href="#">10:57:31 AM</a>	Pridgeon uses share screen to display Hearing Exhibit 13 and continues to directly examine Diaz regarding it
<a href="#">11:02:30 AM</a>	Pridgeon continues
<a href="#">11:02:45 AM</a>	Diaz responds
<a href="#">11:03:55 AM</a>	Pridgeon uses share screen to display City Exhibit 15 and continues to directly examine Diaz regarding it
<a href="#">11:08:18 AM</a>	Diaz responds
<a href="#">11:13:16 AM</a>	Pridgeon continues
<a href="#">11:13:20 AM</a>	Diaz responds
<a href="#">11:18:10 AM</a>	Larkin objects
<a href="#">11:18:16 AM</a>	Pridgeon responds
<a href="#">11:18:24 AM</a>	Objection is overruled
<a href="#">11:18:36 AM</a>	Pridgeon continues
<a href="#">11:18:46 AM</a>	Diaz responds
<a href="#">11:22:25 AM</a>	Larkin objects
<a href="#">11:22:29 AM</a>	Pridgeon responds
<a href="#">11:22:44 AM</a>	Objection is overruled
<a href="#">11:22:54 AM</a>	Pridgeon continues
<a href="#">11:24:16 AM</a>	Pridgeon motions to admit City Exhibit 15
<a href="#">11:24:31 AM</a>	McKenzie objects
<a href="#">11:25:03 AM</a>	Pridgeon responds
<a href="#">11:25:29 AM</a>	City Exhibit 15 is admitted as Hearing Exhibit 19
<a href="#">11:25:52 AM</a>	Pridgeon concludes
<a href="#">11:26:04 AM</a>	Larkin begins direct examination of Diaz
<a href="#">11:29:08 AM</a>	Diaz responds
<a href="#">11:33:57 AM</a>	Larkin concludes
<a href="#">11:34:09 AM</a>	Wolfe begins direct examination of Diaz
<a href="#">11:35:42 AM</a>	Diaz responds
<a href="#">11:47:52 AM</a>	Wolfe uses share screen to display Hearing Exhibit 13 and continues to directly examine Diaz regarding it
<a href="#">11:48:37 AM</a>	Diaz responds
<a href="#">11:51:07 AM</a>	Wolfe continues
<a href="#">11:51:18 AM</a>	Diaz responds
<a href="#">11:56:33 AM</a>	Wolfe uses share screen to display Hearing Exhibit 19 and continues to directly examine Diaz regarding it
<a href="#">11:57:12 AM</a>	Diaz responds
<a href="#">11:57:48 AM</a>	Pridgeon objects
<a href="#">11:58:06 AM</a>	Wolfe responds
<a href="#">11:58:15 AM</a>	Objection is overruled
<a href="#">11:58:21 AM</a>	Wolfe continues
<a href="#">11:58:30 AM</a>	Diaz responds
<a href="#">12:00:24 PM</a>	Wolfe concludes
<a href="#">12:00:33 PM</a>	McKenzie begins cross examination of Diaz
<a href="#">12:02:08 PM</a>	Diaz responds

<a href="#">12:07:52 PM</a>	Pridgeon objects
<a href="#">12:07:55 PM</a>	McKenzie responds
<a href="#">12:07:57 PM</a>	Objection is overruled
<a href="#">12:08:17 PM</a>	Diaz responds
<a href="#">12:12:38 PM</a>	Diaz continues
<a href="#">12:12:46 PM</a>	McKenzie continues
<a href="#">12:12:55 PM</a>	Diaz responds
<a href="#">12:15:53 PM</a>	Pridgeon objects
<a href="#">12:15:58 PM</a>	McKenzie responds
<a href="#">12:16:11 PM</a>	McKenzie rephrases question
<a href="#">12:18:03 PM</a>	Diaz responds
<a href="#">12:23:05 PM</a>	McKenzie uses share screen to display Hearing Exhibit 19 and continues to cross examine Diaz regarding it
<a href="#">12:23:19 PM</a>	Diaz responds
<a href="#">12:28:30 PM</a>	McKenzie uses share screen to display City Exhibit 127 and continues to cross examine Diaz regarding it
<a href="#">12:28:41 PM</a>	Pridgeon objects
<a href="#">12:29:02 PM</a>	McKenzie responds
<a href="#">12:29:04 PM</a>	Objection is overruled
<a href="#">12:29:11 PM</a>	McKenzie continues
<a href="#">12:31:30 PM</a>	Diaz responds
<a href="#">12:39:13 PM</a>	McKenzie concludes
<a href="#">12:41:09 PM</a>	Examiner pauses
<a href="#">12:41:36 PM</a>	Examiner resumes hearing
<a href="#">12:48:00 PM</a>	Pridgeon uses share screen to display Appellant Newway Exhibit 2 and continues redirect examination of Diaz regarding it
<a href="#">12:48:31 PM</a>	Diaz responds
<a href="#">12:48:42 PM</a>	Pridgeon continues
<a href="#">12:49:20 PM</a>	Diaz responds
<a href="#">12:49:30 PM</a>	Larkin objects
<a href="#">12:49:56 PM</a>	Pridgeon asks a different question
<a href="#">12:50:29 PM</a>	Diaz responds
<a href="#">12:50:59 PM</a>	McKenzie motions to strike a response
<a href="#">12:51:11 PM</a>	Larkin joins motion
<a href="#">12:51:17 PM</a>	Pridgeon responds
<a href="#">12:51:51 PM</a>	Parties are in agreement. Motion to strike a response is granted
<a href="#">12:52:16 PM</a>	Pridgeon continues
<a href="#">12:52:28 PM</a>	Diaz responds
<a href="#">12:53:06 PM</a>	Larkin objects
<a href="#">12:53:27 PM</a>	Examiner responds
<a href="#">12:53:57 PM</a>	Pridgeon rephrases question
<a href="#">12:54:24 PM</a>	Diaz responds

<a href="#">12:55:14 PM</a>	Pridgeon uses share screen to display Hearing Exhibit 13 and continues redirect examination of Diaz regarding it
<a href="#">12:55:28 PM</a>	Diaz responds
<a href="#">12:57:27 PM</a>	Pridgeon uses share screen to display Hearing Exhibit 19 and continues redirect examination of Diaz regarding it
<a href="#">12:59:31 PM</a>	Diaz responds
<a href="#">1:00:28 PM</a>	Pridgeon continues
<a href="#">1:00:56 PM</a>	Larkin objects
<a href="#">1:01:11 PM</a>	McKenzie and Wolfe joins objection
<a href="#">1:01:33 PM</a>	Pridgeon responds
<a href="#">1:02:12 PM</a>	Examiner responds
<a href="#">1:02:18 PM</a>	Pridgeon responds
<a href="#">1:02:45 PM</a>	Pridgeon continues
<a href="#">1:05:56 PM</a>	Diaz responds
<a href="#">1:07:25 PM</a>	Pridgeon motions to admit Appellant Newway Exhibit 2
<a href="#">1:07:57 PM</a>	Larkin objects
<a href="#">1:09:02 PM</a>	Pridgeon responds
<a href="#">1:09:33 PM</a>	Wolfe begins redirect examination of Diaz
<a href="#">1:10:45 PM</a>	Diaz responds
<a href="#">1:10:53 PM</a>	Wolfe concludes
<a href="#">1:11:17 PM</a>	Examiner pauses for a lunch break
<a href="#">2:45:35 PM</a>	Examiner resumes hearing
<a href="#">2:51:02 PM</a>	Larkin objects to Appellant Newway Exhibit 2's admittance
<a href="#">2:54:21 PM</a>	McKenzie responds
<a href="#">2:55:17 PM</a>	Appellant Newway Exhibit 2/Appellant Machado Exhibit 23 is admitted as Hearing Exhibit 20
<a href="#">2:57:08 PM</a>	Appellant Machado Exhibit 31 is admitted as Hearing Exhibit 21
<a href="#">2:57:36 PM</a>	Sylvester calls next witness
<a href="#">2:58:09 PM</a>	Jose Alfredo Acosta Caballero is sworn in
<a href="#">2:59:56 PM</a>	Sylvester uses share screen to display Appellant Machado's Exhibit 31 for the Examiner
<a href="#">3:00:34 PM</a>	Examiner responds
<a href="#">3:01:59 PM</a>	Sylvester begins direct examination of Caballero
<a href="#">3:02:09 PM</a>	Caballero responds
<a href="#">3:04:35 PM</a>	Sylvester continues
<a href="#">3:04:38 PM</a>	Caballero responds
<a href="#">3:12:27 PM</a>	Wolfe objects
<a href="#">3:12:31 PM</a>	Sylvester responds
<a href="#">3:12:41 PM</a>	Objection is overruled
<a href="#">3:12:49 PM</a>	Sylvester continues
<a href="#">3:18:29 PM</a>	Caballero responds
<a href="#">3:20:28 PM</a>	Sylvester uses share screen to display Hearing Exhibit 12 and continues direct examination of Caballero regarding it
<a href="#">3:21:36 PM</a>	Caballero responds

<a href="#">3:28:59 PM</a>	Sylvester continues
<a href="#">3:29:09 PM</a>	Caballero responds
<a href="#">3:32:34 PM</a>	Sylvester uses share screen to display Appellant Baja Exhibit 118 and continues direct examination of Caballero regarding it
<a href="#">3:33:26 PM</a>	Caballero responds
<a href="#">3:34:06 PM</a>	Sylvester motions to admit Appellant Baja Exhibit 118
<a href="#">3:34:27 PM</a>	Appellant Baja Exhibit 118 is admitted as Hearing Exhibit 22
<a href="#">3:34:57 PM</a>	Sylvester uses share screen to display Hearing Exhibit 16 and continues direct examination of Caballero regarding it
<a href="#">3:35:22 PM</a>	Caballero responds
<a href="#">3:36:01 PM</a>	Sylvester uses share screen to display Appellant Baja Exhibit 137 and continues direct examination of Caballero regarding it
<a href="#">3:36:21 PM</a>	Caballero responds
<a href="#">3:37:42 PM</a>	Sylvester motions to admit Appellant Baja Exhibit 137
<a href="#">3:37:59 PM</a>	Appellant Baja Exhibit 137 is admitted as Hearing Exhibit 23
<a href="#">3:38:03 PM</a>	Sylvester continues
<a href="#">3:38:15 PM</a>	Caballero responds
<a href="#">3:42:58 PM</a>	McKenzie objects
<a href="#">3:43:10 PM</a>	Wolfe joins objection
<a href="#">3:43:19 PM</a>	Sylvester responds
<a href="#">3:43:36 PM</a>	McKenzie responds
<a href="#">3:44:06 PM</a>	Objection is overruled
<a href="#">3:44:12 PM</a>	Sylvester continues
<a href="#">3:47:07 PM</a>	Caballero responds
<a href="#">3:51:42 PM</a>	Sylvester uses share screen to display City Exhibit 22 and continues direct examination of Caballero regarding it
<a href="#">3:51:56 PM</a>	Caballero responds
<a href="#">4:01:21 PM</a>	Examiner pauses hearing for an afternoon break
<a href="#">4:01:46 PM</a>	Examiner resumes hearing
<a href="#">4:13:51 PM</a>	Sylvester uses share screen to display City Exhibit 22 and continues direct examination of Caballero regarding it
<a href="#">4:16:40 PM</a>	McKenzie objects
<a href="#">4:17:05 PM</a>	Sylvester responds
<a href="#">4:17:19 PM</a>	Examiner responds
<a href="#">4:17:45 PM</a>	Sylvester rephrases question
<a href="#">4:18:17 PM</a>	Sylvester motions to admit City Exhibit 22
<a href="#">4:18:21 PM</a>	McKenzie objects
<a href="#">4:18:35 PM</a>	Sylvester responds
<a href="#">4:19:24 PM</a>	City Exhibit 22 is admitted as Hearing Exhibit 24
<a href="#">4:20:43 PM</a>	Sylvester responds
<a href="#">4:23:12 PM</a>	Sylvester uses share screen to display City Exhibit 115 and continues direct examination of Caballero regarding it
<a href="#">4:24:59 PM</a>	Sylvester motions to admit City Exhibit 115

<a href="#">4:25:09 PM</a>	Larkin objects
<a href="#">4:26:03 PM</a>	Objection is overruled
<a href="#">4:26:06 PM</a>	City Exhibit 115 is admitted as Hearing Exhibit 25
<a href="#">4:26:12 PM</a>	Sylvester continues
<a href="#">4:26:49 PM</a>	Caballero responds
<a href="#">4:30:30 PM</a>	Sylvester uses share screen to display Hearing Exhibit 24 and continues direct examination of Caballero regarding it
<a href="#">4:38:33 PM</a>	Caballero responds
<a href="#">4:41:09 PM</a>	Sylvester concludes
<a href="#">4:41:39 PM</a>	Larkin begins cross examination of Caballero
<a href="#">4:43:32 PM</a>	Larkin uses share screen to display Hearing Exhibit 12 and continues cross examination of Caballero regarding it
<a href="#">4:43:41 PM</a>	Caballero responds
<a href="#">4:44:26 PM</a>	Sylvester interjects
<a href="#">4:44:33 PM</a>	Larkin rephrases question
<a href="#">4:44:48 PM</a>	Caballero responds
<a href="#">4:46:13 PM</a>	Larkin uses share screen to display Hearing Exhibit 23 and continues cross examination of Caballero regarding it
<a href="#">4:47:10 PM</a>	Caballero responds
<a href="#">4:49:16 PM</a>	Larkin continues
<a href="#">4:49:22 PM</a>	Caballero responds
<a href="#">5:02:59 PM</a>	Examiner closes hearing