

Description	<p>LS-21-002, LS-21-003, LS-21-004 Minutes for Hearing Day 9 Baja Concrete USA Corp. et. al. Tuesday, August 22, 2023</p> <p>Time: 9:00 a.m. Assistant: Angela Oberhansly Examiner: Ryan Vancil</p> <p>Party Representatives:</p> <p>Alex Larkin, Legal Counsel for the Appellant of LS-21-002</p> <p>Nicole Wolfe, Legal Counsel for the Appellant of LS-21-003</p> <p>Aaron Rocke, Legal Counsel for the Appellant of LS-21-004</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>Claudia Penunuri</p> <p>Kwynne Forler-Grant</p> <p>Antonio Machado</p>
Date	8/22/2023 Location [HXM1810606]

Time	Speake	Note
9:05:51 AM		Examiner opens hearing
9:06:53 AM		Larkin continues redirect examination of Penunuri
9:07:30 AM		Larkin uses share screen to display Hearing Exhibit 32 and continues redirect examination of Penunuri with respect to it
9:08:36 AM		Penunuri responds
9:12:37 AM		Sylvester objects
9:12:40 AM		Larkin responds
9:12:47 AM		Larkin rephrases question
9:13:04 AM		Penunuri responds
9:15:35 AM		Sylvester objects
9:15:37 AM		Larkin responds
9:15:56 AM		Examiner responds
9:16:07 AM		Larkin responds
9:16:18 AM		Objection is overruled
9:16:33 AM		Larkin continues
9:17:00 AM		Penunuri responds
9:18:44 AM		Larkin uses share screen to display Hearing Exhibit 19 and continues redirect examination of Penunuri with respect to it
9:19:40 AM		Penunuri responds
9:20:59 AM		Sylvester objects
9:21:03 AM		Larkin responds
9:21:15 AM		Objection is overruled
9:21:31 AM		Larkin continues
9:21:49 AM		Sylvester objects
9:21:56 AM		Wolfe joins objection
9:21:58 AM		Larkin rephrases question
9:22:53 AM		Penunuri responds
9:25:59 AM		Sylester objects
9:26:02 AM		Larkin responds
9:26:15 AM		Examiner responds
9:26:27 AM		Objection is sustained
9:26:42 AM		Larkin concludes
9:26:51 AM		Wolfe begins redirect examination of Penunuri
9:27:56 AM		Penunuri responds
9:28:20 AM		Wolfe concludes
9:31:12 AM		Sylvester begins recross examination of Penunuri
9:31:55 AM		Penunuri responds
9:34:56 AM		Larkin objects
9:35:11 AM		Sylvester responds
9:35:52 AM		Examiner responds
9:36:50 AM		Sylvester continues

9:37:09 AM	Larkin objects
9:37:26 AM	Objection is overruled
9:37:59 AM	Penunuri responds
9:38:53 AM	Sylvester concludes
9:40:55 AM	Kwynne Forler-Grant is sworn in
9:42:27 AM	Sylvester begins direct examination of Grant
9:42:52 AM	Grant responds
9:53:33 AM	Larkin objects
9:53:37 AM	Sylvester responds
9:53:40 AM	Objection is overruled
9:53:45 AM	Sylvester continues
9:53:59 AM	Grant responds
10:08:55 AM	Larkin objects
10:09:04 AM	Sylvester responds
10:09:37 AM	Examiner responds
10:09:49 AM	Objection is overruled
10:09:53 AM	Sylvester continues
10:10:07 AM	Grant responds
10:17:25 AM	Sylvester uses share screen to display Hearing Exhibit 12 and continues direct examination of Grant with respect to it
10:18:04 AM	Grant responds
10:30:17 AM	Examiner pauses hearing for a morning break
10:30:26 AM	Examiner resumes hearing
10:45:51 AM	Sylvester uses share screen to display Hearing Exhibit 12 and continues direct examination of Grant with respect to it
10:47:37 AM	Grant responds
10:48:24 AM	Sylvester uses share screen to display Hearing Exhibit 13 and continues direct examination of Grant with respect to it
10:48:59 AM	Grant responds
10:51:10 AM	Sylvester continues
10:51:18 AM	Grant responds
10:52:40 AM	Larkin objects
10:52:45 AM	Objection is overruled
10:52:58 AM	Sylvester continues
10:53:06 AM	Grant responds
11:04:25 AM	Sylvester raises an objection to the testimony
11:04:33 AM	Objection is sustained
11:04:38 AM	Sylvester continues
11:04:56 AM	Grant responds
11:05:00 AM	Rocke objects
11:05:02 AM	Wolfe joins objection
11:05:09 AM	Sylvester responds
11:05:39 AM	Sylvester rephrases question
11:05:42 AM	Grant responds

11:10:26 AM	Sylvester uses share screen to display City Exhibit 87 and continues direct examination of Grant with respect to it
11:11:06 AM	Grant responds
11:11:36 AM	Sylvester motions to admit City Exhibit 87
11:11:57 AM	City Exhibit 87 is admitted as Hearing Exhibit 40
11:12:08 AM	Sylvester continues
11:12:14 AM	Wolfe objects
11:12:18 AM	Sylvester responds
11:12:27 AM	Wolfe objects
11:12:32 AM	Larkin objects
11:12:34 AM	Rocke joins objection
11:12:36 AM	Objection is sustained in part and overruled in part
11:12:53 AM	Wolfe objects
11:12:56 AM	Sylvester responds
11:13:05 AM	Objection is overruled
11:13:12 AM	Grant responds
11:17:12 AM	Sylvester concludes
11:17:21 AM	Sylvester motions to admit City Exhibit 1
11:17:29 AM	City Exhibit 1 is admitted as Hearing Exhibit 41
11:17:59 AM	Larkin begins direct examination of Grant
11:18:25 AM	Grant responds
11:19:43 AM	Larkin uses share screen to display Appellant Baja Exhibit 124 and continues direct examination of Grant with respect to it
11:19:59 AM	Grant responds
11:21:41 AM	Larkin motions to admit Appellant Baja Exhibit 124
11:22:09 AM	Appellant Baja Exhibit 124 is admitted as Hearing Exhibit 42
11:22:39 AM	Larkin continues
11:22:51 AM	Grant responds
11:28:30 AM	Larkin uses share screen to display Appellant Baja Exhibit 3 and continues direct examination of Grant with respect to it
11:28:59 AM	Grant responds
11:32:26 AM	Larkin motions to admit Appellant Baja Exhibit 3
11:33:20 AM	Sylvester responds
11:34:24 AM	Larkin uses share screen to display City Exhibit 36 and continues direct examination of Grant with respect to it
11:34:49 AM	Grant responds
11:35:22 AM	Larkin motions to admit City Exhibit 36
11:35:37 AM	City Exhibit 36 is admitted as Appellant Exhibit 43
11:36:27 AM	Larkin continues
11:36:31 AM	Grant responds
11:47:28 AM	Larkin uses share screen to display Hearing Exhibit 7 and continues direct examination of Grant with respect to it
11:48:29 AM	Grant responds

11:57:07 AM	Larkin uses share screen to display Hearing Exhibit 16 and continues direct examination of Grant with respect to it
11:57:44 AM	Grant responds
11:59:17 AM	Larkin concludes
11:59:26 AM	Wolfe begins direct examination of Grant
11:59:49 AM	Grant responds
12:01:10 PM	Sylvester objects and motions to strike
12:01:12 PM	Wolfe responds
12:01:15 PM	Objection is overruled
12:01:34 PM	Wolfe continues
12:01:36 PM	Grant responds
12:06:20 PM	Wolfe uses share screen to display Appellant Newway Exhibit 6 and continues direct examination of Grant with respect to it
12:06:36 PM	Grant responds
12:07:28 PM	Wolfe motions to admit Appellant Newway Exhibit 6
12:07:49 PM	Larkin objects
12:07:53 PM	Sylvester joins objection
12:07:59 PM	Wolfe responds
12:08:37 PM	Sylvester responds
12:09:08 PM	Appellant Newway Exhibit 6 is admitted as Hearing Exhibit 44
12:10:28 PM	Wolfe uses share screen to display Appellant Newway Exhibit 7 and continues direct examination of Grant with respect to it
12:10:31 PM	Grant responds
12:10:58 PM	Wolfe motions to admit Appellant Newway Exhibit 7
12:11:25 PM	Larkin objects
12:11:41 PM	Examiner responds
12:11:47 PM	Appellant Newway Exhibit 7 is admitted as Hearing Exhibit 45
12:12:47 PM	Wolfe uses share screen to display Appellant Newway Exhibit 10 and continues direct examination of Grant with respect to it
12:13:10 PM	Grant responds
12:16:00 PM	Sylvester objects
12:16:04 PM	Larkin joins objection
12:16:06 PM	Objection is sustained
12:16:16 PM	Wolfe continues
12:16:30 PM	Grant responds
12:16:57 PM	Wolfe uses share screen to display Hearing Exhibit 11 and continues direct examination of Grant with respect to it
12:17:11 PM	Grant responds
12:20:14 PM	Sylvester objects
12:20:17 PM	Wolfe responds
12:20:26 PM	Objection is overruled

12:20:37 PM	Wolfe continues
12:20:39 PM	Grant responds
12:23:37 PM	Sylvester objects
12:23:53 PM	Wolfe continues
12:24:01 PM	Grant responds
12:24:49 PM	Larkin objects
12:24:51 PM	Wolfe responds
12:24:54 PM	Objection is overruled
12:25:06 PM	Grant responds
12:25:13 PM	Wolfe concludes
12:25:54 PM	Rocke begins direct examination of Grant
12:26:07 PM	Grant responds
12:34:31 PM	Sylvester objects
12:34:47 PM	Rocke rephrases question
12:35:14 PM	Sylvester objects
12:35:28 PM	Rocke responds
12:35:59 PM	Objection is sustained
12:36:40 PM	Rocke continues
12:36:55 PM	Grant responds
12:39:24 PM	Larkin objects
12:39:29 PM	Examiner responds
12:39:35 PM	Rocke continues
12:39:42 PM	Larkin objects
12:39:59 PM	Rocke rephrases question
12:40:07 PM	Larkin objects
12:40:12 PM	Rocke responds
12:40:32 PM	Objection is sustained
12:40:49 PM	Rocke continues
12:40:58 PM	Grant responds
12:43:45 PM	Sylvester objects
12:43:50 PM	Larkin joins objection
12:44:01 PM	Rocke responds
12:44:24 PM	Rocke continues
12:44:35 PM	Grant responds
12:44:37 PM	Sylvester objects
12:44:53 PM	Objection is overruled
12:45:00 PM	Rocke continues
12:45:03 PM	Grant responds
12:48:44 PM	Sylvester objects
12:48:58 PM	Objection is sustained
12:49:03 PM	Rocke continues
12:49:10 PM	Grant responds
12:49:28 PM	Sylvester objects

12:49:36 PM	Rocke responds
12:49:54 PM	Examiner responds
12:50:18 PM	Rocke continues
12:51:05 PM	Grant responds
12:51:32 PM	Sylvester objects
12:51:48 PM	Rocke responds
12:52:47 PM	Examiner responds
12:54:03 PM	Rocke responds
12:55:28 PM	Examiner responds
12:56:41 PM	Rocke continues
12:57:21 PM	Grant responds
1:00:33 PM	Rocke concludes
1:00:47 PM	Examiner pauses hearing for a lunch break
2:30:18 PM	Examiner resumes hearing
2:32:33 PM	Sylvester begins direct examination of Grant
2:32:50 PM	Grant responds
2:36:57 PM	Larkin objects
2:37:03 PM	Wolfe joins objection
2:37:10 PM	Sylvester responds
2:37:21 PM	Sylvester rephrases question
2:37:56 PM	Grant responds
2:44:35 PM	Sylvester uses share screen to display Hearing Exhibit 45 and continues direct examination of Grant with respect to it
2:45:31 PM	Grant responds
2:48:32 PM	Sylvester uses share screen to display Hearing Exhibit 13 and continues direct examination of Grant with respect to it
2:50:35 PM	Grant responds
2:53:04 PM	Sylvester uses share screen to display Hearing Exhibit 41 and continues direct examination of Grant with respect to it
2:53:07 PM	Grant responds
2:53:14 PM	Wolfe interjects
2:53:26 PM	Sylvester responds
2:53:44 PM	Rocke objects
2:54:08 PM	Wolfe joins objection
2:54:11 PM	Sylvester responds
2:54:33 PM	Examiner responds
2:54:46 PM	Objection is overruled
2:56:31 PM	Wolfe objects
2:56:44 PM	Sylvester responds
2:56:58 PM	Examiner responds
2:57:03 PM	Wolfe responds
2:57:26 PM	Sylvester continues
2:57:41 PM	Grant responds
2:58:32 PM	Larkin objects

2:58:36 PM	Wolfe and Locke joins objection
2:58:46 PM	Sylvester responds
2:59:04 PM	Objection is overruled
2:59:16 PM	Sylvester responds
2:59:22 PM	Grant responds
3:08:13 PM	Sylvester uses share screen to display Hearing Exhibit 20 and continues direct examination of Grant with respect to it
3:08:35 PM	Grant responds
3:08:51 PM	Larkin objects
3:09:01 PM	Examiner responds
3:09:10 PM	Larkin responds
3:09:35 PM	Objection is overruled
3:10:27 PM	Sylvester continues
3:10:37 PM	Grant responds
3:11:49 PM	Sylvester uses share screen to display Hearing Exhibit 41 and continues direct examination of Grant with respect to it
3:12:23 PM	Grant responds
3:14:17 PM	Sylvester concludes
3:14:49 PM	Wolfe begins cross redirect examination of Grant
3:15:00 PM	Wolfe uses share screen to display Hearing Exhibit 45 and continues cross redirect examination of Grant with respect to it
3:15:12 PM	Grant responds
3:16:33 PM	Wolfe concludes
3:21:31 PM	Examiner resumes hearing
3:35:34 PM	Antonio Machado is sworn in
3:35:53 PM	Locke begins direct examination of Machado
3:36:04 PM	Machado responds
3:40:23 PM	Pridgeon objects
3:40:24 PM	Locke responds
3:40:52 PM	Objection is sustained
3:41:21 PM	Locke continues
3:41:43 PM	Machado responds
3:55:51 PM	Larkin objects
3:56:31 PM	Locke responds
3:56:46 PM	Objection is sustained
3:56:48 PM	Locke continues
3:57:07 PM	Machado responds
3:59:30 PM	Pridgeon objects
3:59:36 PM	Objection is sustained
3:59:46 PM	Locke continues
3:59:55 PM	Machado responds
4:01:34 PM	Locke concludes
4:02:11 PM	Pridgeon begins direct examination of Machado

4:02:20 PM		Machado responds
4:11:13 PM		Pridgeon uses share screen to display City Exhibit 25 and continues direct examination of Machado with respect to it
4:11:41 PM		Machado responds
4:11:50 PM		Pridgeon motions to admit City Exhibit 25
4:12:20 PM		City Exhibit 25 is admitted as Hearing Exhibit 46
4:12:22 PM		Pridgeon continues
4:12:26 PM		Machado responds
4:14:17 PM		Larkin objects
4:14:29 PM		Pridgeon withdraws the question
4:14:30 PM		Pridgeon continues
4:14:40 PM		Machado responds
4:19:14 PM		Larkin objects
4:19:15 PM		Pridgeon responds
4:19:22 PM		Objection is overruled
4:19:34 PM		Pridgeon continues
4:19:36 PM		Machado responds
4:32:52 PM		Pridgeon uses share screen to display Hearing Exhibit 43 and continues direct examination of Machado with respect to it
4:33:25 PM		Machado responds
4:47:12 PM		Pridgeon uses share screen to display City Exhibit 2 and continues direct examination of Machado with respect to it
4:48:44 PM		Machado responds
4:49:21 PM		Pridgeon motions to admit City Exhibit 2
4:49:31 PM		City Exhibit 2 is admitted as Hearing Exhibit 47
4:49:55 PM		Pridgeon continues
4:49:59 PM		Machado responds
4:55:18 PM		Pridgeon uses share screen to display City Exhibit 25 and continues direct examination of Machado with respect to it
4:56:02 PM		Machado responds
4:57:26 PM		Pridgeon concludes
4:57:51 PM		Examiner closes hearing