

Description	<p>LS-21-002 through 004 Minutes for Hearing Day 8 Baja Concrete USA Corp. Thursday, August 17, 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 USA Corp.</p> <p>Nicole Wolfe, Legal Counsel for the Appellant, Newway Forming</p> <p>Aaron Rocke, Legal Counsel for the Appellant, Antonio Machado</p> <p>Trina Pridgeon, Legal Counsel for the Office of Labor Standards</p> <p>Lorna Sylvester, Legal Counsel for the Office of Labor Standards</p> <p>Interpreters:</p> <p>Laura Gutierrez</p> <p>Alfred Santos</p> <p>Witnesses:</p> <p>Claudia Penunuri</p>
Date	8/17/2023 Location [HXM1810606]

Time	Speake	Note
9:01:25 AM		Examiner opens hearing
9:08:10 AM		Wolfe continues direct examination of Penunuri
9:09:05 AM		Penunuri responds
9:09:40 AM		Wolfe uses share screen to display Hearing Exhibit 30 and continues direct examination of Penunuri with respect to it
9:10:26 AM		Penunuri responds
9:11:43 AM		Wolfe continues
9:13:40 AM		Wolfe uses share screen to display Appellant Machado Exhibit 13 and continues direct examination of Penunuri with respect to it
9:14:17 AM		Penunuri responds
9:18:36 AM		Wolfe continues
9:18:59 AM		Penunuri responds
9:22:07 AM		Larkin objects
9:22:15 AM		Wolfe responds
9:22:26 AM		Objection is overruled
9:22:43 AM		Wolfe continues
9:22:58 AM		Penunuri responds
9:24:50 AM		Wolfe uses share screen to display Appellant Baja Exhibit 5 and continues direct examination of Penunuri with respect to it
9:25:14 AM		Penunuri responds
9:31:57 AM		Wolfe motions to admit Appellant Baja Exhibit 5
9:33:44 AM		Appellant Baja Exhibit 5 is admitted as Hearing Exhibit 31
9:34:23 AM		Wolfe continues
9:34:25 AM		Penunuri responds
9:35:38 AM		Wolfe uses share screen to display City Exhibit 79 and continues direct examination of Penunuri with respect to it
9:36:11 AM		Penunuri responds
9:40:01 AM		Wolfe uses share screen to display Hearing Exhibit 16 and continues direct examination of Penunuri with respect to it
9:40:21 AM		Penunuri responds
9:42:19 AM		Larkin objects
9:42:26 AM		Wolfe responds
9:42:35 AM		Objection is overruled
9:42:41 AM		Wolfe continues
9:44:17 AM		Wolfe uses share screen to display Appellant Newway Exhibit 19 and continues direct examination of Penunuri with respect to it
9:45:16 AM		Penunuri responds
9:48:24 AM		Larkin objects
9:48:30 AM		Objection is sustained
9:48:40 AM		Wolfe continues
9:48:55 AM		Penunuri responds

9:51:57 AM	Wolfe uses share screen to display City Exhibit 42 and continues direct examination of Penunuri with respect to it
9:52:27 AM	Penunuri responds
9:55:40 AM	Sylvester objects
9:55:57 AM	Objection is sustained
10:02:09 AM	Wolfe motions to admit City Exhibit 42
10:02:28 AM	City Exhibit 42 is admitted as Hearing Exhibit 32
10:02:49 AM	Wolfe uses share screen to display Appellant Newway Exhibit 9 and continues direct examination of Penunuri with respect to it
10:03:11 AM	Penunuri responds
10:03:13 AM	Wolfe concludes
10:04:00 AM	Sylvester begins cross examination of Penunuri
10:05:19 AM	Penunuri responds
10:05:55 AM	Larkin objects
10:06:00 AM	Sylvester responds
10:06:14 AM	Objection is overruled
10:07:17 AM	Sylvester continues
10:07:23 AM	Penunuri responds
10:12:22 AM	Larkin objects
10:12:24 AM	Sylvester responds
10:12:27 AM	Objection is overruled
10:12:39 AM	Penunuri responds
10:16:10 AM	Larkin objects
10:16:23 AM	Sylvester responds
10:16:46 AM	Objection is overruled
10:17:10 AM	Sylvester continues
10:17:29 AM	Penunuri responds
10:18:13 AM	Larkin objects
10:18:19 AM	Sylvester responds
10:18:34 AM	Objection is overruled
10:18:49 AM	Sylvester continues
10:18:54 AM	Penunuri responds
10:21:36 AM	Sylvester uses share screen to display City Exhibit 79 and continues cross examination of Penunuri with respect to it
10:22:16 AM	Penunuri responds
10:25:38 AM	Sylvester uses share screen to display Hearing Exhibit 20 and continues cross examination of Penunuri with respect to it
10:26:07 AM	Penunuri responds
10:26:58 AM	Sylvester uses share screen to display City Exhibit 93 and continues cross examination of Penunuri with respect to it
10:27:44 AM	Penunuri responds
10:29:07 AM	Sylvester motions to admit City Exhibit 93
10:29:21 AM	Larkin objects

10:29:39 AM	Sylvester responds
10:29:52 AM	Objection is overruled
10:30:06 AM	City Exhibit 93 is admitted as Hearing Exhibit 33
10:30:12 AM	Sylvester continues
10:31:25 AM	Penunuri responds
10:33:59 AM	Sylvester uses share screen to display Cit Exhibit 98 and continues cross examination of Penunuri with respect to it
10:34:34 AM	Penunuri responds
10:34:52 AM	Sylvester motions to admit City Exhibit 98
10:35:09 AM	City Exhibit 98 is admitted as Hearing Exhibit 34
10:35:14 AM	Sylvester continues
10:35:58 AM	Penunuri responds
10:36:19 AM	Sylvester uses share screen to display Cit Exhibit 43 and continues cross examination of Penunuri with respect to it
10:38:02 AM	Penunuri responds
10:40:26 AM	Larkin objects
10:41:31 AM	Sylvester responds
10:42:37 AM	Objection is overruled
10:43:40 AM	Sylvester continues
10:44:21 AM	Penunuri responds
10:45:36 AM	Examiner pauses hearing for a morning break
10:45:43 AM	Examiner resumes hearing
11:00:32 AM	Sylvester motions to admit City Exhibit 79
11:00:49 AM	City Exhibit 79 is admitted as Hearing Exhibit 36
11:01:02 AM	Sylvester uses share screen to display Cit Exhibit 43 and continues cross examination of Penunuri with respect to it
11:03:20 AM	Penunuri responds
11:08:32 AM	Larkin objects
11:08:38 AM	Sylvester responds
11:09:13 AM	Objection is overruled. City Exhibit 43 is admitted as Hearing Exhibit 35
11:09:26 AM	Sylvester continues
11:09:48 AM	Penunuri responds
11:10:41 AM	Larkin objects
11:10:49 AM	Sylvester responds
11:12:01 AM	Examiner responds
11:12:17 AM	Sylvester continues
11:12:57 AM	Penunuri responds
11:13:52 AM	Rocke interjects
11:14:16 AM	Sylvester responds
11:14:23 AM	Examiner responds
11:15:27 AM	Sylvester continues
11:16:00 AM	Penunuri responds
11:22:31 AM	Larkin objects

11:22:38 AM	Sylvester responds
11:23:12 AM	Objection is sustained
11:23:51 AM	Sylvester continues
11:24:33 AM	Penunuri responds
11:38:37 AM	Larkin objects
11:39:30 AM	Examiner responds
11:42:03 AM	Sylvester continues
11:42:17 AM	Penunuri responds
11:58:29 AM	Sylvester uses share screen to display Hearing Exhibit 32 and continues cross examination of Penunuri with respect to it
12:00:11 PM	Penunuri responds
12:08:28 PM	Sylvester motions to strike Penunuri response
12:08:46 PM	Motion is sustained
12:08:58 PM	Sylvester continues
12:09:40 PM	Penunuri responds
12:15:22 PM	Examiner pauses hearing for a lunch break
12:16:11 PM	Examiner resumes hearing
1:45:35 PM	Sylvester continues cross examination of Penunuri
1:46:36 PM	Sylvester uses share screen to display Appellant Newway Exhibit 9 and continues cross examination of Penunuri with respect to it
1:46:46 PM	Penunuri responds
1:49:11 PM	Sylvester uses share screen to display Hearing Exhibit 32 and continues cross examination of Penunuri with respect to it
1:49:53 PM	Penunuri responds
1:50:13 PM	Sylvester uses share screen to display Appellant Newway Exhibit 9 and continues cross examination of Penunuri with respect to it
1:51:02 PM	Penunuri responds
1:54:21 PM	Sylvester motions to strike part of response
1:54:26 PM	Motion is sustained
1:54:51 PM	Sylvester continues
1:55:56 PM	Penunuri responds
1:57:49 PM	Larkin requests clarification
1:58:06 PM	Sylvester continues
1:58:27 PM	Penunuri responds
1:58:35 PM	Larkin objects
1:58:48 PM	Sylvester responds
2:00:16 PM	Sylvester motions to admit City Exhibit 3
2:00:33 PM	City Exhibit 3 is admitted as Hearing Exhibit 37
2:01:20 PM	Sylvester uses share screen to display Hearing Exhibit 37 and continues cross examination of Penunuri with respect to it
2:01:57 PM	Penunuri responds

2:09:42 PM		Larkin objects
2:10:20 PM		Sylvester responds
2:10:52 PM		Examiner responds
2:15:33 PM		Sylvester responds
2:16:21 PM		Sylvester continues
2:18:50 PM		Penunuri responds
2:29:22 PM		Larkin objects
2:29:38 PM		Sylvester responds
2:29:54 PM		Examiner responds
2:30:22 PM		Objection is overruled
2:30:31 PM		Sylvester continues
2:30:59 PM		Penunuri responds
2:33:26 PM		Larkin objects
2:33:35 PM		Sylvester responds
2:33:51 PM		Objection is overruled
2:34:41 PM		Penunuri responds
2:37:42 PM	**Note**	
2:38:08 PM		Sylvester uses share screen to display Hearing Exhibit 37 and continues cross examination of Penunuri with respect to it
2:40:29 PM		Penunuri responds
2:43:05 PM		Rocke objects
2:43:12 PM		Larkin joins objection
2:43:18 PM		Sylvester responds
2:43:40 PM		Objection is overruled
2:43:42 PM		Sylvester continues
2:43:53 PM		Penunuri responds
2:45:24 PM		Rocke objects
2:45:30 PM		Wolfe and Larkin joins objection
2:45:35 PM		Sylvester responds
2:46:28 PM		Examiner responds
2:46:31 PM		Sylvester responds
2:49:33 PM		Sylvester uses share screen to display City Exhibit 78 and continues cross examination of Penunuri with respect to it
2:49:48 PM		Penunuri responds
2:50:53 PM		Larkin objects
2:51:33 PM		Sylvester responds
2:51:36 PM		Larkin responds
2:52:48 PM		Examiner responds
2:52:49 PM		Sylvester responds
2:53:06 PM		Examiner responds
2:53:12 PM		Sylvester continues
2:53:30 PM		Penunuri responds

2:55:36 PM	Larkin objects
2:55:56 PM	Sylvester responds
2:56:03 PM	Examiner responds
2:57:26 PM	Sylvester continues
2:59:12 PM	Sylvester uses share screen to display Hearing Exhibit 36 and continues cross examination of Penunuri with respect to it
2:59:44 PM	Penunuri responds
3:02:30 PM	Examiner pauses hearing for an afternoon break
3:04:26 PM	Examiner resumes hearing
3:22:23 PM	Sylvester uses share screen to display Hearing Exhibit 12 and continues cross examination of Penunuri with respect to it
3:23:43 PM	Penunuri responds
3:35:05 PM	Sylvester uses share screen to display City Exhibit 39 and continues cross examination of Penunuri with respect to it
3:35:14 PM	Penunuri responds
3:37:46 PM	Larkin objects
3:38:00 PM	Sylvester responds
3:38:13 PM	Objection is sustained
3:38:26 PM	Sylvester continues
3:38:44 PM	Rocke objects
3:38:52 PM	Larkin joins objection
3:38:55 PM	Sylvester responds
3:38:59 PM	Rocke responds
3:39:01 PM	Sylvester responds
3:39:08 PM	Objection is overruled
3:39:56 PM	Sylvester continues
3:40:14 PM	Penunuri responds
3:54:43 PM	Larkin objects
3:54:51 PM	Sylvester responds
3:54:56 PM	Objection is overruled
3:55:01 PM	Sylvester continues
3:59:27 PM	Penunuri responds
4:00:33 PM	Sylvester uses share screen to display Hearing Exhibit 24 and continues cross examination of Penunuri with respect to it
4:02:06 PM	Larkin objects
4:02:12 PM	Objection is sustained
4:03:02 PM	Sylvester continues
4:03:05 PM	Larkin objects
4:03:05 PM	Sylvester responds
4:03:13 PM	Objection is overruled
4:03:16 PM	Sylvester continues
4:03:41 PM	Penunuri responds

4:10:00 PM	Sylvester uses share screen to display Hearing Exhibit 12 and continues cross examination of Penunuri with respect to it
4:10:42 PM	Penunuri responds
4:12:17 PM	Rocke objects
4:13:58 PM	Objection is sustained
4:15:12 PM	Sylvester uses share screen to display Hearing Exhibit 24 and continues cross examination of Penunuri with respect to it
4:17:04 PM	Rocke objects
4:17:11 PM	Larkin joins objection
4:17:17 PM	Sylvester responds
4:18:15 PM	Examiner responds
4:18:33 PM	Sylvester continues
4:20:28 PM	Rocke objects
4:20:51 PM	Sylvester responds
4:21:19 PM	Larkin joins objection
4:21:21 PM	Objection is sustained
4:21:27 PM	Sylvester continues
4:23:16 PM	Penunuri responds
4:23:46 PM	Rocke objects
4:23:51 PM	Larkin joins objection
4:23:55 PM	Sylvester responds
4:24:14 PM	Objection is overruled
4:24:24 PM	Sylvester responds
4:24:39 PM	Penunuri responds
4:25:44 PM	Rocke objects
4:26:00 PM	Sylvester responds
4:26:12 PM	Objection is overruled
4:26:18 PM	Sylvester continues
4:26:44 PM	Penunuri responds
4:30:41 PM	Sylvester uses share screen to display Appellant Baja Exhibit 50 and continues cross examination of Penunuri with respect to it
4:30:52 PM	Sylvester motions to admit Appellant Baja Exhibit 50
4:31:07 PM	Appellant Baja Exhibit 50 is admitted as Hearing Exhibit 38
4:31:45 PM	Sylvester continues
4:31:48 PM	Penunuri responds
4:34:40 PM	Sylvester motions to admit Baja Response to City's Request to Admissions
4:35:48 PM	Larkin objects
4:36:54 PM	Baja Response to City's Request to Admissions is admitted as Hearing Exhibit 39
4:36:59 PM	Sylvester concludes
4:37:18 PM	Rocke begins cross examination of Penunuri

4:37:55 PM	Rocke uses share screen to display Hearing Exhibit 21 and continues cross examination of Penunuri with respect to it
4:38:50 PM	Penunuri responds
4:44:10 PM	Sylvester objects
4:44:10 PM	Objection is sustained
4:44:25 PM	Rocke concludes
4:44:40 PM	Larkin begins redirect cross examination of Penunuri
4:45:24 PM	Penunuri responds
4:47:55 PM	Larkin uses share screen to display Hearing Exhibit 21 and continues redirect cross examination of Penunuri with respect to it
4:48:30 PM	Penunuri responds
4:55:50 PM	Sylvester objects
4:55:53 PM	Objection is sustained
4:55:56 PM	Larkin continues
4:58:28 PM	Penunuri responds
4:58:37 PM	Sylvester objects
4:59:09 PM	Larkin responds
4:59:38 PM	Objection is overruled
4:59:58 PM	Sylvester responds
5:00:01 PM	Larkin responds
5:01:04 PM	Sylvester responds
5:01:08 PM	Objection is sustained
5:07:18 PM	Examiner closes hearing