

Exhibit 20

• Harassment

On my way to
work followed by
PI

•
3 TDX 201

9-21-11 followed me
to Starbucks 6:30 a.m.



JOHN R. STROH
MANAGER

BOARD OF TRUSTEES

FRANCIS GROEN
PRESIDENT
CITY OF RIPON

ALLAN R. FETTERS
VICE PRESIDENT
CITY OF STOCKTON

GERALD M. SCHILBER
SECRETARY
CITY OF ESCALON

CITY OF LATHROP
FRANK S. CAVACO III

CITY OF LODI
JACK V. FIORI

CITY OF MANTECA
JACK SNYDER

CITY OF TRACY
CHESTER C. MILLER

SAN JOAQUIN COUNTY
FRANK DEBENEDETTI

SAN JOAQUIN COUNTY
GREGORY O'LEARY

SAN JOAQUIN COUNTY
MICHAEL MANNA

SAN JOAQUIN COUNTY
MARC WARMERDAM

LEGAL ADVISOR
CHRISTOPHER K. ELEY

September 30, 2011

Tiffany Anderson
2 N. Avena Ave.
Lodi, CA 95240

Re: Continuation of modified duties with respect to Dr. Murata's
limitations/restrictions of 9/29/2011

Dear Tiffany Anderson:

I received your two-page facsimile today (copies enclosed). The first page is a work status report-work limitation report from Dr. Murata dated 9/29/2011. The work status and work limitations appear to be the same as those recorded by Dr. Murata on 8/16/2011 and 9/13/2011. The second page is a portion of a letter (with redactions) from Alpine Orthopedic Medical Group, Inc. to Eric Helphrey dated 9/22/2011.

Because the 9/29/2011 work status and work limitations have not changed from previous reports, the District will continue to provide modified duties through 10/11/2011 that meet these limitations. To this extent, please report to duty on Monday October 3, 2011 at your regular starting time of 7:00 a.m.

Do not hesitate to contact me at (209) 982-4675 if you have any questions or need additional information.

Sincerely,

John R. Stroh
Manager

Enc.-2

Cc: Mackenzie Dawson, AIMS
Eric Helphrey, SHWM
Chris Eley, District Legal Counsel

**SAN JOAQUIN
COUNTY**



**MOSQUITO &
VECTOR CONTROL
DISTRICT**

JOHN R. STROH
MANAGER

BOARD OF TRUSTEES

FRANCIS GROEN
PRESIDENT
CITY OF RIPON

ALLAN R. FETTERS
VICE PRESIDENT
CITY OF STOCKTON

GERALD M. SCHILBER
SECRETARY
CITY OF ESCALON

CITY OF LATHROP
FRANK S. CAVACO III

CITY OF LODI
JACK V. FIORI

CITY OF MANTECA
JACK SNYDER

CITY OF TRACY
CHESTER C. MILLER

SAN JOAQUIN COUNTY
FRANK DEBENEDETTI

SAN JOAQUIN COUNTY
GREGORY O'LEARY

SAN JOAQUIN COUNTY
MICHAEL MANNA

SAN JOAQUIN COUNTY
MARC WARMERDAM

LEGAL ADVISOR
CHRISTOPHER K. ELEY

October 13, 2011

Tiffany Anderson
2 N. Avena Ave.
Lodi, CA 95242

Re: Notice of proposed disciplinary action

Dear Tiffany Anderson,

I have received an investigation report from Assistant Manager Eddie Lucchesi re: your work activities of September 22, 2011; a copy of the investigation report and related documentation are provided for your records.

Assistant Manager Lucchesi has concluded that you violated District policy, and as a result of that violation is recommending that you be disciplined. The maximum discipline that may be imposed is suspension without pay for five (5) days.

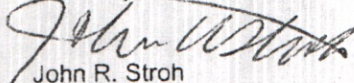
The reasons for the proposed disciplinary action and the violation of District policy are as follows:

1. Violation of District Policy 2260.207 – Being Wasteful of Working Time: Assistant Manager Lucchesi concludes that you were wasting time with excessive talking to District employees and using your personal cell phone.
2. Violation of District Policy 2260.210 - Dishonesty: Assistant Manager Lucchesi concludes that he feels you mislead your immediate supervisor and management by not being truthful about your work locations during the work day.
3. Violation of District Policy 2260.214 – Falsifications of Records: Assistant Manager Lucchesi concludes that you failed to properly record the locations of your work, rest and breaks.
4. Violation of District Policy 2260.229 – Failure to Observe Work Schedule, including Rest and Lunch Periods.

Before considering or implementing any final disciplinary action, I am providing you with the opportunity to respond either orally or in writing to the charge(s) and the recommended discipline. The proposed disciplinary action may be imposed whether or not you respond to these charges.

I have established the meeting time and date of 8:00 a.m. on Friday October 21, 2011 at the District's Stockton office. You may be represented at this meeting if you so desire; representation is limited to one (1) person in addition to yourself. It is requested that you give notice if you elect to waive your right to respond orally. This meeting will serve as your opportunity to speak on your behalf before any final decision is made on this matter.

Sincerely,


John R. Stroh
Manager

Cc: Chris Eley, District Legal Counsel
Robert Phibbs, San Joaquin Mosquito Employees Association

Enclosures

COPY

Veh. # 39 Veh. #
In 1066.89 In
Out 1066.50 Out
39

[illegible]

**SAN JOAQUIN
COUNTY**



**MOSQUITO &
VECTOR CONTROL
DISTRICT**

JOHN R. STROH
MANAGER

BOARD OF TRUSTEES

FRANCIS GROEN
PRESIDENT
CITY OF RIPON

ALLAN R. FETTERS
VICE PRESIDENT
CITY OF STOCKTON

GERALD M. SCHILBER
SECRETARY
CITY OF ESCALON

CITY OF LATHROP
FRANK S. CAVACO III

CITY OF LODI
JACK V. FIORI

CITY OF MANTECA
JACK SNYDER

CITY OF TRACY
CHESTER C. MILLER

SAN JOAQUIN COUNTY
FRANK DEBENEDETTI

SAN JOAQUIN COUNTY
GREGORY O'LEARY

SAN JOAQUIN COUNTY
MICHAEL MANNA

SAN JOAQUIN COUNTY
MARC WARMERDAM

LEGAL ADVISOR
CHRISTOPHER K. ELEY

October 13, 2011

Tiffany Anderson
2 N. Avena Ave.
Lodi, CA 95242

Re: Notice of proposed disciplinary action

Dear Tiffany Anderson,

I have received an investigation report from Assistant Manager Eddie Lucchesi re: your work activities of September 22, 2011; a copy of the investigation report and related documentation are provided for your records.

Assistant Manager Lucchesi has concluded that you violated District policy, and as a result of that violation is recommending that you be disciplined. The maximum discipline that may be imposed is suspension without pay for five (5) days.

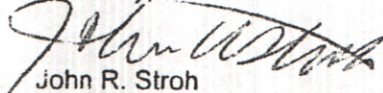
The reasons for the proposed disciplinary action and the violation of District policy are as follows:

1. Violation of District Policy 2260.207 – Being Wasteful of Working Time: Assistant Manager Lucchesi concludes that you were wasting time with excessive talking to District employees and using your personal cell phone.
2. Violation of District Policy 2260.210 - Dishonesty: Assistant Manager Lucchesi concludes that he feels you mislead your immediate supervisor and management by not being truthful about your work locations during the work day.
3. Violation of District Policy 2260.214 – Falsifications of Records: Assistant Manager Lucchesi concludes that you failed to properly record the locations of your work, rest and breaks.
4. Violation of District Policy 2260.229 – Failure to Observe Work Schedule, including Rest and Lunch Periods.

Before considering or implementing any final disciplinary action, I am providing you with the opportunity to respond either orally or in writing to the charge(s) and the recommended discipline. The proposed disciplinary action may be imposed whether or not you respond to these charges.

I have established the meeting time and date of 8:00 a.m. on Friday October 21, 2011 at the District's Stockton office. You may be represented at this meeting if you so desire; representation is limited to one (1) person in addition to yourself. It is requested that you give notice if you elect to waive your right to respond orally. This meeting will serve as your opportunity to speak on your behalf before any final decision is made on this matter.

Sincerely,


John R. Stroh
Manager

Cc: Chris Eley, District Legal Counsel
Robert Phibbs, San Joaquin Mosquito Employees Association

Enclosures

Date: 10/5/2011
To: John Stroh, Manager
From: Eddie Lucchesi, Assistant Manager
Subject: Investigation of Tiffany Anderson's 9/22/2011 work day activities

This investigation includes the reported activities of Tiffany Anderson as witnessed by co-workers; discussions between her and her immediate supervisor and employee representative; and interview between Tiffany Anderson and the assistant manager.

Brian Heine, Mosquito Control supervisor of the southern region, assigned a number of his technicians to conduct premise survey work in the west Ripon area on 9/22/2011. Each technician was provided a map that identified the work area they were assigned to. In addition, lab personnel were in the same area to investigate sites to place mosquito cages in preparation for evaluating adulticiding work for that evening.

9/22/2011 Discussion with Brian Heine in my office 3:30 PM

Mosquito control supervisor Brian Heine informed me he was approached by Tiffany Anderson questioning if he was aware of her work restrictions. Brian responded he was. Brian added he received information from her employee representative; Steve Azevedo, that Tiffany had approached Steve first thing in the morning complaining about her premise survey work assignment. She had stated that the District was not following the accommodations for the work restrictions prescribed by her doctor. In addition, Brian was contacted by a number of his employees and the District's entomologist, that Tiffany Anderson was seen at various locations throughout the work day outside of her assigned work area. Brian also stated she was observed talking with Steve Azevedo in front of Park Greenhouse nursery on West Ripon Rd.

Tiffany was assigned to work in the city of Ripon with the geographic boundaries of Main St. to the north, Doak Rd to the south, Jack Tone Rd. to the west, and Stockton St. to the east.

I requested the time sheets of both Tiffany Anderson and Steve Azevedo for the 9/22/2011 work day for our review.

Brian provided the following observations of 9/22/2011 as reported by techs and the District entomologist while in the field

9:00 a.m. Shaoming Huang, District entomologist, observes T Anderson parked on Mohler Rd. south of West Ripon Rd. sitting in her truck. (T. Anderson's time sheet reflects she was premise surveying from 8:55 a.m. – 10:25 a.m.) This location is ½ mile west of her assigned work area.

9:05 a.m.

Deanna Hopkins observes T. Anderson parked on Mohler Rd. sitting in her truck talking on cell phone. This location is in Deanna's assigned work area.

9:25 a.m.

Deanna Hopkins observes T. Anderson talking with Steve Azevedo at Park Greenhouse Nursery. This area is located on the north of edge of D. Hopkin's work area.

10:30 – 11:00 a.m.

Emily Pope spots T. Anderson's work truck parked at the Walgreens parking lot while working in this area. This area is located on the east side of Emily's assigned work area. (Tiffany's time sheet reflects she was on break from 10:30 a.m. – 10:45 a.m. Next entry indicates she was premise surveying from 10:45 a.m. – 12:00 p.m.)

After review, I told Brian I would follow up with T. Anderson the next day to review her concerns in relation to her work assignment, since Brian was scheduled for vacation the on that day.

9/22/2011 Follow up discussion with Brian Heine 7:30 PM

Brian Heine phoned me at home from District office to update me on his conversation with Steve Azevedo. (Part of Brian Heine's crew returned to conduct cold fogging operations. Steve Azevedo was one of three techs assigned to conduct the work.) Steve Azevedo approaches B. Heine complaining about T. Anderson complaining to him about her work assignment and having to pay association dues while on workers compensation time off. Steve stated Tiffany was driving him nuts in regard to her work duties for that day. She stated she could not believe the District assigned her to do premise survey work with the work restrictions she has. Steve said he told her he knows nothing about the workers comp issues.

9/23/2011 Interview with Tiffany Anderson 7:20 AM

I approached Tiffany and asked to speak with her to clarify information I received from her supervisor, Brian Heine on 9/22/2011 in regard to her working conditions of 9/22/11. I explained to her I was following up in the absence of Brian, since he was on vacation. I stated I needed information from her about issues she had relating to her 9/22/2011 work assignment. I informed her that Steve Azevedo reported to B. Heine that she had complained about her work assignment to premise survey because of how it relates to her work restrictions prescribed by Dr. Murata. Tiffany stated that yes Steve was her rep. I concurred and stated that he did his job.

I continued by stating that premise survey work was identified as one of the assigned jobs she can do based on her work limitations as specified by Dr. Murata on the doctor's notes of 8/16/11 and 9/13/11.

In addition, I provided her a print out of an e-mail she sent John Stroh on 8/19/11 informing John that she would be capable to perform swim pool inspections and premise survey work.

In response she stated "people make mistakes Eddie", I asked her what she meant by that and she said the premise survey work takes six hours to complete with constant walking and no breaks. In response, I reviewed her time sheet of 9/22/2011 and directed her to her first break period at 10:30 a.m. and asked why she did not take the recognized break at 9:30 a.m. She stated she had been inspecting an apartment complex and felt she could not just tell the residents that she would have to leave because it was break time.

I inquired if she had stopped at the Park Greenhouse Nursery on West Ripon Rd. at 9:25 a.m. and she said yes to use the rest room (She had just previously told me she could not take her 9:30 a.m. break because she was speaking with residents at the apartment complex, the nursery is located ½ mile west of the apartment complex). I stated that her time sheet did not reflect that break. She then stated that her co-workers have stopped to use the restroom on way to their work area and do not write it down on their time sheet (The comparison she made was traveling to work site, according to her time sheet this rest room break transpired after she began premise surveying). She went on to reference that she was flagged down by Steve Azevedo as he was standing in front of the nursery and that is why she stopped there before she started premise surveying in Ripon. I stated that I thought it was 9:25 a.m. and she states that's incorrect (Again, she previously concurred that she was at nursery at 9:25 a.m.)

For clarification I asked if she stopped at nursery before she started premise surveying or after she started premise surveying since her time sheet is unclear on that. She then became very defensive and asked if she was being reprimanded and if so she wanted representation. In addition, she stated that we need to have Steve Azevedo present, since he is her representative. She added that what Steve has shared with Brian is confidential. She stated that Steve will clear up the time frame of when she was at the nursery. She added that she did not know she had to write down on time sheet every time she had to use the rest room.

I explained to her she was not being reprimanded, but I needed to ensure that she did take the necessary breaks as indicated by Dr. Murata's modified work with limitations prescribed for her. I stated she needs to reflect that on her time sheet. I also emphasized that no one at the District directed her to do anything contrary to the work limitations prescribed by her doctor.

She then indicated she took the necessary breaks during the day for her knee and to comply with the District's Heat Illness Prevention Plan.

Tiffany then states that her supervisor B. Heine, had no knowledge of her work restrictions in detail. I corrected her and said that he did. She had identified the premise survey work as an example that was not as accommodating as inspecting swimming pools because she is able to rest by driving her District vehicle between stops verses walking on a side walk door to door. I reiterated to her that premise survey work was always looked at as being one of the jobs she could do that would meet the work restrictions indicated by Dr. Murata.

I then presented the printed e-mail I received from Tiffany at 6:12 a.m. of 9/23/2011 addressed to John Stroh but e-mailed to me (attached) and asked her who told her she could not take the breaks required by her Doctor. She said "nobody". I then asked her where did her work assignment state she must break the restrictions prescribed by Dr. Murata? At this point she apologizes and states the top of the e-mail references a "misunderstanding regarding modified accommodations" inferring she misunderstood the process. The e-mail clearly states she directed this toward the District and that in her mind the District has misunderstood the requirements of Dr. Murata. When questioned about it she spins it to her not understanding. When I countered that she knew exactly who she was directing it to when she wrote the e-mail, she gave no response. She then requested the District to provide a description of premise survey work to Dr. Murata. I said I would look into it (The District provided Dr. Murata a copy of the MCT I job description in response to her initial knee injury. Premise surveying is listed in the job description).

I asked if she was able to perform the work assigned to her for 9/23/2011 (swimming pool inspections) and she said she could.

9/26/2011 Follow-up Interview with Brian Heine 8:30 AM

With the information I gathered from Tiffany, I asked Brian if he had instructed T. Anderson to record on her time sheet the necessary breaks as stated in her modified work restrictions. He said he did on August 1, 2011, stating he emphasized she must record all rest breaks on the daily time sheet.

I asked Brian if Steve Azevedo indicated that he flagged down Tiffany to stop at the nursery. Brian said Steve stated he was in his vehicle preparing to leave the nursery at around 9:25 a.m. when T. Anderson drove in and asked Steve if there was a rest room on this property. Steve said yes and then T. Anderson started venting about workers comp, doctors and premise survey work. The conversation lasted approximately ten minutes.

Conclusion

After review of the information received from S. Azevedo, D. Hopkins, E. Pope, S. Huang, B. Heine and my conversation with T. Anderson; and Information recorded on T. Anderson's 9/22/2011 time sheet and premise survey form. The following conclusion has been determined:

1. T. Anderson directed her concern to her employee representative at least twice during the work day.
2. T. Anderson's time sheet reflects she is premise surveying from 8:55 AM thru 10:25 AM; however, during this time frame:
 - a.) She was witnessed sitting in her vehicle talking on phone on at least two occasions by her co-workers outside of her assigned work area.
 - b.) She states she travels to the Park Green House nursery to use the restroom at 9:25 a.m., states she does not take a 9:30 a.m. break because she is with residents at an apartment complex conducting a premise inspection and then infers she stopped at nursery on her way to her work assignment area.
3. T. Anderson does not record any restroom or "knee" break times stating she did not realize she had to. Her supervisor B. Heine states he made it clear on 8/1/2011 her responsibility to record all breaks on her time sheet.
4. She references her premise survey work assignment breaks the restrictions prescribed by Dr. Murata due to her perceived notion that she cannot take a break yet she admits she took several breaks during that time but did not record it.

In summary, I conclude that it was apparent Tiffany was upset on 9/22/2011 in regard to her work assignment for that day. Tiffany was more concerned about her work assignment then conducting the work. Her employee rep Steve Azevedo claims she was quite demonstrative about her dissatisfaction with having to premise survey. He states to his immediate supervisor, Brian Heine, that she was bugging him during the work day; as he described it "she drove him nuts". I found that she did not have complete or truthful entries on her 9/22/2011 time sheet based on her own admission of her locations at specific times. To that end I find she was in violation of the following District policies;

2260.210 Dishonesty Tiffany miss-lead her immediate supervisor and management by lying about her locations during the work day.

2260.214 Falsification of Records & 2260.229 Failure to observe work schedule; includes break periods

Tiffany failed to record the physical locations where she was observed during the work day and where she stated she was located at specific times when interviewed by the Assistant Manager including work, rest, and break sites.

2260.207 Being Wasteful of Working Time Tiffany contacted her employee representative on at least two occasions complaining about her work assignment and was witnessed sitting in her truck talking on phone at times she recorded she was premise surveying on her time sheet.

It is the recommendation of the investigating officer that appropriate disciplinary action be administered by the District Manager to include the following:

1. 5 day suspension from work without pay and accrued leave due to the violations found above.
2. 60 day probation period upon return to the work place with evaluation of performance once every 30 days by her immediate supervisor within the probationary period.

This concludes the investigation report. All supporting documents referenced in this report are available and kept on file. Any questions concerning this investigation can be forwarded to Eddie Lucchesi, Assistant Manager.

Tiffany Anderson Post Investigation/Pre-Discipline Hearing (Skelly Hearing)

Date: **October 21, 2011**

Time: **8:00 a.m.**

Location: **SJCMVCD Stockton Office**

This hearing is considered a "Skelly Hearing" (*Skelly v. State Personnel Board* (1975) 15 Cal. 3d 194), allowing Tiffany Anderson to respond either orally or in writing to the October 5, 2011 investigation report and proposed disciplinary action presented by Assistant Manager Lucchesi.

1. Meeting participants:

Tiffany Anderson	_____
Robert Phibbs	_____
John Stroh	_____
Other (_____)	_____

2. Did Tiffany Anderson receive a copy of the investigative report performed by Assistant Manager Lucchesi dated October 5, 2011?

Yes _____ No _____

3. This is the opportunity for Tiffany Anderson to respond either orally or in writing to the following items:

- October 5, 2011 Investigation Report
- Conclusion(s) of the October 5, 2011 Investigation Report
- Recommended discipline

4. Closing comment(s) by Tiffany Anderson or designated representative.

5. Closing comment(s) by hearing officer.

Following the conclusion of the hearing, the hearing officer will consider all statements and/or documents, which may be presented prior to determining the final action.

Neither of these infractions would justify a 5-day suspension without pay.

I understand the Notice of Proposed Discipline specifies only that discipline will not exceed a five day suspension. Need to note that nothing in MOU or policy allows for disciplinary probation as proposed by Assistant Manager Lucchesi.

9:05 a.m.

Deanna Hopkins observes T. Anderson parked on Mohler Rd. sitting in her truck talking on cell phone. This location is in Deanna's assigned work area.

9:25 a.m.

Deanna Hopkins observes T. Anderson talking with Steve Azevedo at Park Greenhouse Nursery. This area is located on the north of edge of D. Hopkin's work area.

10:30 – 11:00 a.m.

Emily Pope spots T. Anderson's work truck parked at the Walgreens parking lot while working in this area. This area is located on the east side of Emily's assigned work area. (Tiffany's time sheet reflects she was on break from 10:30 a.m. – 10:45 a.m. Next entry indicates she was premise surveying from 10:45 a.m. – 12:00 p.m.)

After review, I told Brian I would follow up with T. Anderson the next day to review her concerns in relation to her work assignment, since Brian was scheduled for vacation the on that day.

9/22/2011 Follow up discussion with Brian Heine 7:30 PM

Brian Heine phoned me at home from District office to update me on his conversation with Steve Azevedo. (Part of Brian Heine's crew returned to conduct cold fogging operations. Steve Azevedo was one of three techs assigned to conduct the work.) Steve Azevedo approaches B. Heine complaining about T. Anderson complaining to him about her work assignment and having to pay association dues while on workers compensation time off. Steve stated Tiffany was driving him nuts in regard to her work duties for that day. She stated she could not believe the District assigned her to do premise survey work with the work restrictions she has. Steve said he told her he knows nothing about the workers comp issues.

9/23/2011 Interview with Tiffany Anderson 7:20 AM

I approached Tiffany and asked to speak with her to clarify Information I received from her supervisor, Brian Heine on 9/22/2011 in regard to her working conditions of 9/22/11.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] . She
asked if she was being reprimanded and if so she wanted representation.

[REDACTED]

I explained to her she was not being reprimanded,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

9/26/2011 Follow-up Interview with Brian Heine 8:30 AM

[REDACTED]

[REDACTED]

9:05 a.m.

Deanna Hopkins observes T. Anderson parked on Mohler Rd. sitting in her truck talking on cell phone. This location is in Deanna's assigned work area.

9:25 a.m.

Deanna Hopkins observes T. Anderson talking with Steve Azevedo at Park Greenhouse Nursery. This area is located on the north of edge of D. Hopkins work area.

10:30 – 11:00 a.m.

Emily Pope spots T. Anderson's work truck parked at the Walgreens parking lot while working in this area. This area is located on the east side of Emily's assigned work area. (Tiffany's time sheet reflects she was on break from 10:30 a.m. – 10:45 a.m. Next entry indicates she was premise surveying from 10:45 a.m. – 12:00 p.m.)

After review, I told Brian I would follow up with T. Anderson the next day to review her concerns in relation to her work assignment, since Brian was scheduled for vacation the on that day.

9/22/2011 Follow up discussion with Brian Heine 7:30 PM

Brian Heine phoned me at home from District office to update me on his conversation with Steve Azevedo. (Part of Brian Heine's crew returned to conduct cold fogging operations. Steve Azevedo was one of three techs assigned to conduct the work.) Steve Azevedo approaches B. Heine complaining about T. Anderson complaining to him about her work assignment and having to pay association dues while on workers compensation time off. Steve stated Tiffany was driving him nuts in regard to her work duties for that day. She stated she could not believe the District assigned her to do premise survey work with the work restrictions she has. Steve said he told her he knows nothing about the workers comp issues.

9/23/2011 Interview with Tiffany Anderson 7:20 AM

I approached Tiffany and asked to speak with her to clarify information I received from her supervisor, Brian Heine on 9/22/2011 in regard to her working conditions of 9/22/11.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] She
asked if she was being reprimanded and if so she wanted representation.
[REDACTED]

I explained to her she was not being reprimanded,
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

9/26/2011 Follow-up Interview with Brian Heine 8:30 AM

[REDACTED]

[REDACTED]

OCT. 10. 2011 2:24 PM

NOV. 2009 1:11

ALMOND BLOSSOM APARTMENT

1550 W. Main Street

Ripon CA. 95366

To whom it may concern:

My name is Marquita Tucker I 'm the Manager at the Almond Blossom Apartment here in Ripon. On September 22,2011 around 8:50 or 8:55am I was standing in front of my office when this Truck pulled up. A young Lady got out of the truck and came toward the office , she introduced her Self and told me why she was here.My Mantintence Manager came to the Office and I introduce him to Tiffiny Anderson she explain how we could Get Mosquito .Tiffiny showed us where they were in front of my office There is a sprinkler valve and they were in the standing water.Then Paul And Tiffiny went around checking all the valves to see if we had any More Mosquito .Tiffiny took a sample to have it checked for us.Tiffiny Left about 10:25am she gave us some flyer about Mosquito.

She was a very helpful young lady, I'm so glad she came by my Complex.

Marquita Tucker

Manager

Marquita Tucker

interviewed
on 9-27-11

On 9-22-11 Steve Ayereda was leaving Park Greenhouses and an inspection of that property. The time was around 9:25 am. The Park Greenhouse property is on the north side of West Ripon Rd., at the intersection of Mahler and West Ripon Rds. at that time Tiffany Anderson drove north on Mahler Rd. across West Ripon Rd. and entered the driveway to Park Greenhouse property. At that time she pulled up to Steve Ayereda's pickup in the driveway and asked Steve if there was a bathroom on this property. Steve said yes. Tiffany began venting to Steve about her issues taking place at this time (comp, doctors, premise ins etc.) The conversation lasted about 10 min. After that time Steve left the property.

interviewed

9/29/11 On

9-22-11 Deanna Hopkins spotted Tiffany sitting in her vehicle on the east side of Mahler Rd. approximately .4 mi. south of the Mahler Rd, West Ripon Rd. intersection. Tiffany was talking on her phone. The time was 9:05 am. Deanna spotted Tiffany pulling out of Park Greenhouse property at around 9:35 am on her way to take a break (Deanna).

J. viewed
7-1-29-11

On 9-22-11 Giffany Anderson's work vehicle was spotted in the parking lot of a drug store on the N-E corner of Jack Gore Rd and Main St. in Ripon. Her vehicle was seen by Emily Pope twice between the hours of 10:30 am and 11:00 am at the drug store. Emily was not certain of the exact time of the two sightings.

On 9-22-11 Giffany came up to me at the end of the work day and asked if I was aware of her work restrictions. I said that I was.

On August 1 I made it clear to Giffany that she must record all rest breaks on the daily time sheet.

These rest breaks are an option in regards to her work restrictions

Tiffany Anderson Post Investigation/Pre-Discipline Hearing (Skelly Hearing)

Date: **October 21, 2011**

Time: **8:00 a.m.**

Location: **SJCMVCD Stockton Office**

This hearing is considered a "Skelly Hearing" (*Skelly v. State Personnel Board* (1975) 15 Cal. 3d 194), allowing Tiffany Anderson to respond either orally or in writing to the October 5, 2011 investigation report and proposed disciplinary action presented by Assistant Manager Lucchesi.

1. Meeting participants:

Tiffany Anderson	_____
Robert Phibbs	_____
John Stroh	_____
Other (_____)	_____

2. Did Tiffany Anderson receive a copy of the investigative report performed by Assistant Manager Lucchesi dated October 5, 2011?

Yes _____ No _____

3. This is the opportunity for Tiffany Anderson to respond either orally or in writing to the following items:

- October 5, 2011 Investigation Report
- Conclusion(s) of the October 5, 2011 Investigation Report
- Recommended discipline

4. Closing comment(s) by Tiffany Anderson or designated representative.

5. Closing comment(s) by hearing officer.

Following the conclusion of the hearing, the hearing officer will consider all statements and/or documents, which may be presented prior to determining the final action.

9:05 a.m.

Deanna Hopkins observes T. Anderson parked on Mohler Rd. sitting in her truck talking on cell phone. This location is in Deanna's assigned work area.

9:25 a.m.

Deanna Hopkins observes T. Anderson talking with Steve Azevedo at Park Greenhouse Nursery. This area is located on the north of edge of D. Hopkin's work area.

10:30 – 11:00 a.m.

Emily Pope spots T. Anderson's work truck parked at the Walgreens parking lot while working in this area. This area is located on the east side of Emily's assigned work area. (Tiffany's time sheet reflects she was on break from 10:30 a.m. – 10:45 a.m. Next entry indicates she was premise surveying from 10:45 a.m. – 12:00 p.m.)

After review, I told Brian I would follow up with T. Anderson the next day to review her concerns in relation to her work assignment, since Brian was scheduled for vacation the on that day.

9/22/2011 Follow up discussion with Brian Heine 7:30 PM

Brian Heine phoned me at home from District office to update me on his conversation with Steve Azevedo. (Part of Brian Heine's crew returned to conduct cold fogging operations. Steve Azevedo was one of three techs assigned to conduct the work.) Steve Azevedo approaches B. Heine complaining about T. Anderson complaining to him about her work assignment and having to pay association dues while on workers compensation time off. Steve stated Tiffany was driving him nuts in regard to her work duties for that day. She stated she could not believe the District assigned her to do premise survey work with the work restrictions she has. Steve said he told her he knows nothing about the workers comp issues.

9/23/2011 Interview with Tiffany Anderson 7:20 AM

I approached Tiffany and asked to speak with her to clarify information I received from her supervisor, Brian Heine on 9/22/2011 in regard to her working conditions of 9/22/11.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] She
asked if she was being reprimanded and if so she wanted representation.
[REDACTED]

I explained to her she was not being reprimanded,
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

9/26/2011 Follow-up Interview with Brian Heine 8:30 AM

[REDACTED]

[REDACTED]

From: Tiffany Anderson <tiffanykayanderson@yahoo.com>
Subject: revised
Date: November 21, 2012 5:17:13 PM PST
To: Fred Morison <fredmorison@att.net>
Reply-To: Tiffany Anderson <tiffanykayanderson@yahoo.com>



1 Attachment, 1.9 MB

Forwarded Message
From: Tiffany Anderson <tiffanykayanderson@yahoo.com>
To: Don Madinger <donmad@yaho.com>
Sent: Wednesday, November 21, 2012 5:16 PM
Subject: to eddie

Eddie,

I am writing to address all of your concerns and misconceptions on behalf of the district.

All that the employer is entitled to is my work status and if I can return to work" a direct quote from your insurance carrier. You are not allowed to speak to my Dr., you are not allowed to have access to my files. I refuse to release my personal records to you that is a protected right. John initiated a form of harassment requesting that I release my right to privacy and give permission for the district to obtain more information than they are entitled to. John wrote me three times, and three times ignoring my written correspondence back to him informing John he was violating the law. The third and final time 4/27/2012 at 2:30 p.m., Sherry the Information and Assistant officer from the State Work-Comp board spoke to Judge Kearse McGill, and then Sherry called John personally and informed him the judge said to stop harassing Tiffany Anderson. Refer to the certified letter I signed and returned to John. When John retired I received the same letter from you and I did not respond because you should have known better.

John claimed he wanted to meet with me in person to discuss accommodations for work in the above mentioned letter. My concern with meeting John in person was his inconsistency. During the one month the board claimed to investigate my "whistle blower" call to your emergency hotline, John offered one month of office working accommodations. This offer was in writing. Eddie, you personally breached my trust the day you brought me in to your office on September 22, 2011 and interrogated me, accusing me of stealing company time and falsifying time sheets. I specifically requested my wine-garden rights and you told me I was not in trouble. The very next day I was told I was being disciplined and had to endure a "Skelly Hearing".

With these facts I informed the INA officer Pam Meyers that I feared John Stroh and if he truly had work for me he would follow his previous protocol and put the offer in writing. Pam Meyers spoke with John Stroh on May 11, 2012 at 3:21 pm and John said he would in fact put a offer in writing. That was 6 months ago Eddie. I am still waiting for my written job offer.

Regarding the most current doctor note, I was last seen Tuesday September 18, 2012 and my next follow up appointment will be Tuesday December 18, 2012. My restrictions have not changed since my last visit and I did fax you a copy. I will send a certified copy so there will be no further confusion in this area.

Regarding my intentions to return to work. I have no plans on terminating my position, the district has created a 7 year hardship and this is why I am attending law school. With that said, yes you are correct I have enrolled in full time school during the day. The district has shown no interest in accommodating work for me, to even go as far as hiring outside personal when our MOU states any employee should be eligible for open positions before it opens it to the public (Josh Stone and Michelle Morgan). I will resign my day classes and resume night school the moment a office position is available to me. Until then it is unrealistic to expect me to not move forward in my life.

Chances are Eddie I can not return to work as a field operator. But you have to ask yourself a few questions? How many knee injuries prior to my transfer occurred in the irrigated zones? You and John intentionally relocated me from zone 9 a low physical impact zone where most all treatments were flown and threw me into a high physical impact zone where knee injuries were prevalent (intent). Zone 18 is a zone that is known to be much more labor intense than zone 9. The whole purpose for moving me after only 2.5 years in zone 9 which broke past precedence was to punish me for bringing to managements attention a protected law. Why was protocol not followed during my relocation? Why did you authorized Keith to send me home while on my menstrual cycle for being a liability to the district and then reprimand me for abusing sick time? Why did you take my use of altosid pellets away when you know that the zone requires more altosid pellets than any other zone? Why did you assign me to inspect rice fields while the plane was spraying them with chemicals at the same time. Why was Morgan Bennett allowed to yell ERMA at me and slam objects at me? Why when I went to Brian my supervisor and asked him to make Morgan stop I was told he couldn't get involved with personal issues? Why did you allow Bob the perpetrator and Keith emotionally tare down my self esteem with comments like Tiffany is incapable of thinking, Tiffany falls short of the mark, has shown limited ability to think, then attaching a chain of command instructing me to not report wrong doing in the work place again. These are inappropriate responses to reporting wrong doing in the work place and are justification for fearing your employer.

I will await your response.

Sincerely,

Tiffany Anderson

GIN COUNTY MOSQUITO & VECTOR CONTROL DISTRICT
7759 SOUTH AIRPORT WAY
STOCKTON, CALIFORNIA 95206-3918

CERTIFIED MAIL



7010 0290 0000 8894 5405



US \$
Mailed From 9520
04/26/2012
031A 000418T92

Tiffany Anderson
2 N. Avena Avenue
Lodi, CA 95240

informed him this is
harassment + to stop

9524022808 0521

Bull incident

I had been reassigned to the Escalon location in July of 2007. It was during the busiest time of the mosquito season, definitely not a time to learn a new region.

There would be a new supervisor to work with, a new crew with a click I would have to gain acceptance with, terrain and surroundings unfamiliar to me, along with a whole new breed of mosquito and pesticides that were foreign as well.

I was given no training to accomplish my duties. The majority of my time was spent learning the proper method of entering and exiting properties. I was responsible for the control of mosquito infestation and virus in zone 18 arguably the most labor intensive zones.

The day was September 17, 2007. I entered the property to treat the 10-acre pasture, which belonged to the Farnelli family. The time was 12:45 p.m, it was my first pesticide application after lunch.

Driving access was not offered so I had to hand treat the 1.25 acreage of irrigated runoff with a granule hand application instead of the much preferred option denied me-the ability of spraying from the comfort of my air conditioned vehicle while using my blower. What could have been a 15-minute job was now an hour worth of manual labor.

I had already encountered some arguably dangerous experiences prior to this date, but nothing prepared me for what I endured on that day.

I had inspected the source towards the end of the previous day, recorded my findings, and made my plan of attack. When I did my inspection there were no cows on the property. What changed in a 24-hour period could have resulted in my demise.

Dairy bulls are not safe to be around. They are responsible for more than half of the farm worker fatalities. Many deaths are a result of farm workers being attacked, mauled, rammed, gored, trampled or pinned against some surface.

I am unclear if old Farnelli released the mammals while I was making my treatment, or if the creatures were hiding in the shade, grazing in their troughs or were not visible. What became clear to me, after only twenty minutes of spreading my chemical, was a big black and white mass of something blocking the access where I would need to pass to get off the property.

I started to walk towards it and quickly realized it was a massive and angry bull. Apparently mating season had begun and I apposed a threat to this male against the fifty something females he had a prior date with.

The bull became to see me as a direct threat. We were head-on and with his head lowered, shoulders hunched, and neck curved toward me-his point of aggression. He pawed the ground with his forefeet, sending dirt flying over his back, and his horns rubbed the ground.

I do not remember a time in my life where I was more afraid. I had my two-way radio on my person but any one I called would be an hour away. I slowly walked to the end of the fence line, as far from the bull as I could physically be.

I started to assess my options. There were three ways off the property. The first option I tried required me to jump across a three-foot wide ditch. Once I got across, now with wet feet, I was puzzled as to how I would get through the Italian Cypress trees that were grown so close together I couldn't fit between them even if I made it through the wasps' nests whom had made the trees their homes. After jumping back over the ditch where I started from I reassessed the back of the fence line again.

I had counted that option out before because I am terribly afraid of the electrical current the farmer uses to prevent the animals from escaping.

Less than a month earlier I had grabbed a barbed wire fence, to pull apart and climb through. I hadn't noticed the thin wire lying against the top wire. As I grabbed both wires an electrical current jolted through my whole body, clear into my teeth. I did not want to experience that again.

Even if I made it through the fence with minor electrical current shock, the reality was there was another twenty-acre parcel with no signs of life and it was not practical.

Anger took over my fear. After what seemed like hours but in reality had been about fifteen minutes, I decided I was going to walk straight towards the bull and if I made it past him, back to my truck.

I had my radio on me and if I was attacked *figured* I could at that point radio in for an ambulance. The strangest thing happened as I started marching towards this thousand pound beast. One of the females that had been grazing on the other side of the pasture had gone over to the bull and started to talk to him and nudge him. I don't know if she could smell my fear or I may not have even been a factor at all. All I do know is slowly the bull let down his stance turned and followed the female back over to the other side of the pasture where they had come from.

I slowly and humbly walked back to the safety of my work truck, which sat on the other side of where the bull had been blocking and the gate I had to walk through.

That day when I returned to the yard my supervisor asked me how my day went.

After I told him my story he laughed at me.

The act of my supervisor laughing at my life endangering experience and at me provoked more anger than the bull scenario itself.

Incident Report

Today's date ~~Friday June 10, 2011~~ July 14/20

Date of incident Wednesday June 8, 2011

Time 7:30 am

On Wednesday June the 8th my supervisor Brian Heine pulled me aside and informed me we needed to talk. This is unusual because Brian usually avoids me because it seems he is uncomfortable talking to me.

Brian inquired about my time sheet on behalf of management regarding the date Monday June 6, 2011.

Our county had an unusual weather occurrence where we had a steady rain over the weekend. Along with these factors it rained during my drive to my zone in Escalon. The roads were sloppy and congested with traffic. I parked on the north side of HWY 120 and the east side of Seidner road. I documented this on my time sheet and studied irrigation lines for South San Joaquin County Irrigation District.

Since my employment with the district it has been a standard practice of employees to wait out a rain.

Management looked at my time sheet and then had Brian ask Morgan Bennett if it rained in Escalon, as if my judgment was off. Like I don't know the difference between the rain or the sun?

I informed Brian that Morgan's opinions of me are invalid. I also pointed out that my whole crew, just the week prior Wednesday June 1, 2011, while working at the cemetery followed the standard district rain policy.

Morgan Bennett is not my supervisor but yet a pier. In 2007 Morgan physically and verbally harassed me by slamming his clipboard on the table I was sitting at and yelled ERMA at me. Morgan continued to call me ERMA for a week. This has been documented with my supervisor Brian Heine as I requested Brian to make Morgan stop his behavior. Brian was an assistant supervisor acting as our supervisor at that time. During that period of time, management advised Brian that he could not take sides between Morgan and I. Morgan's behavior defined harassment and Brian neglected along with management to protect my rights.

I asked why I was being questioned on this issue? I asked am I in trouble? Will this be on my evaluation? Brian said no. Brian informed me this practice does not exist

7759 South Airport Way
Stockton, CA 95206-3918
Telephone (209) 982-4675
Facsimile (209) 982-0120

**San Joaquin County
Mosquito & Vector
Control District**

Memo

To: Eddie Lucchesi, Robert Durham, Morgan Bennett, Janine Esau,
Steve Azevedo, Keith Nienhuis, John Vignolo, Tiffany Anderson,
Mary Iverson, Larry Fraser, Richard Capuccini

From: John R. Stroh

CC: File

Date: July 28, 2010

Re: Interview with defense counsel in the matter of Meidinger v. San
Joaquin County MVCD, EAMS Case Number ADJ486529

You are requested to participate in an interview with the defense counsel in the matter of Meidinger v. San Joaquin County MVCD, EAMS Case Number ADJ486529.

The interview is scheduled for August 12, 2010, 1:00 p.m. in the office of Eric Helphrey of Stockwell, Harris, Woolverton & Muehl, 1545 River Park Drive, Suite 330, Sacramento, CA 95815.

Each interview will last approximately 20 minutes. The District will provide you with transportation to and from the interview.

Do not hesitate to contact me if you have any questions or need additional information.

STATE OF CALIFORNIA
DEPARTMENT OF INDUSTRIAL RELATIONS
DIVISION OF WORKERS' COMPENSATION

WORKERS' COMPENSATION APPEALS BOARD

Case No. **ADJ486529**

OF APPLICATION HAS WHEN FILED, CASE NUMBER
MUST BE INDICATED REGARDING OF DATE OF INJURY

Donald Meidinger

vs.

San Joaquin County Mosquito, et al.

Claimant/Applicant

Employer/Insurance Carrier/Defendant

SUBPOENA

The People of the State of California Send Greetings to:

c/o

Tiffany Anderson

YOU ARE HEREBY COMMANDED to appear before **Worker's Compensation Appeals Board**
Judge Crawford

31 E Channel Street #344

Stockton, CA 95202-2314

on the **26** day of **August**, 20 **10**, at **08:30** o'clock **A** M., to testify in the above-
entitled action.

For failure to attend as required, you may be deemed guilty of contempt and liable to pay to the parties aggrieved all losses and damages sustained thereby and forfeit one hundred dollars in addition thereto. This subpoena is issued at request of **Adam J. Stewart, Esq.**, Telephone No. **(209) 526-0522**



WORKERS' COMPENSATION APPEALS BOARD
OF THE STATE OF CALIFORNIA

Secretary, Assistant Secretary, Workers' Compensation Judge

Date July 27, 20 10

This subpoena does not apply to any member of the Highway Patrol, Sheriff's Office or city Police Department unless accompanied by notice from the Board that deposit of the witness fee has been made in accordance with Government Code 68097.2, et seq.

FOR INJURIES OCCURRING ON OR AFTER JANUARY 1, 1990 AND BEFORE JANUARY 1, 1994:

If no Application for Adjudication of Claim has been filed, a declaration under penalty of perjury that the Employee's Claim for Workers' Compensation Benefits (Form DWC-1) has been filed pursuant to Labor Code Section 5401 must be executed properly.

[SUBPOENA INVALID WITHOUT DECLARATION]

8-12 @ 1:00
Sacramento

Control No: 52297 CL8

DECLARATION FOR INJURIES OCCURING ON OR AFTER
JANUARY 1, 1990 AND BEFORE JANUARY 1, 1994
FOR WHICH AN APPLICATION FOR ADJUDICATION OF CLAIM HAS NOT BEEN FILED

Case No: ADJ486529

John
Paul
Bob

STATE OF CALIFORNIA, County of **Alameda**

CL
Tew
W

The undersigned states: **Law Offices of Moorad, Clark & Stewart**

That he / she is (one of) attorney(s) of record / representative(s) for the **Applicant** in the action captioned on the reverse hereof, and that an Employee's Claim for Workers' Compensation Benefits (DWC Form 1) has been filed in accordance with Labor Code Section 5401 and California Code of Regulations, title 8, section 10120 (Administrative Director's Rules and Regulations), by the alleged injured worker in this action, or, if the worker is deceased, by the dependent(s) of the decedent, and that a true copy of the form filed is attached hereto.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 27, 20 10, at Dublin, California.

<u>/s/ Adam J. Stewart, Esq.</u>	<u>1020 - 15th Street, Suite 22</u>	<u>(209) 526-0522</u>
Name	Address	Phone

DECLARATION OF SERVICE

STATE OF CALIFORNIA, County of _____

I, the undersigned state that I served the foregoing subpoena by delivering a true copy thereof, together with a copy of the Declaration in support thereof, to each of the following named persons, personally, at the date and place set forth opposite each name.

<u>Name of Person Served</u>	<u>Date</u>	<u>Place</u>
		Tiffany Anderson 2 North Avena Avenue Lodi, CA 95240

I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, 20____, at _____, California.

Signature

Witness

Stress

Control No: 52297 CL1

Case

STATE OF CALIFORNIA
DEPARTMENT OF INDUSTRIAL RELATIONS
DIVISION OF WORKERS' COMPENSATION

WORKERS' COMPENSATION APPEALS BOARD

Case No. **STK 207071**

OF APPLICATION HAS WHEN FILED, CASE NUMBER
MUST BE INDICATED REGARDING OF DATE OF INJURY

Donald Meidinger

VS.

San Joaquin County Mosquito, et al.

Claimant/Applicant

Employer/Insurance Carrier/Defendant

SUBPOENA

The People of the State of California Send Greetings to:

c/o

Tiffany Anderson

YOU ARE HEREBY COMMANDED to appear before **Worker's Compensation Appeals Board**

Workers' Compensation Judge

31 E Channel Street #344

Stockton, CA 95202-2314

on the **17** day of **May**, 20 **10**, at **08:30** o'clock **A** M., to testify in the above-entitled action.

For failure to attend as required, you may be deemed guilty of contempt and liable to pay to the parties aggrieved all losses and damages sustained thereby and forfeit one hundred dollars in addition thereto. This subpoena is issued at request of **Adam J. Stewart, Esq.**, Telephone No. **(209) 526-0522**



WORKERS' COMPENSATION APPEALS BOARD
OF THE STATE OF CALIFORNIA

[Signature]
Secretary, Assistant Secretary, Workers' Compensation Judge

Date **May 14**, 20 **10**

This subpoena does not apply to any member of the Highway Patrol, Sheriff's Office or city Police Department unless accompanied by notice from the Board that deposit of the witness fee has been made in accordance with Government Code 68097.2, et seq.

FOR INJURIES OCCURRING ON OR AFTER JANUARY 1, 1990 AND BEFORE JANUARY 1, 1994:

If no Application for Adjudication of Claim has been filed, a declaration under penalty of perjury that the Employee's Claim for Workers' Compensation Benefits (Form DWC-1) has been filed pursuant to Labor Code Section 5401 must be executed properly.

[SUBPOENA INVALID WITHOUT DECLARATION]

Control No: 52297 CL1

DECLARATION FOR INJURIES OCCURRING ON OR AFTER
JANUARY 1, 1990 AND BEFORE JANUARY 1, 1994
FOR WHICH AN APPLICATION FOR ADJUDICATION OF CLAIM HAS NOT BEEN FILED

Case No: STK 207071

STATE OF CALIFORNIA, County of **Alameda**

The undersigned states: **Law Offices of Moorad, Clark & Stewart**

That he / she is (one of) attorney(s) of record / representative(s) for the **Applicant** in the action captioned on the reverse hereof, and that an Employee's Claim for Workers' Compensation Benefits (DWC Form 1) has been filed in accordance with Labor Code Section 5401 and California Code of Regulations, title 8, section 10120 (Administrative Director's Rules and Regulations), by the alleged injured worker in this action, or, if the worker is deceased, by the dependent(s) of the decedent, and that a true copy of the form filed is attached hereto.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 14, 20 10, at Dublin, California.

/s/ Adam J. Stewart, Esq.

Name

**1020 - 15th Street, Suite 22
Modesto, CA 95354**

Address

(209) 526-0522

Phone

DECLARATION OF SERVICE

STATE OF CALIFORNIA, County of _____.

I, the undersigned state that I served the foregoing subpoena by delivering a true copy thereof, together with a copy of the Declaration in support thereof, to each of the following named persons, personally, at the date and place set forth opposite each name.

Name of Person Served

Date

Place

**Tiffany Anderson
2 North Avena Avenue
Lodi, CA 95240**

I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, 20____, at _____, California.

Signature