Transcript of **Shadell Hughes**

Date: October 28, 2016

Case: Carney, et al. -v- Osprey/Pantops Place, LLC, et al.

Planet Depos, LLC
Phone: 888-433-3767
Fax: 888-503-3767
Email: transcripts@planetdepos.com
Internet: <www.planetdepos.com>

Worldwide Court Reporting | Interpretation | Trial Services

1 ARBITRATION PURSUANT TO AGREEMENT OF PARTIES

2 - - - - - - - - - - - - - - - -x

3 JACQUELINE CARNEY, as :

4 executrix of the estate of :

5 Diane Franklin, deceased, : McCammon Group Case

6 Plaintiff, : No.: 2016000286

7 v. :

8 OSPREY/PANTOPS PLACE, LLC, :

9 T/A COMMONWEALTH SENIOR :

10 LIVING AT CHARLOTTESVILLE, :

11 et al., :

12 Defendants. :

13 - - - - - - - - - - - - - - - -x

14 VIDEOTAPED DEPOSITION OF SHADELL HUGHES

15 Charlottesville, Virginia

16 Friday, October 28, 2016

17 10:12 a.m.

18

19

20 Job No. 125532

21 Pages: 1 - 52

22 Reported by: Kimberly L. Ribaric, RPR, CCR

1 Deposition of SHADELL HUGHES, held at the law
2 office of:
3
4
5
6 WILLIAMS MULLEN
7 321 East Main Street, Suite 400
8 Charlottesville, VA 22902
9 434-951-5700
10
11
12
13
14
15 Pursuant to agreement, before KIMBERLY L.
16 RIBARIC, Registered Professional Reporter, Certified
17 Court Reporter and Notary Public in and for the
18 Commonwealth of Virginia at large.
19
20
21
22

1 A P P E A R A N C E S

2 ON BEHALF OF THE PLAINTIFF:

3 CHARLES A. GAVIN, ESQUIRE

4 CAWTHORN, PICARD, ROWE, DESKEVICH & GAVIN, P.C.

5 1409 Eastridge Road

6 Richmond, VA 23229

7 804-288-7999

8

9 ON BEHALF OF THE DEFENDANTS:

10 BENJAMIN W. PACE, ESQUIRE

11 WILLIAMS MULLEN

12 Two James Center

13 1021 East Cary Street

14 Richmond, VA 23218

15 804-420-6507

16

17

18 ALSO PRESENT:

19 Ashley Showalter, Commonwealth Assisted Living

20 Dana Campbell, Videographer

21

22

1 C O N T E N T S

2 EXAMINATION OF SHADELL HUGHES PAGE

3 Examination By Mr. Gavin 8

4 Examination By Mr. Pace 37

5

6

7

8

9

10

11

12 E X H I B I T S

13 (NONE OFFERED.)

14

15

16

17

18

19

20

21

22

1 (October 28, 2016, 10:12 a.m.)
2 P R O C E E D I N G S
3 - - - 10:12:08
4 THE VIDEOGRAPHER: We're going on record. 10:12:08
5 The time is 10:12:44. Here begins Tape Number 1 in 10:12:47
6 the videotaped deposition of Shadell Hughes in the 10:12:55
7 matter of Jacqueline Carney, as executrix of the 10:12:59
8 estate of Diane Franklin, deceased, versus 10:13:04
9 Osprey/Pantops Place, LLC, T/A Commonwealth Senior 10:13:10
10 Living at Charlottesville, et al. This is an 10:13:12
11 arbitration pursuant to agreement of parties, 10:13:13
12 McCammon Group Case Number 2016000286. 10:13:19
13 Today's date is October 28, 2016. The 10:13:25
14 time on the video monitor is 10:13:25. 10:13:29
15 The videographer today is Dana Campbell, 10:13:30
16 representing Planet Depos. 10:13:34
17 This video deposition is taking place at 10:13:37
18 Williams Mullen, 321 East Main Street, Suite 400, 10:13:39
19 Charlottesville, Virginia. 10:13:40
20 Will counsel please voice identify 10:13:43
21 themselves and state they you represent. 10:13:44
22 MR. GAVIN: Chuck Gavin on behalf of the 10:13:44

1 Plaintiff. 10:13:48
2 MR. PACE: Ben Pace on behalf of the 10:13:48
3 Defendants. 10:13:50
4 THE VIDEOGRAPHER: Others present please 10:13:51
5 identify yourself. 10:13:53
6 MS. SHOWALTER: Ashley Showalter, 10:13:53
7 Commonwealth Assisted Living. 10:13:56
8 THE VIDEOGRAPHER: The court reporter 10:13:56
9 today is Kim Ribaric of Planet Depos. Would the 10:14:00
10 court reporter please swear in the witness. 10:14:00
11 - - - 10:14:00
12 SHADELL HUGHES, 10:14:00
13 WAS SWORN AND TESTIFIED AS FOLLOWS. 10:14:00
14 - - - 10:14:10
15 MR. GAVIN: Good morning. 10:14:10
16 THE WITNESS: Good morning. 10:14:12
17 MR. GAVIN: Shadell, I'm Chuck Gavin, I'm 10:14:12
18 an attorney, I represent Jackie Carney, who's the 10:14:16
19 daughter of Ms. Franklin, who you knew. 10:14:18
20 I know you said when you came in that 10:14:19
21 you've never given a deposition before. 10:14:22
22 THE WITNESS: No. 10:14:24

1 MR. GAVIN: So I know this is a little 10:14:25
2 intimidating, this setting with the camera and 10:14:27
3 everything, so I just wanted to go over a couple 10:14:28
4 ground rules with you. 10:14:30
5 And one is if you don't understand one of 10:14:32
6 my questions, just let me know and I will re-ask the 10:14:33
7 question, try to be more clear. 10:14:36
8 Second thing is you can't do a shake like 10:14:38
9 you just did of your head. 10:14:40
10 THE WITNESS: Sorry. 10:14:42
11 MR. GAVIN: You have to provide a verbal 10:14:42
12 response so she can take it down. 10:14:43
13 The next thing is that you're under oath, 10:14:46
14 which means that you're swearing to tell the truth. 10:14:49
15 Now, I know that we spoke a long time ago 10:14:51
16 generally about the case. And I know that you've 10:14:54
17 spoken to Mr. Pace. And then we spoke again this 10:14:56
18 past week about your testimony. And then I know 10:15:00
19 you've spoken to Mr. Pace again this morning. 10:15:01
20 So I just want to be clear that -- I 10:15:03
21 mean, do you believe that I have threatened you or 10:15:06
22 intimidated you to get your testimony one particular 10:15:08

way or the other? 10:15:11

THE WITNESS: No. 10:15:12

MR. GAVIN: And do you believe that 10:15:12

Mr. Pace's side has done that? 10:15:14

THE WITNESS: No. 10:15:15

MR. GAVIN: All right. So when we said 10:15:16

we just want you to tell the truth, you understand 10:15:17

what the truth is, right? 10:15:20

THE WITNESS: Yes. 10:15:20

MR. GAVIN: All right. And I think the 10:15:21

other day I just wanted you to tell the blunt truth 10:15:21

to the best of your recollection; is that correct? 10:15:21

THE WITNESS: Yes. 10:15:24

MR. GAVIN: And you're prepared to do 10:15:24

that today? 10:15:26

THE WITNESS: Yes. 10:15:26

MR. GAVIN: Okay. 10:15:27

- - - 10:15:29

EXAMINATION 10:15:29

BY MR. GAVIN: 10:15:29

Q. When did you start working for 10:15:29

Commonwealth Senior Living? 10:15:31

A. I believe it was March of 2015 or 2014. 10:15:32
Q. Okay. And what was your role when you 10:15:36
were hired? 10:15:38
A. I was front desk. 10:15:39
Q. What was your job duty at the front desk? 10:15:40
A. I did night shift. So the night shift 10:15:45
duty was basically just to handle any, like, things 10:15:48
they had left for us to handle, such as sending 10:15:52
e-mails or faxes, or tidying up, making sure that the 10:15:56
residents had coffee, tea, like, everything for them 10:16:01
in the morning. That was basically it. Checking -- 10:16:04
Q. When you say -- and I didn't mean to talk 10:16:08
over you. 10:16:09
A. Oh, sorry. 10:16:09
Q. When say the "night shift," is that the 10:16:10
1:00 a.m. to 9:00 a.m. shift -- 9:00 -- 10:16:14
A. That's the shift I primary worked, 10:16:15
correct. 10:16:19
Q. Okay. 10:16:19
A. I would do the 5:00 to 1:00, and sometimes 10:16:19
I did a couple of days. 10:16:20
Q. Okay. But primarily you were the -- 10:16:20

1 A. The night. 10:16:21
2 Q. -- the midnight shift? 10:16:22
3 A. Yeah. 10:16:24
4 Q. Okay. And while you're doing the midnight 10:16:25
5 shift, we'll talk about this later, as I understand, 10:16:27
6 there were shift reports that were utilized by the 10:16:30
7 receptionist? 10:16:33
8 A. Correct. 10:16:34
9 Q. And when you did the shift reports, was it 10:16:35
10 an obligation between the different receptionists to 10:16:38
11 pass on any outstanding issues that may be the result 10:16:41
12 of the prior shift? 10:16:45
13 A. Yeah. Like, if something happened, like 10:16:46
14 if the fire alarm was to go off or something really 10:16:48
15 super important that the next shift needed to know 10:16:53
16 about, we would just write it in, and if we saw the 10:16:56
17 person crossing, let the person know, or just think 10:16:59
18 they will go to the binder and look. 10:17:02
19 Q. Okay. And we'll talk about this later 10:17:04
20 too, but the call log that's at issue here -- 10:17:05
21 A. Uh-huh. 10:17:08
22 Q. -- if a call log had a blank entry and for 10:17:09

1 a resident not checking in, would that be something 10:17:12
2 that you were required to pass on to the next shift, 10:17:13
3 or would have been passed on to you for the night 10:17:17
4 shift? 10:17:21
5 A. No. 10:17:21
6 Q. All right. What's your educational 10:17:24
7 background, Ms. Hughes? 10:17:26
8 A. I did high school, some college, but 10:17:28
9 that's about it. 10:17:28
10 Q. Where did you go to college? 10:17:29
11 A. I did classes at Piedmont. 10:17:29
12 Q. Did you get a degree there? 10:17:30
13 A. No. 10:17:32
14 Q. All right. So you got a high school 10:17:32
15 diploma? 10:17:33
16 A. Uh-huh. 10:17:34
17 Q. Did you have any specialized training 10:17:34
18 before going to Commonwealth Senior Living? 10:17:38
19 A. Not really. I was in management before 10:17:39
20 that, so -- 10:17:42
21 Q. What was your first job out of high 10:17:43
22 school? 10:17:45

1 A. My first job out of high school -- well, 10:17:45
2 in high school I worked at Big Lots. And then, like, 10:17:46
3 my first job out of high school was Belk and Massage 10:17:51
4 Envy. 10:17:51
5 Q. Okay. And what did you do there? 10:17:53
6 A. At Belk I was just salesperson, register 10:17:54
7 on the floor. Massage Envy, I started off as sales 10:17:55
8 associate and moved to assistant manager, then I 10:17:55
9 moved to clinic administrator. 10:18:00
10 Q. All right. And from there you went to 10:18:00
11 Commonwealth Senior? 10:18:02
12 A. There, I went to Commonwealth Senior 10:18:02
13 Living, and I also was working a job called Relax and 10:18:04
14 Rejuvenate, which was more -- in the spa setting as 10:18:08
15 well, except for it was more behind-the-scenes spa 10:18:13
16 setting. 10:18:17
17 Q. Okay. When you started working at 10:18:18
18 Commonwealth, who did you report to? 10:18:22
19 A. Tiffany and Monica. 10:18:23
20 Q. And what was Tiffany's role to your 10:18:25
21 understanding? 10:18:28
22 A. Tiffany was the officer manager of just, 10:18:28

1 like, the girls and us, and then Monica was overtop 10:18:29
2 of her. 10:18:32
3 Q. All right. When you reported to someone 10:18:33
4 or you had a question, would you go to Tiffany or 10:18:35
5 would you go to Monica? 10:18:37
6 A. I would go to Monica first. 10:18:38
7 Q. Okay. Was Tiffany also working the front 10:18:41
8 desk? 10:18:45
9 A. Yes. 10:18:45
10 Q. Was she working the front desk with you 10:18:46
11 routinely or was it just when somebody was out? 10:18:49
12 A. She worked the front desk more. Like, she 10:18:51
13 didn't work on the shifts I worked, per se, but, 10:18:55
14 like, during the day she would be on the front desk, 10:18:55
15 and then if the other girls were there, she would be 10:18:59
16 on the front desk with them, so they would be side by 10:19:02
17 side. She was kind of overbearing. So then, like, 10:19:05
18 once she got her own separate office, then she would 10:19:09
19 stay in her little separate cubicle. 10:19:13
20 Q. All right. Did you know what she did in 10:19:15
21 her own separate cubicle? 10:19:17
22 A. From what I understood, she would make 10:19:19

1 sure -- she would take care of deposits, and that's 10:19:19
2 all I -- she would mention is, I have to take care of 10:19:23
3 deposits, ordering stuff, and I don't know what else 10:19:27
4 she really did. 10:19:30
5 Q. Okay. Now I'm going to jump ahead to what 10:19:31
6 I'm calling the program. And you may not have ever 10:19:35
7 seen the actual language in the document, but it was 10:19:38
8 called a check-in program. Are you familiar with 10:19:40
9 what I'm talking about? 10:19:43
10 A. The call log? 10:19:44
11 Q. Yes. 10:19:45
12 A. Yes. 10:19:46
13 Q. All right. What was your understanding of 10:19:46
14 what needed to be done with the call log? 10:19:49
15 A. If we see the residents or if the 10:19:50
16 residents call or anything, we just mark off in the 10:19:52
17 call log that we saw them. 10:19:55
18 Q. Okay. 10:19:57
19 A. And -- 10:19:57
20 Q. Go ahead. 10:19:58
21 A. And then from reading what I've read in 10:19:59
22 the directions, like, if they don't call by 10:30, we 10:20:02

1 just go -- we were supposed to knock on their doors. 10:20:06
2 Or if we didn't hear from them by 10:30, knock on 10:20:10
3 their doors, take the key, if they don't answer their 10:20:10
4 doors, take the key and go in. 10:20:13
5 Q. All right. Who first told you about the 10:20:15
6 call log? 10:20:17
7 A. I honestly -- I want to say it was 10:20:18
8 Tiffany, but I'm not a hundred percent. 10:20:23
9 Q. When you were hired originally to work the 10:20:26
10 front desk, were you provided with any training on 10:20:29
11 the call log? 10:20:32
12 A. Not to my knowledge. I don't remember. 10:20:33
13 Q. All right. So you don't recall Tiffany at 10:20:35
14 any point sitting down with you saying, this is the 10:20:37
15 call log, this is important, this is what you gotta 10:20:41
16 do, and this is what -- the rules that you have to 10:20:43
17 follow? 10:20:44
18 A. No. Like, with our training, what -- our 10:20:44
19 training was kind of simple. Like, we came in, we 10:20:45
20 filled out our new hire paperwork, she sent us in the 10:20:48
21 living room to fill out all of that information and 10:20:51
22 we brought the stock back to her, and then our 10:20:54

1 training was basically just watching her do stuff, 10:20:56
2 because they were like, you know, it's not really a 10:20:59
3 hard job, as long as you know how to send e-mails, 10:21:01
4 use the fax machine, use the phone, make coffee, 10:21:03
5 there's nothing else to really know. 10:21:08
6 Q. All right. So Tiffany didn't stress the 10:21:09
7 importance of maintaining the logbook to you? 10:21:11
8 A. In the beginning no. 10:21:14
9 Q. All right. When did she start stressing 10:21:16
10 the importance of it to you if it wasn't in the 10:21:19
11 beginning? 10:21:20
12 A. Once everything started changing around 10:21:20
13 and, like, rules became more strict, like after the 10:21:24
14 Diane Franklin incident, that's when it was stressed, 10:21:25
15 like, you have to do this, it has to be done by this 10:21:29
16 time, if you don't, these are the necessary steps you 10:21:31
17 need to take. 10:21:33
18 Up until the situation with Ms. Franklin, 10:21:34
19 it was not stressed that hard. 10:21:37
20 In the shift reports, they would say, hey, 10:21:38
21 make sure you guys are checking the call log. But it 10:21:41
22 wasn't something that was just like stern to say, 10:21:43

1 hey, you have to do this. 10:21:44
2 Q. Okay. Now, when you say you got these 10:21:46
3 reminders to check in with the call log, was that 10:21:49
4 because there were blank entries or places in the 10:21:52
5 logbook that were not being completed? 10:21:57
6 A. Probably so, yes. 10:22:00
7 Q. All right. Do you remember 10:22:02
8 specifically whether or not there were blank entries? 10:22:03
9 MR. GAVIN: I keep saying "blank 10:22:04
10 entries," Ben. 10:22:05
11 BY MR. GAVIN: 10:22:06
12 Q. Whether there were places in the logbook 10:22:06
13 that did not have any writing? 10:22:06
14 A. Yes. 10:22:08
15 Q. And -- 10:22:08
16 A. There would be, you know, some days it 10:22:09
17 would be filled out, some days it wouldn't be filled 10:22:12
18 out. 10:22:15
19 Q. All right. Was there a discussion between 10:22:15
20 Tiffany and anyone else on the staff about why these 10:22:17
21 weren't being completed? 10:22:20
22 A. I wasn't really there when Tiffany was 10:22:21

1 there with the other staff, so I'm not for sure the 10:22:24
2 depth of her discussions with the other girls. 10:22:27
3 Q. Okay. But when you worked the night 10:22:30
4 shift, you were able to see that there were blank 10:22:32
5 spots in the logbook? 10:22:35
6 A. Correct. 10:22:36
7 Q. Did you ever raise that as a question to 10:22:36
8 anyone else? 10:22:38
9 A. No. It wasn't a question -- it didn't go 10:22:39
10 off on my radar because it wasn't something that 10:22:41
11 management had made something that I needed to, like, 10:22:44
12 look for and be wary of. 10:22:47
13 Q. Okay. And where do you work now? 10:22:50
14 A. I work at UVa. 10:22:52
15 Q. Okay. What do you do there now? 10:22:53
16 A. I am PFA, so I check in all patients and I 10:22:55
17 also do scheduling for them. 10:23:00
18 Q. So tell me the process as you understood 10:23:02
19 your directions to be as to what you would do in the 10:23:05
20 event that you woke up in the morning and 10:30 had 10:23:09
21 passed and a resident had not called to check in. 10:23:12
22 A. Some residents did not like to be 10:23:16

1 bothered, some residents didn't get up 'til late, so 10:23:19
2 it really didn't bother us or go off in our head. If 10:23:22
3 a resident hadn't checked in by 10:30, it would be, 10:23:26
4 oh, they're probably asleep, or, oh, that's so and 10:23:31
5 so, they don't ever come around until about 10:23:33
6 4 o'clock. 10:23:34
7 So before the Ms. Franklin incident, it 10:23:35
8 was just what I said. But after Ms. Franklin 10:23:38
9 incident, regardless if they wanted to be called or 10:23:40
10 not, we had to, like, make sure and call and go to 10:23:43
11 their rooms and knock and check and so on and so 10:23:46
12 forth. 10:23:49
13 Q. So would it be the case then that if 10:23:50
14 somebody did not call by 10:30, you would not go to 10:23:52
15 the room and check on them? 10:23:55
16 A. Correct. 10:23:56
17 Q. Or you would not necessarily call their 10:23:57
18 room? 10:24:01
19 A. Correct. 10:24:01
20 Q. How often would that happen? 10:24:02
21 A. I didn't work too many shifts during the 10:24:05
22 day, so maybe 20 or 30 percent of my -- the shifts I 10:24:07

1 worked during the day. 10:24:14
2 Q. Okay. And out of the 20 or 30 percent of 10:24:16
3 the shifts that you worked during the day, do you 10:24:18
4 remember how many times that people would not have 10:24:20
5 been checked on? 10:24:22
6 A. There was a lot, to be honest. Like, it 10:24:23
7 was -- like, if I worked during the day, other 10:24:26
8 things -- we did other things where we would just 10:24:28
9 mark them off in passing. But it wasn't something 10:24:31
10 that Tiffany or Monica would come to me and say, 10:24:34
11 Shadell, hey, let's look at the shift report, who 10:24:34
12 hasn't -- I mean, sorry, let's look at the call log, 10:24:37
13 who hasn't checked in, we need to go make sure we 10:24:41
14 check on these people. That wasn't the case. 10:24:42
15 Q. So as far as you're concerned, it wasn't 10:24:44
16 really a safety operation, it was more of a 10:24:47
17 convenience operation, if you -- 10:24:50
18 MR. PACE: Object to the form. 10:24:50
19 BY MR. GAVIN: 10:24:52
20 Q. Okay. If you can answer the question. 10:24:52
21 Was it something that you did as a 10:24:54
22 courtesy or did you believe that it was important for 10:24:56

1 the safety of a resident? 10:24:59
2 A. Until the Ms. Franklin situation, I think 10:25:00
3 it was more of a courtesy or more of a, hey, this is 10:25:04
4 a friendly reminder, check on this person. 10:25:08
5 After the Ms. Franklin situation, it was 10:25:10
6 something that we had to do for the safety of the 10:25:13
7 residents. 10:25:16
8 Q. Would there have been any reason for you 10:25:16
9 to not check in on someone by 3:00 or 4:00 in the 10:25:19
10 afternoon other than it just wasn't that big of a 10:25:22
11 deal? 10:25:25
12 A. Probably no reason. Like, unless -- 10:25:25
13 honestly, if they didn't check in, oh, they're out of 10:25:28
14 town. Because it was an independent living 10:25:32
15 community, people left -- they left all the time. 10:25:34
16 Some -- and their garage was under. So we didn't see 10:25:36
17 when people left all the time. So it was like, oh, 10:25:39
18 we haven't seen Ms. So-and-So today, so she's 10:25:41
19 probably out with her daughter, or she's out with 10:25:43
20 Bill or whomever. 10:25:46
21 Q. Okay. So if you came on the night shift 10:25:47
22 and you saw that there were several blank spots on 10:25:49

1 the logbook for that day, no one would have told you, 10:25:53
2 hey, these people need to be accounted for, and you 10:25:58
3 would not have been concerned about that? 10:26:01
4 A. Correct. 10:26:01
5 Q. And you would not have notified the person 10:26:03
6 on the next shift, hey, we need to account for these 10:26:06
7 blank entries, because you weren't concerned about 10:26:10
8 that? 10:26:10
9 A. Correct. 10:26:10
10 Q. All right. Do you remember Diane Gentry 10:26:14
11 Ross? 10:26:15
12 A. Yes. 10:26:17
13 Q. What was her role? 10:26:17
14 A. She was front desk, just like me. 10:26:17
15 Q. All right. Well, do you remember when 10:26:20
16 Tiffany went out on maternity leave? 10:26:22
17 A. Yes. 10:26:24
18 Q. What was your understanding of Diane's 10:26:25
19 role when Tiffany went out on maternity leave? 10:26:27
20 A. She was still front desk, except for she 10:26:27
21 was working Tiffany's shifts, and she would take over 10:26:27
22 the stuff that Tiffany -- take over stuff such as 10:26:32

1 ordering supplies, take over the making sure 10:26:33
2 residents were doing their deposits, just taking over 10:26:37
3 some of Tiffany's load until she got back. 10:26:41
4 Q. Did you ever hear her being identified as 10:26:43
5 a manager? 10:26:46
6 A. No. 10:26:47
7 Q. Did you consider her to be a manager? 10:26:47
8 A. No. 10:26:49
9 Q. So you considered her essentially to still 10:26:49
10 be at the reception desk but just handling another 10:26:50
11 function? 10:26:53
12 A. Correct. 10:26:53
13 Q. All right. Did you ever hear -- overhear 10:26:54
14 a conversation where Tiffany and Monica or anybody 10:27:04
15 else in management was expressing concerns about 10:27:08
16 compliance with the call log? 10:27:11
17 A. Not between them, no. If they would talk, 10:27:13
18 they would make sure they closed the door in the 10:27:18
19 office. 10:27:22
20 Q. At any point did any manager come out in 10:27:23
21 the afternoon and say, the call log's not being done, 10:27:25
22 why aren't you guys checking on these people? 10:27:28

1 A. No. 10:27:32
2 Q. I have been produced some shift reports by 10:27:37
3 Mr. Pace, and they're in this book. There's a bunch 10:27:40
4 of stickers on this book, Shadell -- 10:27:44
5 A. Okay. 10:27:48
6 Q. -- and that's because we've been in these 10:27:49
7 depositions before. 10:27:51
8 A. Okay. 10:27:51
9 Q. And I'm going to flip over to Tab 14 for 10:27:53
10 you. 10:27:57
11 All right. Are these the shift reports 10:27:58
12 that we're talking about? 10:28:01
13 A. Yes. 10:28:01
14 Q. All right. For purposes of the record, 10:28:02
15 it's the ongoing exhibit book, Tab 14, starting at 10:28:04
16 page 118. 10:28:08
17 These are the shift reports that the 10:28:09
18 receptionist would prepare? 10:28:11
19 A. Correct. 10:28:12
20 Q. Was one done for every day? 10:28:13
21 A. Usually, yes. 10:28:15
22 Q. Would there be a reason why ones were not 10:28:17

1 completed for a given day? 10:28:20
2 A. Just if somebody forgot or got busy. 10:28:21
3 Q. Did you ever receive any instruction from 10:28:27
4 anybody in management, whether Tiffany, Monica or 10:28:28
5 otherwise, that they were obligated to write in the 10:28:28
6 shift report whether someone was checked in or not 10:28:32
7 checked in for a given day under the logbook program? 10:28:36
8 A. No. The only instructions we got is if 10:28:40
9 somebody told you that they were going to be out of 10:28:43
10 town, just make sure you write it in -- 10:28:46
11 Q. In the logbook? 10:28:50
12 A. Make sure you write it in the logbook. 10:28:51
13 Can I move this (indicating)? 10:28:53
14 Q. Yes. 10:28:53
15 A. Okay. Sorry. Just make sure -- 10:28:56
16 THE VIDEOGRAPHER: You're fine. 10:29:02
17 THE WITNESS: I'm fine? Okay. I'm 10:29:03
18 sorry. 10:29:05
19 BY MR. GAVIN: 10:29:05
20 Q. That's okay. 10:29:05
21 A. Just make sure you write it in the logbook 10:29:06
22 just so we'll know that, hey, if we don't see so and 10:29:09

1 so for two weeks, they're out of town, or they moved 10:29:11
2 with their daughter if they get any packages or mail, 10:29:15
3 so we can hold it back for them. 10:29:16
4 Q. Did -- strike that. 10:29:18
5 Did anyone ever call you or complain to 10:29:28
6 you or to the front desk while you were there about 10:29:31
7 the compliance component or the program not being 10:29:35
8 carried out? 10:29:39
9 A. No. 10:29:40
10 Q. How many times can you recall that you 10:29:41
11 ever called someone in response to them not calling 10:29:44
12 by 10:30? 10:29:48
13 A. Prior to the Ms. Franklin incident, not 10:29:50
14 many. After the Ms. Franklin incident, a lot. 10:29:54
15 Q. Did you ever go to check on somebody's 10:29:56
16 apartment? 10:29:59
17 A. No. I never had any, like, had to do 10:29:59
18 it -- 10:30:02
19 Q. All right. 10:30:02
20 A. -- because they would pick up the phone. 10:30:02
21 Q. You remember on December 10th -- or the, 10:30:04
22 I'm sorry, the 11th, which was a Saturday, you were 10:30:06

1 working when Ms. Franklin was still in her apartment? 10:30:09
2 A. I didn't work that weekend. 10:30:12
3 Q. Okay. 10:30:14
4 A. I worked the days leading up. So I worked 10:30:15
5 that Thursday and Friday, but that Saturday and 10:30:17
6 Sunday I was off. 10:30:18
7 Q. That's right. Crystal was working? 10:30:20
8 A. Uh-huh. 10:30:23
9 Q. Okay. On the Thursday that was -- and I'm 10:30:23
10 going to skip over to the logbook -- 10:30:25
11 A. Okay. 10:30:29
12 Q. -- which for purposes of the record we 10:30:30
13 previously identified as Franklin 15. Take that, if 10:30:31
14 you would, for me. 10:30:34
15 If you flip over to page 109 and -- the 10:30:35
16 pages are over in the bottom right-hand corner. 10:30:39
17 Do you recognize the document in general? 10:30:43
18 A. Yes. 10:30:53
19 Q. Is that a page of the logbook? 10:30:54
20 A. Correct. 10:30:54
21 Q. Now, if I look down at the page 109, line 10:30:57
22 111, I see Ms. Franklin's apartment -- 10:31:00

1 A. Uh-huh. 10:31:03
2 Q. -- with a telephone number. 10:31:04
3 And then I see on Thursday, December 10, 10:31:06
4 in that column, the number 10. 10:31:07
5 Is that your writing? 10:31:08
6 A. Yes. 10:31:09
7 Q. Is there a reason why you would have 10:31:09
8 written just the 10 versus, you know, the 10:15 or 10:31:12
9 10:20, just the number 10? 10:31:16
10 A. Just that's the time that I recall, or 10:31:19
11 that's the time I spoke with them. 10:31:22
12 Q. Okay. And do you recall seeing 10:31:22
13 Ms. Franklin that day? 10:31:24
14 I know that there's a version out there 10:31:26
15 where you said you thought you saw her somewhere. 10:31:28
16 Tell me exactly what -- 10:31:30
17 A. No, I didn't see her that day. I thought 10:31:30
18 I spoke with her on the phone -- 10:31:32
19 Q. On the phone? 10:31:34
20 A. -- but I didn't see her that day. 10:31:35
21 Q. All right. When you spoke with her on the 10:31:37
22 phone, is that immediately when you wrote it down or 10:31:39

1 did you talk with her on the phone to your 10:31:42
2 recollection earlier in the day and wrote it -- the 10:31:42
3 10 o'clock down later in the day? 10:31:45
4 A. Uh-uh. I was at the desk around that time 10:31:47
5 because I had just came back from doing coffee and 10:31:49
6 everything. So I know I was at the desk at the time 10:31:51
7 that the phone rang. 10:31:53
8 Q. Okay. And I assume the next entry on 10:31:55
9 December 11th is not your writing? 10:32:01
10 A. That's not my writing. 10:32:03
11 Q. Do you know whose writing it is? 10:32:06
12 A. I don't. 10:32:07
13 Q. Could you identify the writings of other 10:32:08
14 receptionists? 10:32:11
15 A. Uh-huh. Some of them I can, yes. 10:32:12
16 Q. Let me ask you to do this then. Can you 10:32:14
17 flip back to page 87? Just as a layperson, it looks 10:32:19
18 to me as if that every entry between July 5th and 10:32:38
19 July 9th was done by the same person. Do you 10:32:43
20 recognize that writing? 10:32:47
21 MR. PACE: Object to the form. You can 10:32:47
22 answer. 10:32:50

1 BY MR. GAVIN: 10:32:50
2 Q. Yeah, that's just my speculation. I'm 10:32:50
3 just asking if you can -- 10:32:51
4 A. So I know this is Crystal's writing. It's 10:32:51
5 either -- this is either Crystal's writing or 10:32:54
6 Tiffany's writing. 10:32:56
7 Q. All right. Well, hold on. 10:32:57
8 A. Oh. Sorry. 10:32:58
9 Q. What are -- you got to tell me what you're 10:32:59
10 pointing to. 10:33:00
11 A. Okay. So page 88, that looks like it's 10:33:01
12 either Crystal's writing or either Tiffany's writing. 10:33:04
13 Q. When you say "that," what are you 10:33:08
14 referring to? 10:33:10
15 A. Where it says, "read daily schedule when 10:33:10
16 residents call," and highlighted "apartments must 10:33:13
17 call and check in." 10:33:15
18 And then the page prior to that, 87, that 10:33:16
19 looks like it's Ashley's writing, where it says "read 10:33:20
20 daily schedules when residents call." 10:33:24
21 Q. Well, but as far as the entries go between 10:33:30
22 July 5th and July 9th, can you make a guess or 10:33:30

1 identify that writing? 10:33:32
2 A. That's either going to be Ashley or 10:33:33
3 Tiffany, I believe. 10:33:36
4 Q. Okay. 10:33:38
5 A. Yeah. 10:33:40
6 Q. Were there ever days where you would go 10:33:40
7 back and look at the logbook and there would be 10:33:44
8 several days of incomplete spaces? 10:33:47
9 A. Go back -- when I would go back, I 10:33:50
10 wouldn't go back, like, intentionally where I'm just 10:33:53
11 flipping through, I would see that there were 10:33:55
12 incomplete spaces. 10:33:56
13 Q. Did you ever see that they were two, three 10:33:58
14 days at a time? 10:34:01
15 A. I don't recall. 10:34:02
16 Q. What would you do -- or what was your 10:34:03
17 instruction if someone went to an apartment because a 10:34:12
18 resident had not checked in and allowed themselves to 10:34:16
19 enter or entered the apartment to check on the 10:34:20
20 resident? What would you do next? 10:34:22
21 What was your understanding and training 10:34:25
22 on what you would do next? 10:34:26

1 A. We would go in and announce ourself, say, 10:34:28
2 hey, I'm here, I'm just checking on you, loud enough 10:34:32
3 so they could hear us. And then we were told that if 10:34:36
4 they couldn't or if we didn't hear anyone say 10:34:37
5 anything, we would then just walk to, like, the 10:34:40
6 general rooms, so, like, walk to the kitchen, look 10:34:43
7 around the corner, see if they're there, the same for 10:34:44
8 the living room, bathroom area, if the door was 10:34:46
9 closed to knock and say, so and so, I'm here to check 10:34:49
10 on you, same with the bedrooms. 10:34:52
11 Q. And if you couldn't find them, what were 10:34:54
12 you told to do next with respect to the logbook? 10:34:57
13 A. We would -- we were told to let management 10:34:59
14 know immediately, like, let Monica know, hey, I went 10:35:01
15 to the room, I can't find this person. 10:35:06
16 Q. All right. Would you -- were you 10:35:08
17 instructed to make a certain entry or not make a 10:35:09
18 certain entry in the logbook? 10:35:11
19 A. No, not to my recollection. I was not 10:35:12
20 told to if this person doesn't show or we can't find 10:35:16
21 this person, to do so and so in the logbook. 10:35:19
22 Q. All right. So you didn't have any 10:35:22

1 instruction on how to handle a scenario where you 10:35:23
2 walked into the room, were unable to find anybody and 10:35:27
3 you didn't know what to do next? 10:35:29
4 A. Correct. Not that I recall. Just go to 10:35:31
5 tell management. 10:35:33
6 Q. Did you ever have a situation where you 10:35:34
7 had to do that? 10:35:36
8 A. I didn't, no. 10:35:36
9 Q. Was there an out-of-facility logbook 10:35:37
10 separate than the regular call logbook? 10:35:41
11 A. There was, but it wasn't utilized much. 10:35:44
12 Q. All right. When you say "it wasn't 10:35:47
13 utilized much," did you, in the course of completing 10:35:48
14 the check-in log, ever compare the out-of-facility 10:35:51
15 logbook against the call logbook? 10:35:56
16 A. No. 10:35:57
17 Q. Were you ever told to do that? 10:35:59
18 A. No. 10:36:01
19 Q. Were you ever told by anyone to document 10:36:02
20 anywhere if a resident didn't call and you're 10:36:06
21 required to call them? 10:36:12
22 A. No, not that I recall. 10:36:13

1 Q. Were you ever told or were you ever 10:36:14
2 required by anyone to document a physical check that 10:36:17
3 was made on an apartment? 10:36:20
4 A. I believe after the Ms. Franklin incident 10:36:22
5 we would just mark "went to room" and put the time, 10:36:25
6 like, if we saw them at their room. 10:36:29
7 Q. But prior to the Ms. Franklin incident is 10:36:31
8 what we're talking about. 10:36:36
9 A. Oh. No. 10:36:37
10 Q. Just a couple more questions -- 10:36:38
11 A. Okay. 10:36:42
12 Q. -- Ms. Hughes. 10:36:42
13 After the Ms. Franklin incident, all of 10:36:43
14 this came to light; correct? 10:36:46
15 A. Correct. 10:36:54
16 Q. All right. Did you hear anything -- 10:36:54
17 MR. PACE: Object to form. 10:36:54
18 BY MR. GAVIN: 10:36:54
19 Q. -- from anyone -- 10:36:54
20 MR. PACE: All of this. Sorry. 10:36:56
21 MR. GAVIN: I'll be more narrow. I'm 10:36:56
22 just giving a background. 10:36:57

1 BY MR. GAVIN: 10:36:57
2 Q. Did you hear anyone give a version of what 10:36:57
3 happened with respect to the logbook? 10:37:02
4 When I say "anyone," I'm talking about a 10:37:04
5 receptionist, I'm talking about Tiffany, I'm talking 10:37:05
6 about Monica, I'm talking about anyone that you would 10:37:07
7 have talked to with regard to all of this 10:37:09
8 Ms. Franklin incident, but only in particular with 10:37:11
9 respect to the logbook. 10:37:15
10 A. The only person I really talked to about 10:37:15
11 the incident was Crystal, and she stated that the 10:37:17
12 weekend in question that she worked that she had 10:37:20
13 pinkeye that weekend so she wrote on the wrong line 10:37:23
14 or she thought she had wrote on another line in the 10:37:28
15 incident, but that's about it. 10:37:31
16 Q. Okay. 10:37:33
17 A. And then I guess that Sunday when 10:37:33
18 Ms. Franklin was found, that Holly and either -- it 10:37:37
19 was either her or Holly had went to the room to look 10:37:39
20 for Ms. Franklin. 10:37:43
21 Q. Did you ever have any direct contact with 10:37:44
22 Ms. Franklin after that? 10:37:47

1 A. No. I spoke with her daughter a couple of 10:37:48
2 times after that, just seeing her coming, asked her 10:37:50
3 how Ms. Franklin was doing, so on and so forth, but 10:37:54
4 not with Ms. Franklin after that. 10:37:57
5 Q. All right. I know that a report was 10:37:59
6 prepared based on your investigation that included 10:38:00
7 some type of discipline or something against you, but 10:38:04
8 you never were there to sign it. 10:38:08
9 A. Correct. 10:38:10
10 Q. Did you ever see that? 10:38:10
11 A. No. 10:38:12
12 Q. All right. And did you resign or were you 10:38:12
13 terminated? 10:38:14
14 A. Terminated. 10:38:14
15 Q. Did they provide a reason to you why you 10:38:15
16 were terminated? 10:38:18
17 A. Yeah. 10:38:18
18 Q. What was the reason? 10:38:18
19 A. So basically I went -- my son was sick, so 10:38:19
20 I went home to give him his medicine because he 10:38:24
21 wouldn't let my girlfriend give it to him, and I 10:38:28
22 lived at Carriage Hill, so that was about 5 minutes 10:38:29

1 away. I informed someone in the kitchen, because 10:38:31
2 they was the only staff there, that I was leaving, I 10:38:34
3 gave them the cell phone to say if anyone called, 10:38:37
4 please write this down. And I came back like 10:38:38
5 15 minutes later. And then Tiffany was informed by 10:38:41
6 somebody who I don't know that I was gone for 10:38:45
7 45 minutes, which is not true, and she terminated me. 10:38:48
8 Q. So nothing related to this? 10:38:52
9 A. Correct. 10:38:53
10 MR. GAVIN: All right. Ms. Hughes, I 10:38:55
11 don't have any other questions. Mr. Pace may. 10:38:56
12 MR. PACE: Yeah, just a few follow-up 10:38:57
13 questions -- 10:39:00
14 THE WITNESS: Okay. 10:39:00
15 MR. PACE: -- Shadell, and then we'll get 10:39:00
16 you on your way. 10:39:02
17 - - - 10:39:03
18 EXAMINATION 10:39:03
19 BY MR. PACE: 10:39:03
20 Q. You mentioned that you worked primarily 10:39:03
21 night shifts? 10:39:07
22 A. Correct. 10:39:08

1 Q. Prior to December, when Tiffany was out, 10:39:08
2 did you -- would you say you worked almost all night 10:39:12
3 shifts, meaning after 5:00 p.m.? 10:39:16
4 A. I worked more night shifts definitely than 10:39:18
5 day shifts. 10:39:21
6 Q. Would you say you only maybe worked a 10:39:22
7 few day shifts a month -- 10:39:25
8 A. Probably so. 10:39:25
9 Q. -- in September, October, November? 10:39:26
10 A. Yeah, only a few a month. 10:39:28
11 Q. Okay. And primarily you worked the 10:39:30
12 overnight shift, from 1:00 a.m. to 9:00 a.m.? 10:39:33
13 A. Correct. 10:39:35
14 Q. And during that shift, you testified that 10:39:35
15 you weren't told to check the call log during that 10:39:40
16 shift? 10:39:44
17 A. Yeah, like, we check -- we were -- this 10:39:45
18 was, like, more of a -- I'm sorry. What is it? 10:39:46
19 Q. The shift report? 10:39:49
20 A. The shift report. Yeah. Sorry. 10:39:50
21 Q. That's fine. 10:39:51
22 A. This was more of a concern to check to 10:39:52

1 make sure, like, we don't need to know anything from 10:39:54
2 the previous shift or any directions. This was more 10:39:56
3 what we would check almost every shift. 10:40:00
4 Q. Sure. But when you did work the -- during 10:40:02
5 the daytime hours, you were aware of the daily 10:40:03
6 check-in system? 10:40:07
7 A. Correct. 10:40:08
8 Q. And you knew that the residents were 10:40:09
9 supposed to call in; is that right? 10:40:11
10 A. Yeah. They were -- 10:40:13
11 Q. And if they didn't call in and you saw 10:40:14
12 them in the lobby or in the dining room, you could 10:40:16
13 check them in visually? 10:40:19
14 A. Correct. 10:40:20
15 Q. And so you would write down times based on 10:40:20
16 when they called and when you saw them? 10:40:24
17 A. Correct. 10:40:25
18 Q. And on the shifts you worked, did you ever 10:40:25
19 have any issues with never seeing a resident all day 10:40:27
20 long? 10:40:31
21 A. Probably. 10:40:32
22 Q. Okay. Did you think it was important that 10:40:34

1 you visually or talk to them on the phone check in 10:40:39
2 these folks every day? 10:40:41
3 A. After this situation with Ms. Franklin, 10:40:42
4 yes. Prior to this situation with Ms. Franklin, it 10:40:45
5 was more of a, you know, if you see -- 10:40:48
6 Q. No, I understand what you're saying. I'm 10:40:50
7 asking if -- 10:40:51
8 A. Yeah. It was more casual. 10:40:51
9 Q. I understand. 10:40:52
10 I'm asking if you personally thought it 10:40:54
11 was important that you check in on everybody every 10:40:56
12 day. Not what Tiffany told you or anybody else. 10:40:58
13 Did you think it was important that I've 10:41:01
14 got my call log and I need to see all the highlighted 10:41:03
15 people, not everybody, but all the highlighted 10:41:08
16 people, by the end of the day I need to have seen 10:41:08
17 them? 10:41:11
18 A. It was important to me to make sure my 10:41:11
19 residents were okay -- 10:41:14
20 Q. Right. 10:41:15
21 A. -- and the residents that we're used to 10:41:16
22 seeing every day -- 10:41:19

1 Q. Right. 10:41:19
2 A. -- like, if we didn't see them, like, 10:41:20
3 something's wrong. 10:41:21
4 Q. Sure. 10:41:21
5 A. But for the residents that I didn't see 10:41:22
6 every day -- because I -- I didn't know all the 10:41:24
7 residents, to be honest. 10:41:26
8 Q. Working the night shift? 10:41:26
9 A. Correct. 10:41:27
10 Q. Right. 10:41:28
11 A. So, like, if I didn't see my usual crew of 10:41:28
12 residents, then it would be like, hold on, where is 10:41:32
13 so and so, they're usually down on 656, and I haven't 10:41:34
14 seen them. 10:41:37
15 Q. So you cared about the residents, right? 10:41:37
16 A. Yes. 10:41:39
17 Q. And you wanted to know how they were 10:41:40
18 doing, right? 10:41:42
19 A. Correct. 10:41:42
20 Q. And the call log was something that you 10:41:43
21 were told was a duty, and you would put the times 10:41:45
22 down when you saw them, right? 10:41:48

1 A. Correct. 10:41:51
2 Q. Do you recall ever having a problem during 10:41:51
3 a day shift when you were in charge of the call log 10:41:53
4 where you couldn't find somebody, you didn't see them 10:41:57
5 and you had a concern? 10:42:02
6 Was there ever an incident like that when 10:42:03
7 you were on the day shift? 10:42:05
8 A. Maybe once or twice, it was one of my 10:42:06
9 favorite residents, I -- well, not favorite like I 10:42:09
10 didn't like the other ones -- 10:42:11
11 Q. Right. 10:42:11
12 A. -- but we would always sit and talk. So 10:42:12
13 sometimes if I didn't see her come through for 10:42:14
14 church, I'm like, hmm. But then someone would say, 10:42:18
15 oh, she came to breakfast, I saw her. 10:42:18
16 Q. I see. 10:42:21
17 A. Just in, like, general conversation. 10:42:22
18 Q. I understand. 10:42:24
19 So there was never somebody that you 10:42:24
20 didn't know where they were during a day and had to a 10:42:26
21 raise an alarm? 10:42:30
22 A. Correct. 10:42:30

1 Q. If that had happened, you would have told 10:42:32
2 Monica? 10:42:36
3 A. Yeah. 10:42:37
4 Q. Okay. All right. Did you ever say to 10:42:37
5 Tiffany or Monica that there were issues with the 10:42:49
6 check-in log? 10:42:52
7 A. No. 10:42:53
8 Q. Okay. All right. You mentioned earlier 10:42:53
9 that -- and let me make sure I get it correct -- that 10:43:04
10 you did see blanks in the logbook during the 10:43:12
11 overnight shift? 10:43:14
12 A. Correct. 10:43:15
13 Q. Did you ever report that to anyone? 10:43:16
14 A. No. 10:43:18
15 Q. Okay. And you understand that primarily 10:43:20
16 during the day shift it would have been either 10:43:23
17 Tiffany or Diane Gentry Ross, sometimes Ashley Evans, 10:43:27
18 who were working the day shift? 10:43:33
19 A. Correct. 10:43:35
20 Q. Is it safe to say they were primarily in 10:43:35
21 charge of the daily check-in? 10:43:39
22 A. Yeah. 10:43:40

1 Q. Okay. And did they ever express to you 10:43:44
2 that they thought the daily check-in was important? 10:43:47
3 A. Ashley would say, hey, guys, make sure 10:43:49
4 we're looking at the daily check-in, but that's about 10:43:52
5 it, because sometimes I would see Ashley because she 10:43:56
6 would work a 5:00 to 1:00 shift -- 10:43:59
7 Q. Right. 10:43:59
8 A. -- so we would do a switch-over. 10:44:04
9 Q. Okay. And Ashley's a sweet person, isn't 10:44:04
10 she? 10:44:06
11 A. She is a sweetheart. 10:44:06
12 Q. One of the nicest folks I've ever met. 10:44:08
13 All right. And you mentioned earlier, 10:44:09
14 just briefly, that you disagreed with Tiffany's 10:44:12
15 decision to terminate you for what you had to do to 10:44:16
16 go home? 10:44:18
17 A. I did disagree with her decision, but at 10:44:18
18 the same time Commonwealth was just a -- like, a 10:44:22
19 part-time job to me -- 10:44:24
20 Q. Okay. 10:44:24
21 A. -- so it wasn't something that hurt me 10:44:25
22 like financially or anything. 10:44:29

1 Q. Okay. Did you have a verbal altercation 10:44:30
2 with Tiffany -- 10:44:33
3 A. Uh-huh. 10:44:33
4 Q. -- during that? 10:44:33
5 Would you -- is it safe to say you didn't 10:44:34
6 get along with Tiffany before that? 10:44:35
7 A. I got along with Tiffany, but Tiffany -- 10:44:37
8 she was rude. Just point blank, period, she was 10:44:40
9 rude. 10:44:43
10 Q. Had y'all had any altercations, verbal -- 10:44:43
11 A. Before that? 10:44:47
12 Q. -- prior to this? 10:44:48
13 A. Nope. 10:44:48
14 Q. Okay. Had you ever had an incident where 10:44:49
15 you had been rude to her and had written her a note 10:44:51
16 apologizing? 10:44:55
17 A. I don't recall, unless I was just sucking 10:44:56
18 up to her. Just being honest. 10:44:58
19 Q. I understand. 10:44:58
20 A. Not trying to be mean or anything, like. 10:45:01
21 Q. Right. Right. 10:45:04
22 You wouldn't write her a note apologizing 10:45:04

1 for anything that you have a memory of doing? 10:45:07
2 A. Correct. 10:45:08
3 MR. PACE: Okay. Okay. I think that's 10:45:18
4 all of the questions I have. I appreciate it. 10:45:24
5 MR. GAVIN: I don't have anything else. 10:45:26
6 Ms. Hughes, thank you. 10:45:28
7 THE WITNESS: You're welcome. 10:45:29
8 MR. PACE: Thank you. I appreciate you 10:45:31
9 coming in. 10:45:32
10 MR. GAVIN: Now, I don't represent you, 10:45:32
11 Mr. Pace doesn't represent you, all right, but we 10:45:32
12 don't want to burden you any more. You have a right 10:45:33
13 to read what she took down and to look at it and to 10:45:36
14 make sure that what she took down is accurate. 10:45:40
15 Now you can't change what she took down, 10:45:44
16 you can just verify that what she took down is 10:45:45
17 accurate, or you can waive that right. All right. 10:45:47
18 And if you waive that right, you just need to tell 10:45:50
19 her, and then we don't have to track you down and get 10:45:50
20 you to review it and then do something else. Okay? 10:45:53
21 But you need to tell her. 10:45:55
22 THE WITNESS: Okay. Everything I said 10:45:55

1 was accurate, so -- 10:45:59
2 THE REPORTER: So you want to waive the 10:45:59
3 reading of the transcript? 10:46:02
4 THE WITNESS: Yeah. I mean, I can read 10:46:03
5 it. Yeah, I'll read it. 10:46:05
6 MR. PACE: You can do whatever you want. 10:46:05
7 MR. GAVIN: You can do whatever you want. 10:46:07
8 MR. PACE: I'll mail it to you if you 10:46:08
9 give me -- you know, the best address to mail it to 10:46:09
10 you. 10:46:10
11 THE WITNESS: Yeah, you can just mail it 10:46:10
12 to me. I can get it -- my address. 10:46:12
13 MR. PACE: And he's right, the only thing 10:46:13
14 you can change is if you say -- 10:46:15
15 THE WITNESS: And you guys both have my 10:46:15
16 e-mail address as well. 10:46:17
17 MR. PACE: Sure. If you said that the 10:46:18
18 light was red, and you meant to say it was green, you 10:46:20
19 couldn't go back and change that now. 10:46:22
20 THE WITNESS: Oh, no, I don't need to 10:46:22
21 change anything. 10:46:22
22 MR. PACE: All right. But if you said it 10:46:22

1 was Alfreda and it was really Alfred, you could 10:46:27
2 change that more or less because it's the same thing 10:46:28
3 and maybe she just misunderstood you. 10:46:30
4 THE WITNESS: Yeah, I'll read it, and 10:46:32
5 then -- 10:46:33
6 MR. PACE: Okay. 10:46:33
7 THE WITNESS: -- like, just send me a 10:46:34
8 copy of it. I'll read it. 10:46:36
9 MR. PACE: I'll get it to you. 10:46:36
10 THE WITNESS: Or do I need to read it 10:46:36
11 now? 10:46:36
12 MR. PACE: No, no. It will be typed 10:46:36
13 up -- 10:46:38
14 THE WITNESS: Okay. 10:46:38
15 MR. PACE: -- finalized, and then I'll 10:46:39
16 send it you. 10:46:41
17 THE WITNESS: Okay. That's fine. 10:46:43
18 MR. PACE: Okay. 10:46:43
19 THE WITNESS: Do you want my -- 10:46:43
20 MR. PACE: And, actually, while we're 10:46:44
21 still on the record, if you'll give me the best 10:46:45
22 address to send that to you. 10:46:47

1 THE WITNESS: Sure. 10:46:48
2 MR. PACE: Okay. Go ahead. 10:46:49
3 THE WITNESS: So it's 280 Riverbend 10:46:50
4 Drive. 10:46:53
5 MR. PACE: All together? 10:46:53
6 THE WITNESS: Uh-huh. Apartment 2-E, and 10:46:54
7 that's Charlottesville, Virginia, the ZIP code is 10:46:58
8 22911. 10:47:01
9 MR. PACE: 22911. Okay. Well, thank 10:47:03
10 you, Ms. Hughes. 10:47:06
11 THE WITNESS: Thank you. 10:47:07
12 MR. GAVIN: Ms. Hughes, what was that 10:47:08
13 number again? 10:47:08
14 THE WITNESS: Oh. 280. 10:47:10
15 MR. GAVIN: 280?
16 THE WITNESS: Riverbend --
17 MR. GAVIN: Right.
18 THE WITNESS: -- Drive --
19 MR. GAVIN: Right.
20 THE WITNESS: -- Apartment 2-E -- 10:47:13
21 MR. GAVIN: 2-E. 10:47:14
22 THE WITNESS: -- Charlottesville, 10:47:16

1 Virginia 22911. 10:47:16
2 MR. PACE: All right. We're done. 10:47:18
3 MR. GAVIN: Yeah, we're done. Thank you, 10:47:19
4 Ms. Hughes. 10:47:19
5 THE WITNESS: Okay. 10:47:19
6 THE VIDEOGRAPHER: This marks the end of 10:47:20
7 Tape Number 1 and concludes the deposition of Shadell 10:47:23
8 Hughes. Going off record at 10:47:22. 10:47:26
9 - - - 10:47:26
10 THE REPORTER: Would you put your 10:47:26
11 transcript orders on the record? 10:48:26
12 MR. PACE: I'll get whatever typically 10:48:26
13 we've been getting in this case. And my paralegal, 10:48:27
14 Steve Marks, can tell you. 10:48:30
15 MR. GAVIN: And I'd like an e-copy and a 10:48:32
16 hard copy. 10:48:35
17 THE REPORTER: Okay. Ten days is fine? 10:48:35
18 MR. GAVIN: Ten days is fine. 10:48:39
19 (Signature having not been waived, the
20 Deposition of SHADELL HUGHES concluded at 10:48 a.m.)
21
22

1 ACKNOWLEDGMENT OF DEPONENT

2 I, SHADELL HUGHES, do hereby acknowledge that I
3 have read and examined the foregoing testimony, and
4 the same is a true, correct and complete transcription
5 of the testimony given by me and any corrections
6 appear on the attached Errata sheet signed by me.
7
8
9
10 _____ _____
11 (DATE) (SIGNATURE)
12
13
14
15
16
17
18
19
20
21
22

1 COMMONWEALTH OF VIRGINIA AT LARGE, to wit:

2 I, Kimberly L. Ribaric, Registered Professional
3 Reporter, Certified Court Reporter and Notary Public
4 in and for the Commonwealth of Virginia at Large, and
5 whose commission expires August 31, 2020, do certify
6 that the aforementioned appeared before me, was sworn
7 by me, and was thereupon examined by counsel; and that
8 the foregoing is a true, correct, and full transcript
9 of the testimony adduced.

10 I further certify that I am neither related to
11 nor associated with any counsel or party to this
12 proceeding, nor otherwise interested in the event
13 thereof.

14 Given under my hand and notarial seal at Fluvanna
15 County, Virginia, this 11th day of November 2016.

16

17 Kimberly L. Ribaric

18 Kimberly L. Ribaric, RPR, CCR

19 Notary Public Registration No. 348266

20 Commonwealth of Virginia at Large

21

22

A

able
18:4
about
7:16,18 10:5,16,19 11:9 14:9 15:5 17:20 19:5 22:3,7 23:15 24:12 26:6 34:8 35:4 35:5,6,6,10,15 36:22 41:15 44:4
account
22:6
accounted
22:2
accurate
46:14,17 47:1
acknowledge
51:2
ACKNOWLEDGM...
51:1
actual
14:7
actually
48:20
address
47:9,12,16 48:22
adduced
52:9
administrator
12:9
aforementioned
52:6
after
16:13 19:8 21:5 26:14 34:4,13 35:22 36:2,4 38:3 40:3
afternoon
21:10 23:21
again
7:17,19 49:13
against
33:15 36:7
ago
7:15
agreement
1:1 2:15 5:11
ahead
14:5,20 49:2
al
1:11 5:10
alarm
10:14 42:21
Alfred
48:1
Alfreda
48:1
all
8:6,10 11:6,14 12:10 13:3,20 14:2,13 15:5 15:13,21 16:6,9 17:7 17:19 18:16 21:15,17 22:10,15 23:13 24:11 24:14 26:19 28:21 30:7 32:16,22 33:12 34:13,16,20 35:7 36:5 36:12 37:10 38:2 39:19 40:14,15 41:6 43:4,8 44:13 46:4,11 46:17 47:22 49:5 50:2
allowed
31:18
almost
38:2 39:3
along
45:6,7
also
3:18 12:13 13:7 18:17
altercation
45:1
altercations
45:10
always
42:12
announce
32:1
another
23:10 35:14
answer
15:3 20:20 29:22
any
9:7 10:11 11:17 15:10 15:14 17:13 21:8 23:20,20 25:3 26:2,17 32:22 35:21 37:11 39:2,19 45:10 46:12 51:5 52:11
anybody
23:14 25:4 33:2 40:12
anyone
17:20 18:8 26:5 32:4 33:19 34:2,19 35:2,4 35:6 37:3 43:13
anything
14:16 32:5 34:16 39:1 44:22 45:20 46:1,5 47:21
anywhere
33:20
apartment
26:16 27:1,22 31:17,19 34:3 49:6,20
apartments
30:16
apologizing
45:16,22
appear
51:6
appeared
52:6
appreciate
46:4,8
arbitration
1:1 5:11
area
32:8
aren't
23:22
around
16:12 19:5 29:4 32:7
Ashley
3:19 6:6 31:2 43:17 44:3,5
Ashley's
30:19 44:9
asked
36:2
asking
30:3 40:7,10
asleep
19:4
assistant
12:8
Assisted
3:19 6:7
associate
12:8
associated
52:11
assume
29:8
attached
51:6
attorney
6:18
August
52:5
aware
39:5
away
37:1
a.m
1:17 5:1 9:16,16 38:12 38:12 50:20

B

B
4:12
back
15:22 23:3 26:3 29:5 29:17 31:7,9,9,10 37:4 47:19
background
11:7 34:22
based
36:6 39:15
basically
9:7,11 16:1 36:19
bathroom
32:8
became
16:13
because
16:2 17:4 18:10 21:14 22:7 24:6 26:20 29:5 31:17 36:20 37:1 41:6 44:5,5 48:2
bedrooms
32:10

been
11:3 20:5 21:8 22:3 24:2,6 43:16 45:15 50:13,19
before
2:15 6:21 11:18,19 19:7 24:7 45:6,11 52:6
beginning
16:8,11
begins
5:5
behalf
3:2,9 5:22 6:2
behind-the-scenes
12:15
being
17:5,21 23:4,21 26:7 45:18
believe
7:21 8:3 9:1 20:22 31:3 34:4
Belk
12:3,6
Ben
6:2 17:10
BENJAMIN
3:10
best
8:12 47:9 48:21
between
10:10 17:19 23:17 29:18 30:21
big
12:2 21:10
Bill
21:20
binder
10:18
blank
10:22 17:4,8,9 18:4 21:22 22:7 45:8
blanks
43:10
blunt
8:11
book
24:3,4,15
both
47:15
bother
19:2
bothered
19:1
bottom
27:16
breakfast
42:15
briefly
44:14
brought
15:22
bunch
24:3
burden
46:12
busy
25:2

C

C
3:1 4:1 5:2
call
10:20,22 14:10,14,16 14:17,22 15:6,11,15 16:21 17:3 19:10,14 19:17 20:12 23:16,21 26:5 30:16,17,20 33:10,15,20,21 38:15 39:9,11 40:14 41:20 42:3
called
12:13 14:8 18:21 19:9 26:11 37:3 39:16
calling
14:6 26:11
came
6:20 15:19 21:21 29:5 34:14 37:4 42:15
camera
7:2
Campbell
3:20 5:15
can't
7:8 32:15,20 46:15
care
14:1,2
cared
41:15
Carney
1:3 5:7 6:18
Carriage
36:22
carried
26:8
Cary
3:13
case
1:5 5:12 7:16 19:13 20:14 50:13
casual
40:8
CAWTHORN
3:4
CCR
1:22 52:18
cell
37:3
Center
3:12
certain
32:17,18
Certified
2:16 52:3
certify
52:5,10
change
46:15 47:14,19,21 48:2
changing
16:12
charge
42:3 43:21
CHARLES
3:3
Charlottesville
1:10,15 2:8 5:10,19 49:7,22
check
17:3 18:16,21 19:11,15 20:14 21:4,9,13 26:15 30:17 31:19 32:9 34:2 38:15,17,22 39:3 39:13 40:1,11
checked
19:3 20:5,13 25:6,7 31:18
checking
9:11 11:1 16:21 23:22 32:2
check-in
14:8 33:14 39:6 43:6 43:21 44:2,4
Chuck
5:22 6:17
church
42:14
classes
11:11
clear
7:7,20
clinic
12:9
closed
23:18 32:9
code
49:7
coffee
9:10 16:4 29:5
college
11:8,10
column
28:4
come
19:5 20:10 23:20 42:13
coming
36:2 46:9
commission
52:5
Commonwealth
1:9 2:18 3:19 5:9 6:7 8:22 11:18 12:11,12 12:18 44:18 52:1,4,20
community
21:15
compare
33:14
complain
26:5
complete

51:4
completed
17:5,21 25:1
completing
33:13
compliance
23:16 26:7
component
26:7
concern
38:22 42:5
concerned
20:15 22:3,7
concerns
23:15
concluded
50:20
concludes
50:7
consider
23:7
considered
23:9
contact
35:21
convenience
20:17
conversation
23:14 42:17
copy
48:8 50:16
corner
27:16 32:7
correct
8:12 9:18 10:8 18:6 19:16,19 22:4,9 23:12 24:19 27:20 33:4 34:14,15 36:9 37:9,22 38:13 39:7,14,17 41:9 41:19 42:1,22 43:9,12 43:19 46:2 51:4 52:8
corrections
51:5
could
29:13 32:3 39:12 48:1
couldn't
32:4,11 42:4 47:19
counsel
5:20 52:7,11
County
52:15
couple
7:3 9:21 34:10 36:1
course
33:13
court
2:17 6:8,10 52:3
courtesy
20:22 21:3
crew
41:11
crossing
10:17
Crystal
27:7 35:11
Crystal's
30:4,5,12
cubicle
13:19,21

D

D
5:2
daily
30:15,20 39:5 43:21 44:2,4
Dana
3:20 5:15
date
5:13 51:11
daughter
6:19 21:19 26:2 36:1
day
8:11 13:14 19:22 20:1 20:3,7 22:1 24:20 25:1,7 28:13,17,20 29:2,3 38:5,7 39:19 40:2,12,16,22 41:6 42:3,7,20 43:16,18 52:15
days
9:21 17:16,17 27:4 31:6,8,14 50:17,18
daytime
39:5
deal
21:11
deceased
1:5 5:8
December
26:21 28:3 29:9 38:1
decision
44:15,17
Defendants
1:12 3:9 6:3
definitely
38:4
degree
11:12
DEPONENT
51:1
Depos
5:16 6:9
deposition
1:14 2:1 5:6,17 6:21 50:7,20
depositions
24:7
deposits
14:1,3 23:2
depth
18:2
desk
9:4,5 13:8,10,12,14,16 15:10 22:14,20 23:10 26:6 29:4,6
DESKEVICH
3:4
Diane
1:5 5:8 16:14 22:10 43:17
Diane's
22:18
different
10:10
dining
39:12
diploma
11:15
direct
35:21
directions
14:22 18:19 39:2
disagree
44:17
disagreed
44:14
discipline
36:7
discussion
17:19
discussions
18:2
document
14:7 27:17 33:19 34:2
doing
10:4 23:2 29:5 36:3 41:18 46:1
done
8:4 14:14 16:15 23:21 24:20 29:19 50:2,3
door
23:18 32:8
doors
15:1,3,4
down
7:12 15:14 27:21 28:22 29:3 37:4 39:15 41:13,22 46:13,14,15 46:16,19
Drive
49:4,18
during
13:14 19:21 20:1,3,7 38:14,15 39:4 42:2,20 43:10,16 45:4
duty
9:5,7 41:21

E

E
3:1,1 4:1,12 5:2,2
earlier
29:2 43:8 44:13
East
2:7 3:13 5:18
Eastridge
3:5
educational
11:6

either
30:5,5,12,12 31:2 35:18,19 43:16
else
14:3 16:5 17:20 18:8 23:15 40:12 46:5,20
end
40:16 50:6
enough
32:2
enter
31:19
entered
31:19
entries
17:4,8,10 22:7 30:21
entry
10:22 29:8,18 32:17,18
Envy
12:4,7
Errata
51:6
ESQUIRE
3:3,10
essentially
23:9
estate
1:4 5:8
et
1:11 5:10
Evans
43:17
event
18:20 52:12
ever
14:6 18:7 19:5 23:4,13 25:3 26:5,11,15 31:6 31:13 33:6,14,17,19 34:1,1 35:21 36:10 39:18 42:2,6 43:4,13 44:1,12 45:14
every
24:20 29:18 39:3 40:2 40:11,22 41:6
everybody
40:11,15
everything
7:3 9:10 16:12 29:6 46:22
exactly
28:16
Examination
4:2,3,4 8:19 37:18
examined
51:3 52:7
except
12:15 22:20
executrix
1:4 5:7
exhibit
24:15
expires
52:5
express
44:1
expressing
23:15
e-copy
50:15
e-mail
47:16
e-mails
9:9 16:3

F

familiar
14:8
far
20:15 30:21
favorite
42:9,9
fax
16:4
faxes
9:9
few
37:12 38:7,10
fill
15:21
filled
15:20 17:17,17
finalized
48:15
financially
44:22
find
32:11,15,20 33:2 42:4
fine
25:16,17 38:21 48:17 50:17,18
fire
10:14
first
11:21 12:1,3 13:6 15:5
flip
24:9 27:15 29:17
flipping
31:11
floor
12:7
Fluvanna
52:14
folks
40:2 44:12
follow
15:17
FOLLOWS
6:13
follow-up
37:12
foregoing
51:3 52:8
forgot
25:2
form
20:18 29:21 34:17
forth
19:12 36:3
found
35:18
Franklin
1:5 5:8 6:19 16:14,18 19:7,8 21:2,5 26:13 26:14 27:1,13 28:13 34:4,7,13 35:8,18,20 35:22 36:3,4 40:3,4
Franklin's
27:22
Friday
1:16 27:5
friendly
21:4
front
9:4,5 13:7,10,12,14,16 15:10 22:14,20 26:6
full
52:8
function
23:11
further
52:10

G

G
5:2
garage
21:16
gave
37:3
Gavin
3:3,4 4:3 5:22,22 6:15 6:17,17 7:1,11 8:3,6 8:10,14,17,20 17:9,11 20:19 25:19 30:1 34:18,21 35:1 37:10 46:5,10 47:7 49:12,15 49:17,19,21 50:3,15 50:18
general
27:17 32:6 42:17
generally
7:16
Gentry
22:10 43:17
getting
50:13
girlfriend
36:21
girls
13:1,15 18:2
give
35:2 36:20,21 47:9 48:21
given
6:21 25:1,7 51:5 52:14
giving
34:22
go
7:3 10:14,18 11:10 13:4,5,6 14:20 15:1,4

18:9 19:2,10,14 20:13 26:15 30:21 31:6,9,9 31:10 32:1 33:4 44:16 47:19 49:2
going
5:4 11:18 14:5 24:9 25:9 27:10 31:2 50:8
gone
37:6
Good
6:15,16
gotta
15:15
green
47:18
ground
7:4
Group
1:5 5:12
guess
30:22 35:17
guys
16:21 23:22 44:3 47:15

H

H
4:12
hand
52:14
handle
9:7,8 33:1
handling
23:10
happen
19:20
happened
10:13 35:3 43:1
hard
16:3,19 50:16
head
7:9 19:2
hear
15:2 23:4,13 32:3,4 34:16 35:2
held
2:1
here
5:5 10:20 32:2,9
hereby
51:2
hey
16:20 17:1 20:11 21:3 22:2,6 25:22 32:2,14 44:3
high
11:8,14,21 12:1,2,3
highlighted
30:16 40:14,15
Hill
36:22
hire
15:20
hired
9:3 15:9
hmm
42:14
hold
26:3 30:7 41:12
Holly
35:18,19
home
36:20 44:16
honest
20:6 41:7 45:18
honestly
15:7 21:13
hours
39:5
Hughes
1:14 2:1 4:2 5:6 6:12 11:7 34:12 37:10 46:6 49:10,12 50:4,8 50:20 51:2
hundred
15:8
hurt
44:21

I

identified
23:4 27:13
identify
5:20 6:5 29:13 31:1
immediately
28:22 32:14
importance
16:7,10
important
10:15 15:15 20:22 39:22 40:11,13,18 44:2
incident
16:14 19:7,9 26:13,14 34:4,7,13 35:8,11,15 42:6 45:14
included
36:6
incomplete
31:8,12
independent
21:14
indicating
25:13
information
15:21
informed
37:1,5
instructed
32:17
instruction
25:3 31:17 33:1
instructions
25:8
intentionally
31:10
interested
52:12
intimidated
7:22
intimidating
7:2
investigation
36:6
issue
10:20
issues
10:11 39:19 43:5

J

Jackie
6:18
Jacqueline
1:3 5:7
James
3:12
job
1:20 9:5 11:21 12:1,3 12:13 16:3 44:19
July
29:18,19 30:22,22
jump
14:5

K

keep
17:9
key
15:3,4
Kim
6:9
Kimberly
1:22 2:15 52:2,18
kind
13:17 15:19
kitchen
32:6 37:1
knew
6:19 39:8
knock
15:1,2 19:11 32:9
know
6:20 7:1,6,15,16,18 10:15,17 13:20 14:3 16:2,3,5 17:16 25:22 28:8,14 29:6,11 30:4 32:14,14 33:3 36:5 37:6 39:1 40:5 41:6 41:17 42:20 47:9
knowledge
15:12

L

L
1:22 2:15 52:2,18
language
14:7
large
2:18 52:1,4,20
late
19:1
later
10:5,19 29:3 37:5

law
2:1
layperson
29:17
leading
27:4
leave
22:16,19
leaving
37:2
left
9:8 21:15,15,17
less
48:2
let's
20:11,12
light
34:14 47:18
line
27:21 35:13,14
little
7:1 13:19
lived
36:22
living
1:10 3:19 5:10 6:7 8:22 11:18 12:13 15:21 21:14 32:8
LLC
1:8 5:9
load
23:3
lobby
39:12
log
10:20,22 14:10,14,17 15:6,11,15 16:21 17:3 20:12 23:16 33:14 38:15 40:14 41:20 42:3 43:6
logbook
16:7 17:5,12 18:5 22:1 25:7,11,12,21 27:10 27:19 31:7 32:12,18 32:21 33:9,10,15,15 35:3,9 43:10
log's
23:21
long
7:15 16:3 39:20
look
10:18 18:12 20:11,12 27:21 31:7 32:6 35:19 46:13
looking
44:4
looks
29:17 30:11,19
lot
20:6 26:14
Lots
12:2
loud
32:2

M

machine
16:4
made
18:11 34:3
mail
26:2 47:8,9,11
Main
2:7 5:18
maintaining
16:7
make
13:22 16:4,21 19:10 20:13 23:18 25:10,12 25:15,21 30:22 32:17 32:17 39:1 40:18 43:9 44:3 46:14
making
9:9 23:1
management
11:19 18:11 23:15 25:4 32:13 33:5
manager
12:8,22 23:5,7,20
many
19:21 20:4 26:10,14
March
9:1
mark
14:16 20:9 34:5
marks
50:6,14
Massage
12:3,7
maternity
22:16,19
matter
5:7
maybe
19:22 38:6 42:8 48:3
McCammon
1:5 5:12
mean
7:21 9:12 20:12 45:20 47:4
meaning
38:3
means
7:14
meant
47:18
medicine
36:20
memory
46:1
mention
14:2
mentioned
37:20 43:8 44:13
met
44:12
midnight
10:2,4
minutes
36:22 37:5,7
misunderstood
48:3
Monica
12:19 13:1,5,6 20:10 23:14 25:4 32:14 35:6 43:2,5
monitor
5:14
month
38:7,10
more
7:7 12:14,15 13:12 16:13 20:16 21:3,3 34:10,21 38:4,18,22 39:2 40:5,8 46:12 48:2
morning
6:15,16 7:19 9:11 18:20
move
25:13
moved
12:8,9 26:1
much
33:11,13
Mullen
2:6 3:11 5:18
must
30:16

N

N
3:1 4:1,1 5:2
narrow
34:21
necessarily
19:17
necessary
16:16
need
16:17 20:13 22:2,6 39:1 40:14,16 46:18 46:21 47:20 48:10
needed
10:15 14:14 18:11
neither
52:10
never
6:21 26:17 36:8 39:19 42:19
new
15:20
next
7:13 10:15 11:2 22:6 29:8 31:20,22 32:12 33:3
nicest
44:12
night
9:6,6,15 10:1 11:3 18:3

21:21 37:21 38:2,4 41:8
NONE
4:13
Nope
45:13
notarial
52:14
Notary
2:17 52:3,19
note
45:15,22
nothing
16:5 37:8
notified
22:5
November
38:9 52:15
number
5:5,12 28:2,4,9 49:13 50:7

O

O
4:1 5:2
oath
7:13
Object
20:18 29:21 34:17
obligated
25:5
obligation
10:10
October
1:16 5:1,13 38:9
OFFERED
4:13
office
2:2 13:18 23:19
officer
12:22
often
19:20
oh
9:14 19:4,4 21:13,17 30:8 34:9 42:15 47:20 49:14
okay
8:17 9:2,19,22 10:4,19 12:5,17 13:7 14:5,18 17:2 18:3,13,15 20:2 20:20 21:21 24:5,8 25:15,17,20 27:3,9,11 28:12 29:8 30:11 31:4 34:11 35:16 37:14 38:11 39:22 40:19 43:4,8,15 44:1 44:9,20 45:1,14 46:3 46:3,20,22 48:6,14,17 48:18 49:2,9 50:5,17
once
13:18 16:12 42:8
one
7:5,5,22 22:1 24:20 42:8 44:12
ones
24:22 42:10
ongoing
24:15
only
25:8 35:8,10 37:2 38:6 38:10 47:13
operation
20:16,17
ordering
14:3 23:1
orders
50:11
originally
15:9
Osprey/Pantops
1:8 5:9
other
8:1,11 13:15 18:1,2 20:7,8 21:10 29:13 37:11 42:10
Others
6:4
otherwise
25:5 52:12
ourself
32:1
out
11:21 12:1,3 13:11 15:20,21 17:17,18 20:2 21:13,19,19 22:16,19 23:20 25:9 26:1,8 28:14 38:1
outstanding
10:11
out-of-facility
33:9,14
over
7:3 9:13 22:21,22 23:1 23:2 24:9 27:10,15,16
overbearing
13:17
overhear
23:13
overnight
38:12 43:11
overtop
13:1
own
13:18,21
o'clock
19:6 29:3

P

P
3:1,1 5:2
Pace
3:10 4:4 6:2,2 7:17,19 20:18 24:3 29:21 34:17,20 37:11,12,15 37:19 46:3,8,11 47:6 47:8,13,17,22 48:6,9 48:12,15,18,20 49:2,5 49:9 50:2,12
Pace's
8:4
packages
26:2
page
4:2 24:16 27:15,19,21 29:17 30:11,18
pages
1:21 27:16
paperwork
15:20
paralegal
50:13
particular
7:22 35:8
parties
1:1 5:11
party
52:11
part-time
44:19
pass
10:11 11:2
passed
11:3 18:21
passing
20:9
past
7:18
patients
18:16
people
20:4,14 21:15,17 22:2 23:22 40:15,16
percent
15:8 19:22 20:2
period
45:8
person
10:17,17 21:4 22:5 29:19 32:15,20,21 35:10 44:9
personally
40:10
PFA
18:16
phone
16:4 26:20 28:18,19,22 29:1,7 37:3 40:1
physical
34:2
PICARD
3:4
pick
26:20
Piedmont
11:11
pinkeye
35:13
place
1:8 5:9,17

places
17:4,12
Plaintiff
1:6 3:2 6:1
Planet
5:16 6:9
please
5:20 6:4,10 37:4
point
15:14 23:20 45:8
pointing
30:10
prepare
24:18
prepared
8:14 36:6
present
3:18 6:4
previous
39:2
previously
27:13
primarily
9:22 37:20 38:11 43:15 43:20
primary
9:17
prior
10:12 26:13 30:18 34:7 38:1 40:4 45:12
probably
17:6 19:4 21:12,19 38:8 39:21
problem
42:2
proceeding
52:12
process
18:18
produced
24:2
Professional
2:16 52:2
program
14:6,8 25:7 26:7
provide
7:11 36:15
provided
15:10
Public
2:17 52:3,19
purposes
24:14 27:12
pursuant
1:1 2:15 5:11
put
34:5 41:21 50:10
P.C
3:4
p.m
38:3

Q

question
7:7 13:4 18:7,9 20:20 35:12
questions
7:6 34:10 37:11,13 46:4

R

R
3:1 5:2
radar
18:10
raise
18:7 42:21
rang
29:7
read
14:21 30:15,19 46:13 47:4,5 48:4,8,10 51:3
reading
14:21 47:3
really
10:14 11:19 14:4 16:2 16:5 17:22 19:2 20:16 35:10 48:1
reason
21:8,12 24:22 28:7 36:15,18
recall
15:13 26:10 28:10,12 31:15 33:4,22 42:2 45:17
receive
25:3
reception
23:10
receptionist
10:7 24:18 35:5
receptionists
10:10 29:14
recognize
27:17 29:20
recollection
8:12 29:2 32:19
record
5:4 24:14 27:12 48:21 50:8,11
red
47:18
referring
30:14
regard
35:7
regardless
19:9
register
12:6
Registered
2:16 52:2
Registration
52:19
regular
33:10
Rejuvenate
12:14
related
37:8 52:10
Relax
12:13
remember
15:12 17:7 20:4 22:10 22:15 26:21
reminder
21:4
reminders
17:3
report
12:18 20:11 25:6 36:5 38:19,20 43:13
reported
1:22 13:3
reporter
2:16,17 6:8,10 47:2 50:10,17 52:3,3
reports
10:6,9 16:20 24:2,11 24:17
represent
5:21 6:18 46:10,11
representing
5:16
required
11:2 33:21 34:2
resident
11:1 18:21 19:3 21:1 31:18,20 33:20 39:19
residents
9:10 14:15,16 18:22 19:1 21:7 23:2 30:16 30:20 39:8 40:19,21 41:5,7,12,15 42:9
resign
36:12
respect
32:12 35:3,9
response
7:12 26:11
result
10:11
review
46:20
re-ask
7:6
Ribaric
1:22 2:16 6:9 52:2,18
Richmond
3:6,14
right
8:6,8,10 11:6,14 12:10 13:3,20 14:13 15:5,13 16:6,9 17:7,19 22:10 22:15 23:13 24:11,14 26:19 27:7 28:21 30:7 32:16,22 33:12 34:16 36:5,12 37:10 39:9 40:20 41:1,10,15

41:18,22 42:11 43:4,8 44:7,13 45:21,21 46:11,12,17,17,18 47:13,22 49:17,19 50:2
right-hand
27:16
Riverbend
49:3,16
Road
3:5
role
9:2 12:20 22:13,19
room
15:21 19:15,18 32:8,15 33:2 34:5,6 35:19 39:12
rooms
19:11 32:6
Ross
22:11 43:17
routinely
13:11
ROWE
3:4
RPR
1:22 52:18
rude
45:8,9,15
rules
7:4 15:16 16:13

S

S
3:1 4:1,12 5:2
safe
43:20 45:5
safety
20:16 21:1,6
said
6:20 8:6 19:8 28:15 46:22 47:17,22
sales
12:7
salesperson
12:6
same
29:19 32:7,10 44:18 48:2 51:4
Saturday
26:22 27:5
saw
10:16 14:17 21:22 28:15 34:6 39:11,16 41:22 42:15
say
9:12,15 15:7 16:20,22 17:2 20:10 23:21 30:13 32:1,4,9 33:12 35:4 37:3 38:2,6 42:14 43:4,20 44:3 45:5 47:14,18
saying
15:14 17:9 40:6
says
30:15,19
scenario
33:1
schedule
30:15
schedules
30:20
scheduling
18:17
school
11:8,14,22 12:1,2,3
se
13:13
seal
52:14
Second
7:8
see
14:15 18:4 21:16 25:22 27:22 28:3,17,20 31:11,13 32:7 36:10 40:5,14 41:2,5,11 42:4,13,16 43:10 44:5
seeing
28:12 36:2 39:19 40:22
seen
14:7 21:18 40:16 41:14
send
16:3 48:7,16,22
sending
9:8
Senior
1:9 5:9 8:22 11:18 12:11,12
sent
15:20
separate
13:18,19,21 33:10
September
38:9
setting
7:2 12:14,16
several
21:22 31:8
Shadell
1:14 2:1 4:2 5:6 6:12 6:17 20:11 24:4 37:15 50:7,20 51:2
shake
7:8
sheet
51:6
shift
9:6,6,15,16,17 10:2,5,6 10:9,12,15 11:2,4 16:20 18:4 20:11 21:21 22:6 24:2,11,17 25:6 38:12,14,16,19 38:20 39:2,3 41:8 42:3,7 43:11,16,18 44:6
shifts
13:13 19:21,22 20:3 22:21 37:21 38:3,4,5 38:7 39:18
show
32:20
Showalter
3:19 6:6,6
sick
36:19
side
8:4 13:16,17
sign
36:8
Signature
50:19 51:11
signed
51:6
simple
15:19
sit
42:12
sitting
15:14
situation
16:18 21:2,5 33:6 40:3 40:4
skip
27:10
some
11:8 17:16,17 18:22 19:1 21:16 23:3 24:2 29:15 36:7
somebody
13:11 19:14 25:2,9 37:6 42:4,19
somebody's
26:15
someone
13:3 21:9 25:6 26:11 31:17 37:1 42:14
something
10:13,14 11:1 16:22 18:10,11 20:9,21 21:6 36:7 41:20 44:21 46:20
something's
41:3
sometimes
9:20 42:13 43:17 44:5
somewhere
28:15
son
36:19
sorry
7:10 9:14 20:12 25:15 25:18 26:22 30:8 34:20 38:18,20
So-and-So
21:18
spa
12:14,15
spaces

31:8,12
specialized
11:17
specifically
17:8
speculation
30:2
spoke
7:15,17 28:11,18,21 36:1
spoken
7:17,19
spots
18:5 21:22
staff
17:20 18:1 37:2
start
8:21 16:9
started
12:7,17 16:12
starting
24:15
state
5:21
stated
35:11
stay
13:19
steps
16:16
stern
16:22
Steve
50:14
stickers
24:4
still
22:20 23:9 27:1 48:21
stock
15:22
Street
2:7 3:13 5:18
stress
16:6
stressed
16:14,19
stressing
16:9
strict
16:13
strike
26:4
stuff
14:3 16:1 22:22,22
sucking
45:17
Suite
2:7 5:18
Sunday
27:6 35:17
super
10:15
supplies
23:1
supposed
15:1 39:9
sure
9:9 14:1 16:21 18:1 19:10 20:13 23:1,18 25:10,12,15,21 39:1,4 40:18 41:4 43:9 44:3 46:14 47:17 49:1
swear
6:10
swearing
7:14
sweet
44:9
sweetheart
44:11
switch-over
44:8
sworn
6:13 52:6
system
39:6

T

T
4:1,1,12
Tab
24:9,15
take
7:12 14:1,2 15:3,4 16:17 22:21,22 23:1 27:13
taking
5:17 23:2
talk
9:12 10:5,19 23:17 29:1 40:1 42:12
talked
35:7,10
talking
14:9 24:12 34:8 35:4,5 35:5,6
Tape
5:5 50:7
tea
9:10
telephone
28:2
tell
7:14 8:7,11 18:18 28:16 30:9 33:5 46:18,21 50:14
Ten
50:17,18
terminate
44:15
terminated
36:13,14,16 37:7
testified
6:13 38:14
testimony
7:18,22 51:3,5 52:9
thank
46:6,8 49:9,11 50:3
themselves
5:21 31:18
thereof
52:13
thereupon
52:7
thing
7:8,13 47:13 48:2
things
9:7 20:8,8
think
8:10 10:17 21:2 39:22 40:13 46:3
thought
28:15,17 35:14 40:10 44:2
threatened
7:21
three
31:13
through
31:11 42:13
Thursday
27:5,9 28:3
tidying
9:9
Tiffany
12:19,22 13:4,7 15:8 15:13 16:6 17:20,22 20:10 22:16,19,22 23:14 25:4 31:3 35:5 37:5 38:1 40:12 43:5 43:17 45:2,6,7,7
Tiffany's
12:20 22:21 23:3 30:6 30:12 44:14
time
5:5,14 7:15 16:16 21:15,17 28:10,11 29:4,6 31:14 34:5 44:18
times
20:4 26:10 36:2 39:15 41:21
today
5:15 6:9 8:15 21:18
Today's
5:13
together
49:5
told
15:5 22:1 25:9 32:3,12 32:13,20 33:17,19 34:1 38:15 40:12 41:21 43:1
took
46:13,14,15,16
town
21:14 25:10 26:1
track
46:19

training
11:17 15:10,18,19 16:1 31:21
transcript
47:3 50:11 52:8
transcription
51:4
true
37:7 51:4 52:8
truth
7:14 8:7,8,11
try
7:7
trying
45:20
twice
42:8
two
3:12 26:1 31:13
type
36:7
typed
48:12
typically
50:12
T/A
1:9 5:9

U

Uh-huh
10:21 11:16 27:8 28:1 29:15 45:3 49:6
Uh-uh
29:4
unable
33:2
under
7:13 21:16 25:7 52:14
understand
7:5 8:7 10:5 40:6,9 42:18 43:15 45:19
understanding
12:21 14:13 22:18 31:21
understood
13:22 18:18
unless
21:12 45:17
until
16:18 19:5 21:2 23:3
use
16:4,4
usual
41:11
usually
24:21 41:13
utilized
10:6 33:11,13
UVa
18:14

V

v
1:7
VA
2:8 3:6,14
verbal
7:11 45:1,10
verify
46:16
version
28:14 35:2
versus
5:8 28:8
video
5:14,17
videographer
3:20 5:4,15 6:4,8 25:16 50:6
videotaped
1:14 5:6
Virginia
1:15 2:18 5:19 49:7 50:1 52:1,4,15,20
visually
39:13 40:1
voice
5:20

W

W
3:10
waive
46:17,18 47:2
waived
50:19
walk
32:5,6
walked
33:2
want
7:20 8:7 15:7 46:12 47:2,6,7 48:19
wanted
7:3 8:11 19:9 41:17
wary
18:12
watching
16:1
way
8:1 37:16
week
7:18
weekend
27:2 35:12,13
weeks
26:1
welcome
46:7
went
12:10,12 22:16,19 31:17 32:14 34:5 35:19 36:19,20
weren't
17:21 22:7 38:15
we'll
10:5,19 25:22 37:15
we're
5:4 24:12 34:8 40:21 44:4 48:20 50:2,3
we've
24:6 50:13
whatever
47:6,7 50:12
whether
17:8,12 25:4,6
whomever
21:20
Williams
2:6 3:11 5:18
wit
52:1
witness
6:10,16,22 7:10 8:2,5,9 8:13,16 25:17 37:14 46:7,22 47:4,11,15,20 48:4,7,10,14,17,19 49:1,3,6,11,14,16,18 49:20,22 50:5
woke
18:20
work
13:13 15:9 18:13,14 19:21 27:2 39:4 44:6
worked
9:17 12:2 13:12,13 18:3 20:1,3,7 27:4,4 35:12 37:20 38:2,4,6 38:11 39:18
working
8:21 12:13,17 13:7,10 22:21 27:1,7 41:8 43:18
wouldn't
17:17 31:10 36:21 45:22
write
10:16 25:5,10,12,21 37:4 39:15 45:22
writing
17:13 28:5 29:9,10,11 29:20 30:4,5,6,12,12 30:19 31:1
writings
29:13
written
28:8 45:15
wrong
35:13 41:3
wrote
28:22 29:2 35:13,14

X

x
1:2,13 4:12

Y

Yeah
10:3,13 30:2 31:5 36:17 37:12 38:10,17 38:20 39:10 40:8

43:3,22 47:4,5,11 48:4 50:3
yourself
6:5
y'all
45:10

Z

ZIP
49:7

1

1
1:21 5:5 50:7
1:00
9:16,20 38:12 44:6
10
28:3,4,8,9 29:3
10th
26:21
10:12
1:17 5:1
10:12:44
5:5
10:13:25
5:14
10:15
28:8
10:20
28:9
10:30
14:22 15:2 18:20 19:3 19:14 26:12
10:47:22
50:8
10:48
50:20
1021
3:13
109
27:15,21
11th
26:22 29:9 52:15
111
27:22
118
24:16
125532
1:20
14
24:9,15
1409
3:5
15
27:13 37:5

2

2-E
49:6,20,21
20
19:22 20:2
2014
9:1
2015
9:1
2016
1:16 5:1,13 52:15
2016000286
1:6 5:12
2020
52:5
22902
2:8
22911
49:8,9 50:1
23218
3:14
23229
3:6
28
1:16 5:1,13
280
49:3,14,15

3

3:00
21:9
30
19:22 20:2
31
52:5
321
2:7 5:18
348266
52:19
37
4:4

4

4
19:6
4:00
21:9
400
2:7 5:18
434-951-5700
2:9
45
37:7

5

5
36:22
5th
29:18 30:22
5:00
9:20 38:3 44:6
52
1:21

6

656
41:13

8

8
4:3
804-288-7999
3:7
804-420-6507
3:15
87
29:17 30:18
88
30:11

9

9th
29:19 30:22
9:00
9:16,16 38:12