

Description	<p>LS-21-002, LS-21-003, LS-21-004 Minutes for Hearing Day 14 Baja Concrete USA Corp. et. al. Wednesday, September 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 USA Corp.</p> <p>Mark Kimball, 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>Lorna Sylvester, Legal Counsel for the Department, Office of Labor Standards</p> <p>Trina Pridgeon, Legal Counsel for the Department, Office of Labor Standards</p> <p>Witnesses:</p> <p>Mercedes De Armas</p>
Date	9/20/2023 Location [HXM1810606]

Time	Speake	Note
9:04:10 AM		Examiner opens hearing
9:04:59 AM		Examiner pauses hearing for a short recess
9:05:04 AM		Examiner resumes hearing
9:13:50 AM		Examiner pauses hearing for a short recess
9:28:47 AM		Examiner resumes hearing
9:28:48 AM		Mercedes De Armas is sworn in
9:29:00 AM		Larkin begins direct examination of De Armas
9:29:27 AM		De Armas responds
9:39:57 AM		Larkin uses share screen to display Hearing Exhibit 31 and continues direct examination of De Armas with respect to it
9:41:21 AM		De Armas responds
9:44:32 AM		Larkin uses share screen to display Appellant Baja Exhibit 4 and continues direct examination of De Armas with respect to it
9:46:58 AM		De Armas responds
9:48:12 AM		Sylvester objects
9:48:19 AM		Larkin retracts question and continues
9:48:45 AM		Sylvester objects
9:48:50 AM		Larkin retracts question and continues
9:49:34 AM		Sylvester objects and motions to strike part of testimony
9:49:39 AM		Larkin responds
9:49:45 AM		Sylvester responds
9:49:52 AM		Objection is sustained. Motion is denied.
9:50:09 AM		Larkin continues
9:50:25 AM		De Armas responds
9:51:17 AM		Larkin uses share screen to display Appellant Baja Exhibit 16 and continues direct examination of De Armas with respect to it
9:52:21 AM		De Armas responds
9:55:23 AM		Larkin uses share screen to display Appellant Baja Exhibit 22 and continues direct examination of De Armas with respect to it
9:55:33 AM		De Armas responds
9:58:37 AM		Larkin motions to admit Appellant Baja Exhibits 4 and 6-44
10:00:42 AM		Sylvester objects
10:01:26 AM		Examiner responds
10:01:35 AM		Sylvester responds
10:03:03 AM		Larkin responds
10:11:56 AM		Larkin continues direct examination of De Armas
10:12:12 AM		De Armas responds
10:14:51 AM		Larkin uses share screen to display Hearing Exhibit 66 and continues direct examination of De Armas with respect to it
10:15:03 AM		De Armas responds
10:20:54 AM		Sylvester objects

10:21:00 AM	Larkin responds
10:21:03 AM	Objection is overruled
10:21:11 AM	Sylvester responds
10:21:35 AM	Objection is overruled
10:21:57 AM	De Armas responds
10:25:24 AM	Larkin continues
10:25:32 AM	De Armas responds
10:31:25 AM	Appellant Baja Exhibits 6, 7-22, 33, 36, 38, 40, 41, 43, and 44 are admitted as Hearing Exhibit 101
10:32:18 AM	Appellant Baja Exhibits 8, 23, 24-32, 34, 35, 37, 39, and 42, emails only, are admitted as Hearing Exhibit 102
10:33:08 AM	Examiner pauses hearing for a morning break
10:33:13 AM	Examiner resumes hearing
10:46:01 AM	Larkin continues
10:46:15 AM	De Armas responds
10:47:41 AM	Larkin uses share screen to display Hearing Exhibit 32 and continues direct examination of De Armas with respect to it
10:47:59 AM	De Armas responds
10:55:22 AM	Sylvester objects
10:55:33 AM	Larkin retracts question and continues
10:55:41 AM	De Armas responds
11:01:19 AM	Larkin uses share screen to display Hearing Exhibit 100 and continues direct examination of De Armas with respect to it
11:01:28 AM	De Armas responds
11:13:47 AM	Sylvester objects
11:14:00 AM	Larkin responds
11:14:20 AM	Objection is sustained
11:14:40 AM	Larkin retracts question and continues
11:14:56 AM	De Armas responds
11:19:27 AM	Larkin concludes
11:19:50 AM	Rocke begins direct examination of De Armas
11:20:10 AM	Rocke uses share screen to display Hearing Exhibit 48 and continues direct examination of De Armas with respect to it
11:20:38 AM	De Armas responds
11:22:15 AM	Rocke concludes
11:22:56 AM	Sylvester begins cross examination of De Armas
11:23:24 AM	De Armas responds
11:25:43 AM	Sylvester uses share screen to display Hearing Exhibit 89 and continues cross examination of De Armas with respect to it
11:26:22 AM	De Armas responds
11:32:36 AM	Sylvester uses share screen to display Hearing Exhibit 28 and continues cross examination of De Armas with respect to it
11:32:47 AM	De Armas responds

11:41:21 AM	Rocke objects
11:41:25 AM	Wolfe joins objection
11:41:29 AM	Larkin joins objection
11:41:37 AM	Sylvester responds
11:41:47 AM	Rocke responds
11:42:06 AM	Examiner asks questions of Sylvester
11:42:07 AM	Sylvester responds
11:42:28 AM	Objection is sustained
11:42:54 AM	Sylvester continues
11:42:58 AM	De Armas responds
11:43:29 AM	Sylvester uses share screen to display Hearing Exhibit 48 and continues cross examination of De Armas with respect to it
11:44:49 AM	De Armas responds
11:58:16 AM	Sylvester uses share screen to display Hearing Exhibit 12 and continues cross examination of De Armas with respect to it
11:58:27 AM	De Armas responds
12:00:12 PM	Rocke objects
12:00:14 PM	Wolfe and Larkin joins objection
12:00:18 PM	Sylvester responds
12:00:25 PM	Rocke responds
12:01:39 PM	Objection is overruled
12:01:46 PM	Sylvester continues
12:01:53 PM	De Armas responds
12:02:39 PM	Rocke objects
12:02:52 PM	Sylvester responds
12:03:03 PM	Objection is overruled
12:03:07 PM	Sylvester continues
12:03:15 PM	De Armas responds
12:04:19 PM	Sylvester uses share screen to display Hearing Exhibit 14 and continues cross examination of De Armas with respect to it
12:04:25 PM	De Armas responds
12:12:45 PM	Sylvester uses share screen to display Hearing Exhibit 14 and continues cross examination of De Armas with respect to it
12:13:14 PM	De Armas responds
12:23:37 PM	Rocke objects
12:23:45 PM	Sylvester responds
12:23:49 PM	Objection is overruled
12:24:09 PM	Sylvester continues
12:24:39 PM	De Armas responds
12:26:25 PM	Rocke objects
12:26:31 PM	Objection is sustained

12:26:37 PM	Sylvester continues
12:26:58 PM	De Armas responds
12:27:20 PM	Rocke objects
12:27:26 PM	Larkin joins objection
12:27:28 PM	Sylvester responds
12:27:40 PM	Objection is overruled
12:27:49 PM	Sylvester continues
12:27:54 PM	De Armas responds
12:29:13 PM	Rocke objects
12:29:16 PM	Sylvester responds
12:29:20 PM	Rocke responds
12:29:24 PM	Objection is overruled
12:29:28 PM	Sylvester continues
12:29:33 PM	De Armas responds
12:32:29 PM	Larkin objects
12:32:39 PM	Sylvester responds
12:33:00 PM	Objection is overruled
12:33:06 PM	Sylvester continues
12:33:09 PM	De Armas responds
12:41:41 PM	Sylvester uses share screen to display Hearing Exhibit 17 and continues cross examination of De Armas with respect to it
12:42:21 PM	Sylvester continues
12:42:28 PM	De Armas responds
12:44:30 PM	Rocke objects
12:44:34 PM	Wolfe joins objection
12:44:37 PM	Sylvester responds
12:46:04 PM	Objection is overruled
12:46:11 PM	Sylvester continues
12:46:20 PM	De Armas responds
12:52:14 PM	Sylvester objects
12:52:17 PM	Objection is sustained
12:52:20 PM	Sylvester continues
12:52:32 PM	De Armas responds
12:52:41 PM	Rocke objects
12:52:43 PM	Objection is sustained
12:52:48 PM	Sylvester continues
12:53:02 PM	Rocke objects
12:53:03 PM	Wolfe and Larkin joins objection
12:53:05 PM	Sylvester responds
12:53:27 PM	Objection is sustained
12:53:30 PM	Sylvester continues
12:53:34 PM	De Armas responds

12:56:09 PM	Sylvester uses share screen to display Hearing Exhibit 31 and continues cross examination of De Armas with respect to it
12:56:44 PM	De Armas responds
1:01:35 PM	Examiner pauses hearing for a lunch break
1:01:54 PM	Examiner resumes hearing
2:01:11 PM	Sylvester continues
2:01:19 PM	Sylvester uses share screen to display Hearing Exhibit 12 and continues cross examination of De Armas with respect to it
2:02:24 PM	De Armas responds
2:06:16 PM	Sylvester uses share screen to display City Exhibit 4 and continues cross examination of De Armas with respect to it
2:06:29 PM	De Armas responds
2:06:44 PM	Sylvester motions to admit City Exhibit 4
2:06:51 PM	Larkin responds
2:07:05 PM	Sylvester responds
2:07:13 PM	City Exhibit 4 is admitted as Hearing Exhibit 103
2:07:28 PM	Sylvester continues
2:07:57 PM	Larkin objects
2:08:01 PM	Sylvester responds
2:08:18 PM	Examiner responds
2:08:52 PM	Sylvester responds
2:09:02 PM	Objection is overruled
2:09:05 PM	Sylvester continues
2:10:13 PM	Rocke objects
2:10:25 PM	Larkin joins objection
2:10:29 PM	Sylvester responds
2:10:46 PM	Objection is overruled
2:11:23 PM	Sylvester continues
2:11:25 PM	De Armas responds
2:12:11 PM	Sylvester uses share screen to display City Exhibit 90 and continues cross examination of De Armas with respect to it
2:12:23 PM	De Armas responds
2:13:35 PM	Sylvester motions to admit City Exhibit 90
2:13:49 PM	City Exhibit 90 is admitted as Hearing Exhibit 104
2:14:39 PM	Sylvester continues
2:14:40 PM	De Armas responds
2:15:55 PM	Sylvester uses share screen to display Hearing Exhibit 37 and continues cross examination of De Armas with respect to it
2:16:02 PM	De Armas responds
2:18:06 PM	Sylvester objects to response
2:18:08 PM	Objection is sustained
2:18:12 PM	Examiner responds

2:19:33 PM		Sylvester motions to admit City Exhibit 8
2:19:45 PM		City Exhibit 8 is admitted as Hearing Exhibit 105
2:20:01 PM		Larkin begins redirect examination of De Armas
2:20:20 PM		De Armas responds
2:21:13 PM		Larkin uses share screen to display Hearing Exhibit 12 and continues redirect examination of De Armas with respect to it
2:21:30 PM		De Armas responds
2:28:15 PM		Larkin concludes
2:38:45 PM		Examiner closes hearing