

Tiffany K Anderson
2 N Avena Avenue
Lodi CA 95240

November 17, 2011

The Honorable W. Kearsse McGill
Workers' Compensation Appeals Board
31 East Channel Street, RM 344
Stockton, CA 95202

Dear Judge McGill,

I am writing to you today for a few reasons. I am self represented and do not understand my rights in this matter. So I come before you to ask for some clarification in this matter.

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DIVISION OF WORKERS COMPENSATION
STOCKTON OFFICE

1. Mr. Eley the defense council has summoned me to appear for a deposition in his office on December 6, 2011. I have a surgery date of November 29th, 2011. I will be unable to drive for thirty days post surgery. Along with this matter I do not know if any complications will arise. I think it is too soon after my surgery date to have any appointments scheduled. For this reason I am asking for a reschedule of the deposition from Mr. Eley and his legal team.
2. The next item I would like to bring before you is that Adam Stuart agreed to represent me for the deposition. Does not Mr. Eley have to notify Mr. Stuart's office to verify this fits in his schedule as well?
3. I asked Mr. Eley who would be present during the deposition and Mr. Eley informed me my employer John Stroh would be present. Mr. Stroh has been the purpose of my complaints with the district since a 2007 sexual harassment complaint I filed in writing with a mediator present. Mr Stroh is the manager who relocated me to a new job assignment without following past protocol and who I personally blame for my past injuries. Does Mr. Stroh

have the right to be present? I feel this is an intimidation tactic on the part of Mr. Eley and Mr. Stroh.

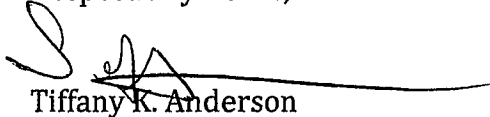
4. Mr. Eley has requested a slough of documents and information. Using the excuse that I contacted a board member involving Mike Manna. The reality of the matter is in 2009 in desperation I called a "Whistle Blower" hotline that was posted on the break room wall. I thought this number would be a federal or state agency. Instead the complaint was rerouted to the board of trustees who hired Mr. Eley to investigate my allegations. I did not cooperate with Mr. Eley at that time. I asked the board to meet with me and they refused. I made each board member a copy of my employee file and asked them to read it. I then wrote three 10 page documents outlining the wrong doing that got me injured. The board never responded to the first letter. At this point I involved an outside agency who is investigating the board and my employer. So to address Mr. Eley's accusations that I addressed a board member and brought them into the matter that is incorrect. The board addressed me. Mr. Manna was the president at the time. Mr. Manna personally gave me his email address and phone number and encouraged me to contact him anytime I needed anything. Unfortunately for me when I did ask for help, Mr Manna, the board and Mr. Eley din not do anything except make my work environment worse. So the question being do I need to provide information to Mr. Eley, and who has the right to sit in on my deposition?
5. The board met in closed session on November 15, 2011. When they returned to address the public they did not disclose the conclusion of my suit; which if I understand violates the Brown Act. My friend and Vicki Bridgewater attended the meeting on my behalf.
6. At this time I would like to request from Mr. Eley and the district my time sheets or daily sheets and sick leave sheets. The reason being is I have had four exposures since my employment and there is a pattern where I the employee had to use my sick leave for these incidents. Then having my sick time used against me in my evaluations. The time sheets will provide proof

and evidence of discrimination, as they are a visual as to how my work assignments changed and how I have been isolated since my injuries.

Please take all these things into consideration. Do not allow Mr. Eley blur the lines of my 134-A claim and my 2009 "Whistle Blower" complaint.

All I am asking for from the district is the 40 pay periods of lost seniority, my longevity and seniority to be restored.

Respectfully Yours,



Tiffany K. Anderson

August 22, 1970

Cc Christopher K. Eley

From: "Christopher K. Eley" <eleylaw@aol.com>
Subject: deposition
Date: October 24, 2011 2:34:17 PM PDT
To: tiffanyanderson@me.com
Cc: 'jstroh' <jstroh@sjmosquito.org>

| | |
|--|---|
| Christopher K. Eley In Address Book |  |
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Dear Tiffany

Your statement of the right for an attorney is not quite accurate.

Labor code 5710 says that the applicant is entitled to

(4) A reasonable allowance for attorney's fees for the deponent, if represented by an attorney licensed by the State Bar of this state. The fee shall be discretionary with, and, if allowed, shall be set by, the appeals board, but shall be paid by the employer or his or her insurer.

The fees are discretionary with the Appeals Board. From what I understand, the attorney makes an application to the Board for an award of fees for the deposition. The Board can deny the petition in some cases and will deny it if the claim is deceitful or fraudulent. See *Mitchell v. Golden Eagle Insurance*, 60 CCC 205, March 2, 1995.

Sec. 5710 was put in the law to make sure that workers who are injured can afford attorneys to represent them in the issues regarding their injury. This case is not about your injury but about your claim for discrimination after an injury. We will argue that there is no basis for this claim and that the claim is fraudulent.

If you want to hire legal counsel, that is your right. Unless you produce some facts to justify your claim, I will oppose any motion for attorney's fees.

You may drop your petition at any time. However, the District is not going to make promises regarding modified duty.

As for the date of the 27th, I put it out a week so that you could get counsel. Wednesday would not work because you have the hearing and Friday is out for me. I look forward to seeing you n Thursday.

CHRISTOPHER K. ELEY

Attorney-at-Law

A Professional Corporation

343 East Main Street, Suite 710 • Stockton, California 95202

Telephone: (209) 466-8511 • Facsimile: (209) 466-6340 • Email: cleylaw@gmail.com

October 21, 2011

Tiffany Anderson
2 N. Avena Avenue
Lodi, CA 95240

Dear Ms. Anderson:

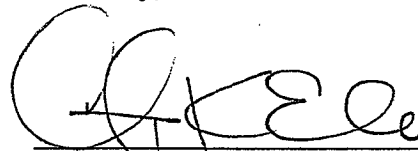
We originally scheduled your deposition in this matter for October 20, 2011. At your request we agreed to reschedule the deposition, and on October 17 we agreed to move the deposition to October 27th. On Tuesday October 18, you left a message with my secretary that you were informed by counsel that you did not "have" to attend a deposition and therefore you were not going to attend any deposition.

You are correct that do not "have" to attend a deposition. However, you have voluntarily brought suit against my client. I have a right to obtain information regarding the factual basis of the complaint. This is especially true in your matter, as there is no standard complaint filed. Your complaint seems to consist of a number of e-mails sent to Mike Manna and an unsigned chronology of complaints. The vague nature of your claim is to be expected as you are not represented by an attorney, but this is all the more reason for a deposition.

I have the right to determine what you are alleging and the facts on which you base your allegations. If you do not attend the deposition, I will bring a motion before the court for sanctions including a request to dismiss the action. If you are no longer interested in pursuing the case, you may simply dismiss it. If you want to continue with the matter, then you need to attend the deposition and allow me to investigate the basis of your claim.

The deposition will proceed on October 27, 2011 at 10 am. If you decide not to attend, your failure to appear will be documented by the court reporter. I will then ask the judge for some relief.

Sincerely,


CHRISTOPHER K. ELEY
Attorney at Law

CKE/kl
Cc: Clients

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CHRISTOPHER K. ELEY SBN 90897
ATTORNEY AT LAW
343 E. MAIN STREET, SUITE 710
STOCKTON, CALIFORNIA 95202
(209) 466-8511

Attorney for Defendant
SAN JOAQUIN COUNTY MOSQUITO
AND VECTOR CONTROL DISTRICT

WORKERS' COMPENSATION APPEALS BOARD
STATE OF CALIFORNIA

TIFFANY ANDERSON,)
)
Applicant,)
vs)
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)
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)
SAN JOAQUIN COUNTY MOSQUITO)
AND VECTOR CONTROL DISTRICT)
)
)
Defendant.)
)

CASE NO: ADJ 7976768

**NOTICE OF TAKING DEPOSITION
AND REQUEST FOR PRODUCTION
OF DOCUMENTS AND THINGS ON
ORAL EXAMINATION REGARDING
LABOR CODE §132a PETITION**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that defendant, pursuant to California Code of Civil Procedure Sections 2016.010 *et seq.*, 2017.010 *et seq.*, 2019.010 *et seq.*, 2025.010 *et seq.*, and/or 2020.010 *et seq.*, will take the deposition of applicant, **Tiffany Anderson**, on **December 6, 2011 at 10:00 a.m.** at the **Law Office of Christopher K. Eley, 343 E. Main St., Suite 710, Stockton, California**, before a Notary Public and/or shorthand reporter duly authorized to administer oaths in the State of California.

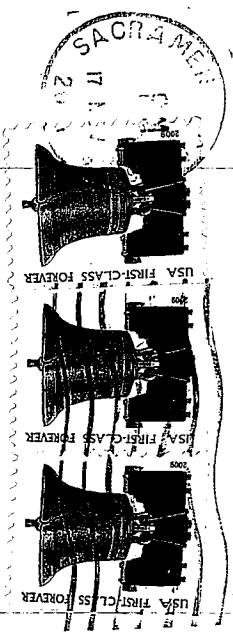
1 NOTICE IS FURTHER GIVEN that pursuant to Code of Civil Procedure 2025 (h)(1),
2 applicant is requested to produce at said deposition the following documents which are within
3 applicant's possession, custody or control:

- 4 1. All witness statements concerning the facts and circumstances surrounding the
5 claimed injury(s) which is/are subject of this proceeding.
6 2. All photographs, sketches, or diagrams depicting the facts and circumstances
7 surrounding the claimed injury(s) which is/are the subject of this proceeding.
8 3. All non-privileged calendars, memos and diaries prepared by the applicant, which
9 relate to the claimed injury(s) which is/are the subject matter of this proceeding.
10 4. Any documents that the applicant relies upon towards proof of the underlying claim.
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EXHIBIT "A"

T. Flynn Anderson
2 N. Arena Avenue
Lodi CA 95202

Honorable Judge M^r-Gill
Workers' Comp Appeals Board
31 E. Channel Street Rm 344
Stockton CA 95202



9520292314

