

CIVIL DISTRICT COURT
PARISH OF ORLEANS
STATE OF LOUISIANA

CAJUN CONTI LLC, CAJUN
CUISINE 1 LLC, and CAJUN CASE NO. 2020-02558
CUISINE LLC d/b/a OCEANA GRILL DIVISION M-13
VERSUS
CERTAIN UNDERWRITERS AT
LLOYD'S, LONDON

TRANSCRIPT OF THE VIDEOCONFERENCE DEPOSITION OF:
MOE BADER,
INDIVIDUALLY AND AS A DESIGNATED REPRESENTATIVE OF
CAJUN CONTI LLC, CAJUN CUISINE 1 LLC, AND CAJUN
CUISINE LLC d/b/a OCEANA GRILL, LOCATED AT THE LAW
OFFICES OF GAUTHIER MURPHY & HOUGHTALING LLC,
3500 NORTH HULLEN STREET, METAIRIE, LOUISIANA,
70002, TAKEN ON BEHALF OF DEFENDANT, REPORTED IN
THE ABOVE ENTITLED AND NUMBERED CAUSE BY YOLANDA J.
PENA, CERTIFIED COURT REPORTER FOR THE STATE OF
LOUISIANA.

REPORTED AT:
18487 BELLE GROVE ROAD
PRAIRIEVILLE, LOUISIANA 70769
COMMENCING AT 2:06 P.M., ON NOVEMBER 4, 2020.

A P P E A R A N C E S (Continued)

ALSO PRESENT:
LEMUEL MOYE, M.D. [VIA TELEPHONE]
TIFFANY THOMAN

A P P E A R A N C E S

FOR THE PLAINTIFFS:
ALVENDIA KELLY & DEMARTEST, LLC
(BY: RODERICK "RICO" ALVENDIA, ESQ.)
(BY: JENNIFER L. KUECHMANN, ESQ.)
909 POYDRAS STREET, SUITE 1625
NEW ORLEANS, LOUISIANA 70112
(504) 482-5811
rico@akdlalaw.com
jenniferk@akdlalaw.com

-AND-

GAUTHIER MURPHY & HOUGHTALING LLC
(BY: JOHN W. HOUGHTALING II, ESQ.)
(BY: JENNIFER PEREZ, ESQ.)
3500 NORTH HULLEN STREET
METAIRIE, LOUISIANA 70002
(504) 456-8624
john@gmhatlaw.com
jennifer@gmhatlaw.com

-AND-

DAVILLIER LAW GROUP, LLC
(BY: DANIEL E. DAVILLIER, ESQ.)
935 GRAVIER STREET, SUITE 1702
NEW ORLEANS, LOUISIANA 70112
(504) 582-6998
ddavillier@davillierlawgroup.com

FOR THE DEFENDANT:
PHELPS DUNBAR LLP
(BY: ALLEN C. MILLER, ESQ.)
(BY: VIRGINIA Y. DODD, ESQ.)
400 CONVENTION STREET, SUITE 1100
BATON ROUGE, LOUISIANA 70802
(225) 346-0285
miller@phelps.com
ginger.dodd@phelps.com

I N D E X

PAGE

STIPULATION.....5

EXAMINATION BY:

MR. MILLER.....7

CERTIFICATE.....59

WITNESS CERTIFICATE.....60

L I S T O F E X H I B I T S

Exhibit No. 1.....37
(Re-Notice of Deposition
of Moe Bader)

Exhibit No. 2.....37
(Plaintiff's Second Supplemental
and Amended Petition for
Declaratory Judgment)

Exhibit No. 3.....46
(CDC's "Guidance for Cleaning
and Disinfecting")

Exhibit No. 4.....48
(Plaintiff's Responses to
Defendant)

Exhibit No. 5.....51
(Plaintiff's Supplemental
Responses to Defendant)

Exhibit No. 6.....51
(001-130, Invoices, receipts,
checks, pamphlets)

Page 5

1 STIPULATION

2

3 IT IS STIPULATED AND AGREED by and among

4 the parties that this deposition is hereby being

5 taken for discovery purposes and for any and all

6 purposes authorized under the Louisiana Code of

7 Civil Procedure.

8 All formalities, excluding the reading

9 and signing of the transcript by the witness, are

10 hereby waived.

11 Except as provided in Article 1455,

12 objections are considered reserved until trial or

13 other use of the deposition.

14

15

16

17

18

19

20

21

22

23

24

25

Page 6

1 THE REPORTER: Good afternoon. My

2 name is Yolanda Pena. I am a nationally

3 certified court reporter with Baton Rouge

4 Court Reporters.

5 At this time, I will ask counsel to

6 identify yourselves and whom you represent

7 and agree on the record that there is no

8 objection to this court reporter

9 administering a binding oath to the witness

10 via remote videoconference.

11 We'll start with the noticing

12 attorney.

13 MR. MILLER: Allen Miller and Ginger

14 Dodd on behalf of Underwriters. No

15 objection.

16 MR. ALVENDIA: Rico Alvendia,

17 Dan Davillier, Jennifer Perez on behalf of

18 plaintiff. No objection.

19 MR. HOUGHTALING: And John Houghtaling

20 on behalf of plaintiff. No objection.

21 THE REPORTER: Mr. Bader, I'll swear

22 you in now. Raise your right hand, please.

23 ///

24 ///

25 ///

Page 7

1 MOE BADER,

2 739 Conti Street, New Orleans, Louisiana 70130,

3 having been first duly sworn, was examined and

4 testified as follows:

5 MR. MILLER: Counsel, who is defending

6 the depo?

7 MR. ALVENDIA: I am, Rico Alvendia.

8 MR. MILLER: All right.

9 EXAMINATION

10 BY MR. MILLER:

11 **Q. Afternoon, Mr. Bader. How are you?**

12 A. Good afternoon. Nice to see you.

13 **Q. My name is Allen Miller. Like I just said,**

14 **I represent Underwriters.**

15 **Have you ever given a deposition before?**

16 A. Yes, sir.

17 **Q. Okay. When was that?**

18 A. That was a few years ago.

19 **Q. And what did it involve?**

20 A. It involved a litigation about a real

21 estate property.

22 **Q. Were you the plaintiff or defendant in that**

23 **case?**

24 A. I was the person suing, so that would --

25 what would that make me? Plaintiff.

Page 8

1 **Q. Okay. Because of that case, you kind of**

2 **know how this exercise goes. I'm going to ask you a**

3 **series of questions. I'm going to allow you to**

4 **answer those questions. Because the court reporter**

5 **is taking everything down, I need -- we will need**

6 **verbal responses. Sometimes we get in conversation**

7 **and we say uh-uhs and uh-huhs, but I'm going to need**

8 **a yes or a no or an explanation. Is that fair?**

9 A. I got it.

10 **Q. All right. Often, I think my questions are**

11 **artfully phrased, but they may not be. That's okay.**

12 **If you don't understand something I ask, simply ask**

13 **me to repeat it, and I'll do the best that I can to**

14 **clarify. However, if you answer my questions, I'm**

15 **going to assume you understood what I was asking.**

16 **Is that fair?**

17 A. That's fair.

18 **Q. Okay. Are you taking any medications**

19 **today?**

20 A. No, sir.

21 **Q. Is there anything that would preclude you**

22 **from being able to answer my questions truthfully?**

23 A. No, sir.

24 **Q. This isn't a marathon. You know, if at any**

25 **time you need to take a break, just let me know and**

Page 9

1 we will take a break. All I ask is that, if there
2 is a question pending, that we get an answer to that
3 question prior to us breaking. Okay?

4 A. Sounds good.

5 **Q. All right. Why don't you go ahead and give**
6 **me your highest level of education.**

7 A. Highest level of education. I am about ten
8 credit hours shy of graduating from the famous
9 University of New Orleans with a bachelor's in
10 business administration and a hotel and restaurant
11 management minor.

12 **Q. What year did you stop attending University**
13 **of New Orleans?**

14 A. After Katrina -- before Katrina, I was
15 taking classes on campus. After Katrina, I was
16 taking online classes. I want to say a couple of
17 years after Katrina, so around 2007, maybe 2008.

18 **Q. Okay. And what were you doing job-wise in**
19 **around 2007, 2008?**

20 A. I was working for the famous Oceana Grill.

21 **Q. And what year did you start working for**
22 **Oceana Grill?**

23 A. 2003.

24 **Q. And in what capacity?**

25 A. In what capacity? Well, I started as the

Page 10

1 do-it-all. I started bussing tables and mopping
2 floors and shining silverware and, when needed,
3 maybe grabbing a menu and speaking with great folks
4 passing by to explain to them about the menu. And,
5 you know, from there, I waited tables and I
6 bartended. And then I managed and -- so when I
7 started, I started from the bottom, and now I'm
8 here.

9 **Q. Okay. And where is "here"?**

10 A. "Here" is being in charge of the
11 restaurant.

12 **Q. Do you have a specific title?**

13 A. General manager.

14 **Q. In essence, that means you're responsible**
15 **for all operations of the restaurant?**

16 A. Yes, sir.

17 **Q. And when did you become the general**
18 **manager?**

19 A. Technically -- when did I become the
20 general manager? Around 2008.

21 **Q. Now, Oceana Grill is the name of the**
22 **restaurant, but the LLC is Cajun Cuisine LLC?**

23 A. Cajun Conti LLC.

24 **Q. I'm sorry. Cajun Conti LLC.**

25 A. Yes.

Page 11

1 **Q. Do you have any ownership interest in the**
2 **LLC?**

3 A. No, sir.

4 **Q. Okay. Who are the members of the LLC?**

5 A. Well, the owner of the LLC is my dad, and
6 he's the only member. I am the manager of the LLC.

7 **Q. And what's your father's name?**

8 A. Wassek, W-a-s-s-e-k.

9 **Q. Badr?**

10 A. Yes, sir. His is spelled without the E,
11 B-a-d-r. Mine is spelled with an E, B-a-d-e-r.

12 **Q. What, if anything, did you do to prepare**
13 **for your deposition today?**

14 A. I met with my attorney, and I drank a cup
15 of coffee before I came here.

16 **Q. Did you speak with anyone other than your**
17 **attorney about the deposition today?**

18 A. Did I speak with anyone besides my attorney
19 about the deposition today? No, sir.

20 **Q. Did you and your father discuss the depo?**

21 A. Well, yes.

22 **Q. All right.**

23 A. When you say, did you speak with anyone,
24 I'm thinking anybody from outside the family. But
25 yes, sir, my dad knows.

Page 12

1 **Q. All right. Tell me about the conversation**
2 **with your father.**

3 A. Well, he knows about the lawsuit, and I
4 told him that I am being deposed. He said, "Good
5 luck, Son."

6 **Q. Anything else?**

7 A. Anything else? No. He said -- he said,
8 "Make me proud." I said, "I'll always try to."

9 **Q. Whose decision was it to file a lawsuit?**

10 A. Whose decision was it to file a lawsuit?
11 It was a collaborative decision between my dad
12 and I.

13 **Q. Tell me about the decision-making process.**

14 A. The decision-making process? Like, can you
15 explain?

16 **Q. Sure. You said it was a collaborative**
17 **decision between you and your father, so presumably,**
18 **y'all discussed the pros and cons. I'd like to know**
19 **how you-all collaborated when making the decision to**
20 **file the lawsuit.**

21 A. Well, he -- we spoke together, and then we
22 spoke with our attorneys.

23 MR. ALVENDIA: Let me just say this.
24 Hold on a second. Let me just object. We
25 are not going to get into any

Page 13

1 attorney-client privilege, any
2 conversations.
3 So, Mr. Bader, tell him about
4 conversations with your father. Do not
5 tell him about the substance of your
6 communications with your lawyers.
7 THE WITNESS: Right.
8 A. My father asked if -- I don't know how much
9 in depth you want to know. But generally speaking,
10 he knows, and I know, about the virus and the
11 damages that it's causing. And he called me to ask
12 me to set up an appointment with our attorneys in
13 order to discuss -- I can't say in order to discuss
14 what. But basically, it's, you know, we have damage
15 at the restaurant that caused, and still is causing,
16 a big loss, and this is how the conversation took
17 place.
18 BY MR. MILLER:
19 **Q. When was that conversation?**
20 A. Right before we filed the lawsuit.
21 **Q. So you and your father discussed the**
22 **damages you-all were having at the restaurant, and**
23 **that was before you filed the lawsuit?**
24 A. I'd like to say yes.
25 **Q. Okay. You said that he knows and I know**

Page 14

1 **about the damage that the virus is causing.**
2 **What damage is the virus causing at the**
3 **restaurant?**
4 A. It is causing physical damage to the
5 property.
6 **Q. What physical damage?**
7 A. Physical damage to all the surfaces and the
8 air throughout the whole property.
9 **Q. Have you done anything to attempt to**
10 **remediate the physical damage to all of the surfaces**
11 **in the property?**
12 A. We have and continue to attempt to mitigate
13 the danger of the virus.
14 **Q. I appreciate that question -- that answer**
15 **although it didn't answer my question.**
16 **My question was, have you done anything to**
17 **remediate the physical damage to the property, the**
18 **physical damage to all the surfaces?**
19 A. When you say -- when you say -- do you
20 mean -- like, what do you mean by that question?
21 Did I do anything to do what? Fix it?
22 **Q. Yes, sir. I asked you -- you said that the**
23 **virus was causing damage to the property --**
24 A. Right.
25 **Q. -- physical damage to all of the surfaces.**

Page 15

1 A. Correct.
2 **Q. And I asked what have you done to -- what,**
3 **if anything, have you done to remediate the physical**
4 **damage to the surfaces?**
5 A. Clean. Clean it real well, as much as we
6 can. Clean the surfaces as much as we can.
7 In the restaurant business we say, "If you
8 got time to lean, you got time to clean." Well,
9 after corona, that statement has now its own meaning
10 because we are constantly cleaning. And
11 unfortunately, you know, we have more than usual
12 time to lean due to the loss of business, so we're
13 cleaning as much as we can.
14 **Q. Okay. And how are you cleaning the**
15 **surfaces?**
16 A. Bleach, soap, and water.
17 **Q. Any other way?**
18 A. Sanitizers, Lysol. But to my
19 understanding, bleach, soap, and water is -- you
20 know, they say is the better way to go, but we still
21 use Lysol and sanitizers.
22 **Q. Other than cleaning the property as much as**
23 **you can, is Oceana doing anything else to address**
24 **the physical damage to all the surfaces?**
25 A. Yes, sir.

Page 16

1 **Q. What are you doing?**
2 A. We have been -- well, first of all,
3 following the famous CDC guidelines with the social
4 distancing and wearing masks and gloves. And we got
5 rid of -- I guess your question was to remediate,
6 and I'm thinking to slow down the spread of the
7 virus, but, you know, it goes hand in hand.
8 **Q. Anything else other than following CDC**
9 **guidelines, wearing masks and gloves, that you**
10 **did -- or are doing to, as you say, address the**
11 **physical damage to all the surfaces?**
12 A. Yes. We -- I believe we submitted in the
13 discovery what we're doing, but, you know, sitting
14 here, depending on just trying to remember what we
15 do, we got rid of the menus. We have disposable
16 menus. We have QR codes on the tables. We got rid
17 of the table's condiments, replaced by one-time use
18 condiments. We have signs all over the place.
19 We increased our preshift meetings, the
20 frequency of our preshift meetings with our staff in
21 order to constantly remind them of the things that
22 they have to do: personal hygiene and washing their
23 hands and often changing their clothes, not using
24 napkins more than once, washing hands with soap and
25 water for at least 20 seconds, all different stuff.

Page 17

1 **Q. Other than following the guidelines of the**
2 **CDC in how to prevent the spread of the virus, did**
3 **Oceana Grill hire anyone in March of 2020 to help it**
4 **determine how to remediate its property?**
5 A. Did we hire anyone? Well, if that person
6 was available, he would be probably the highest
7 demand person on earth. Everybody would want to
8 hire him or her.
9 This is a wicked virus, and you can --
10 somebody can come in and give you a consulting
11 advice no different than what you would find on the
12 government websites, and they would probably send
13 you a bill, a high bill, but the fact of the matter
14 is this is a self-replicating virus. It's an
15 adhesive virus.
16 And again, I'm saying that to my knowledge.
17 I'm not an expert. But if even people who don't
18 watch the news, I guess, learn one or two things
19 about it. And unfortunately, I had the virus, so I
20 had to -- you know, I probably know more about it
21 then an average restaurateur.
22 It's not a virus that you can wipe or hire
23 somebody to come in and tell you, hey, you just take
24 this bottle of boom, boom, boom and spray. It's --
25 it's a bad -- it's a bad virus.

Page 18

1 **Q. So you didn't hire anyone to give you**
2 **guidance on how to clean the property?**
3 A. No, sir. That would be an extra expense,
4 an unnecessary expense, that I would -- and I don't
5 know if that person even exists.
6 **Q. Did you and your father discuss why you did**
7 **not actually submit a claim to Underwriters as**
8 **opposed to filing the lawsuit first?**
9 MR. ALVENDIA: Once again, I'm going
10 to object to any discussions being relayed
11 on this deposition that involve Mr. Bader's
12 father and his attorneys in regards to
13 filing a claim or anything else.
14 But, Mr. Bader --
15 MR. MILLER: I don't think I asked him
16 a question about --
17 MR. ALVENDIA: Yeah, but --
18 MR. MILLER: I think I asked him a
19 question about he and his father.
20 MR. ALVENDIA: I understand that, and
21 I'm advising my client that there's an
22 attorney-client privilege.
23 So to the extent you can answer about
24 discussions that you and your dad had, you
25 can do that.

Page 19

1 A. My dad and I met with our lawyers, and we
2 followed their advice.
3 BY MR. MILLER:
4 **Q. Okay. Now, I know we talked about your**
5 **training at UNO, and I know you have extensive**
6 **experience in the restaurant business. But do you**
7 **have any other specialized certifications?**
8 A. I could probably teach with the knowledge
9 that I have. But no, sir, sitting here, I don't --
10 I don't -- I don't believe so.
11 I've attended different, you know, national
12 restaurant association convention and different, you
13 know, events, a lot of events, but no, no
14 certification, a piece of paper, that I can show.
15 **Q. You don't have any specialized training in**
16 **public health or infectious disease or anything like**
17 **that?**
18 A. No, sir.
19 **Q. Now, you became the general manager, I**
20 **think you said, in 2008?**
21 A. Around 2008, yes, sir.
22 **Q. What type of work schedule do you keep as**
23 **general manager?**
24 A. About 80 hours a week on a slow week, and
25 then, you know, goes up from there.

Page 20

1 **Q. Sound like my schedule.**
2 A. I was going to say don't get in the
3 restaurant business, but I know attorneys work hard.
4 I've heard lots of good things about you.
5 **Q. Did your -- so has your work schedule**
6 **changed in 2020?**
7 A. If anything, it went up. Has any -- change
8 in 2020?
9 **Q. Or I can narrow it. Since March 16th of**
10 **2020, has your schedule, your daily work schedule,**
11 **changed?**
12 A. The only thing that changed is I had to
13 quarantine after I was diagnosed. But besides that,
14 no, sir, it went up. Unfortunately, we have to
15 work. You know, you -- yeah.
16 **Q. Did you quarantine for the two-week period**
17 **or ten-day period when you contracted COVID?**
18 A. A little bit more than that, actually.
19 **Q. What month was that in?**
20 A. So on March 3rd, I got home. This is a
21 long story. I'll be happy to share it with you, but
22 I want to make sure I'm answering your question
23 precisely. Your question is, what month did I
24 quarantine?
25 **Q. Yes, sir.**

Page 21

1 A. April.
2 **Q. Okay. And following your quarantine, you**
3 **went back to your normal duties as general manager?**
4 A. Yes, sir.
5 **Q. At no time from March 16, 2020, to the**
6 **present have you been precluded from entering**
7 **739 Conti Street, have you?**
8 A. Me personally?
9 **Q. Yes, sir.**
10 A. No, sir.
11 **Q. None of your employees have been precluded**
12 **from entering the building since March 16, 2020,**
13 **have they?**
14 A. Their hours have been cut tremendously.
15 But no, they have not.
16 **Q. And the hours were cut because of the**
17 **government restrictions and so there was less**
18 **business, right?**
19 A. No. Because of the virus.
20 **Q. Okay. So --**
21 A. The virus led to the government issuing
22 their orders, so it's because of both reasons.
23 **Q. Okay. So the virus plus the government**
24 **orders is why employees hours were cut?**
25 A. Yes, sir.

Page 22

1 **Q. Okay.**
2 A. And some unfortunately had to be let go.
3 **Q. As general manager, do you receive a**
4 **salary?**
5 A. Yes, sir.
6 **Q. Was your -- has your salary changed at all**
7 **from March 16, 2020, to the present?**
8 A. Has my salary changed from March 16th
9 until -- no, sir.
10 **Q. And I think I asked this in the last depo,**
11 **and I think got the answer to it. But Oceana Grill**
12 **did receive a Paycheck Protection Program loan,**
13 **correct?**
14 A. It received a loan. Yes, sir.
15 **Q. And do you know whether or not steps have**
16 **been taken to have the loan forgiven?**
17 A. I can get back with you on that answer.
18 **Q. Would you intend to seek to have the loan**
19 **forgiven --**
20 A. If we qualify.
21 **Q. -- if you haven't done so already?**
22 A. If we qualify, I do intend to do that.
23 **Q. And who at Oceana is responsible to ensure**
24 **that the fund from the PPP loan would allow you to**
25 **qualify for forgiveness?**

Page 23

1 A. Who would, at Oceana, determine that --
2 what was the question again? I'm sorry.
3 **Q. Let me rephrase. That was not artfully**
4 **phrased.**
5 **There are certain requirements under the**
6 **loan program to allow for you to qualify for**
7 **forgiveness, correct?**
8 A. Yes.
9 **Q. Is there someone that's ensuring that you**
10 **follow those guidelines that works for Oceana?**
11 A. Yes. It's -- well, I would have to look at
12 it, and I have to make the final decision and
13 approve. But our office people should be following
14 that.
15 **Q. Have you utilized the funds from the PPP**
16 **loan -- let me back up.**
17 **Have you actually received the fund from**
18 **the PPP loan?**
19 MR. ALVENDIA: Allen, look, I let the
20 initial questions be asked, and frankly, I
21 think you've gone far enough into it.
22 What purpose is asking about PPP in a
23 coverage situation, a dec action? I'm
24 about to advise my client to not answer any
25 more of your questions. I think we've gone

Page 24

1 on far enough. This is not a damages case;
2 it's a dec action.
3 MR. MILLER: I hear you, Rico, and I
4 appreciate your point of view, but it's a
5 discovery deposition. And, I mean, he can
6 answer them now or he can answer them
7 later, but I'm going to ask the questions
8 that I think I need answers to. So I hear
9 you.
10 MR. ALVENDIA: Yeah, I appreciate your
11 position too, Allen. But the reality is
12 discovery has its bounds, and if it's not
13 reasonably calculated to lead to admissible
14 evidence in a dec action, he does not have
15 to answer it.
16 So you can ask one or two more
17 questions on this PPP, but I'm going to
18 advise him not -- to shut down and we can
19 come revisit it later if we have to. So
20 that's where we are.
21 MR. MILLER: I don't -- I think you
22 and all the rest of your counsel need to
23 get on the same page about what it is that
24 you're making relevant because, if you look
25 at your petition, there are a number of

Page 25

1 allegations about Oceana's obligations to
2 pay mortgages, obligations to pay salaries,
3 all because of the virus. And so Oceana
4 has made whether or not it received PPP
5 funding a part of his case, not me.
6 MR. ALVENDIA: Hold on. You're
7 talking about a loan that covers overhead.
8 It has nothing to do with the fact that
9 they continued to accumulate overhead
10 expense. You're getting into collateral
11 source, frankly. Whether it's PPP or any
12 other source, it's not relevant and it's
13 certainly not going to be admissible in
14 this trial, Allen, and you know it isn't.
15 MR. MILLER: Let me ask my questions,
16 and then we can move on.
17 BY MR. MILLER:
18 **Q. So, Mr. Bader --**
19 A. Yes, sir.
20 **Q. -- did Oceana receive funds from the loan?**
21 A. Yes.
22 **Q. Okay. And what were the funds used for?**
23 A. For expenses.
24 **Q. Okay.**
25 A. Business expenses.

Page 26

1 **Q. Do you know, sitting here today, which ones**
2 **of your business expenses?**
3 A. Sitting here today, no, not off the top of
4 my head.
5 **Q. So now let's talk a little bit about claims**
6 **that have been asserted in this lawsuit.**
7 **There is a claim that the property at**
8 **739 Conti Street has been damaged.**
9 A. Correct.
10 **Q. Can you tell me what your understanding of**
11 **what the damages is at 739 Conti Street?**
12 A. There are physical damages throughout the
13 property caused by COVID-19, and that's my
14 understanding.
15 **Q. Okay. And what exactly are those physical**
16 **damages caused throughout the property?**
17 A. There is the physical damages -- well, the
18 whole property has been altered because of the
19 virus.
20 **Q. How so?**
21 A. Well, like I said -- I believe I said
22 earlier -- I don't want to be not friendly and say I
23 already answered. But what happened is this virus
24 sticks to surfaces, and it is -- it reproduces
25 itself in a scary fashion.

Page 27

1 **Q. And I just want to make sure I understand**
2 **your testimony. The damage that has altered the**
3 **entirety of the property is the virus attaching to**
4 **surfaces?**
5 A. Yes, sir. And the air. When I say the
6 surfaces, I don't mean, you know, table and chair
7 and silverware; it's all over the place. It's all
8 over. It's in the air. It's everywhere you could
9 look at, which unfortunately caused a loss of use of
10 a big portion of the property.
11 **Q. When was the first moment that you**
12 **experienced a loss of use of any portion of the**
13 **property?**
14 A. The first moment was -- when was the first
15 moment? I believe it was somewhere around
16 March 16th.
17 **Q. Would that have coincided with the orders**
18 **from the mayor and the governor?**
19 A. Yes, sir.
20 **Q. Now, I know that there were restrictions**
21 **placed on your restaurant and others on March 16,**
22 **2020. You-all were -- prior to that date, did**
23 **Oceana do takeout service?**
24 A. It did.
25 **Q. Did you do delivery service?**

Page 28

1 A. Yes, sir.
2 **Q. After March 16, 2020, did you continue to**
3 **do delivery service and takeout service?**
4 A. I believe you meant after March 16th?
5 **Q. Yes, sir. After March 16, 2020, did you**
6 **continue to do takeout and delivery service?**
7 A. Yes, sir.
8 **Q. After March 16, 2020, did your employees**
9 **that prepared the meals and worked in the**
10 **restaurant -- were they still allowed to come into**
11 **739 Conti Street to do the delivery service and**
12 **takeout service?**
13 A. Like I said earlier, not all of them.
14 Their hours were cut, and some of them were let -- a
15 lot of them were let go. But some did, yes.
16 **Q. To perform the delivery and takeout**
17 **services, the cooking of those meals occurred at**
18 **739 Conti, right?**
19 A. Correct.
20 **Q. And if a customer wanted to get takeout,**
21 **they would come to 739 Conti, though maybe not**
22 **inside of the facility, correct?**
23 A. Good question. There's more than one -- if
24 you tell me what -- what date, I could tell you
25 whether they were able to come into the building or

Page 29

1 not.
2 **Q. At what point -- so you know on March 16,**
3 **2020, they were precluded from coming into the**
4 **building.**
5 A. No, sir.
6 **Q. No? Why don't you tell me. Why don't you**
7 **tell me when they were precluded from coming in the**
8 **building.**
9 A. That was March -- I believe the mayor --
10 and I don't have the proclamation in front of me.
11 But I believe Mayor Cantrell issued the order on the
12 20th, and it was effective on the 21st.
13 **Q. Okay.**
14 A. But prior to that, there was another
15 proclamation that severely reduced, or restricted,
16 put restrictions on the restaurant business and us.
17 **Q. Following that March 21st proclamation,**
18 **when were customers then allowed to reenter the**
19 **building for takeout service?**
20 A. When were they allowed to enter building
21 for takeout service? Don't hold me to it, but that
22 was when Phase 1 started, which is probably around
23 May -- mid-May.
24 **Q. During the period of March 21st through**
25 **mid-May, you continued to do takeout and delivery**

Page 30

1 **services, correct?**
2 A. During the period of March --
3 **Q. March 21, 2020, and mid-May.**
4 A. Right. We continued -- yes, we did at a
5 very restricted -- the time was restricted. We
6 weren't allowed to open or to cook, to resume, or do
7 what we normally -- as far as the hours of
8 operations, the hours were limited.
9 **Q. Okay. But not completely. You were still**
10 **able to do it but in a limited fashion?**
11 A. In a very limited fashion, yes, sir.
12 **Q. Has Oceana Grill tested any of the surfaces**
13 **in its building for COVID-19?**
14 A. I don't think we needed to, but no. To
15 answer you question, no.
16 **Q. Are you aware, both in your personal**
17 **capacity and in your capacity as a corporate**
18 **representative, of any testing of any surface within**
19 **one mile of Oceana Grill for COVID-19?**
20 A. Any testing of any surface, any object?
21 **Q. Anything other than --**
22 A. I'm sure humans were tested, and some were,
23 you know, diagnosed. But no, sir, I can't -- I
24 can't think of any.
25 **Q. Okay. I know that there were yourself and**

Page 31

1 **other individuals who tested positive for COVID-19**
2 **that were inside of the facility at 739 Conti.**
3 **Explain to me what Oceana Grill did once it**
4 **became aware that someone inside the facility tested**
5 **positive for COVID-19.**
6 A. Well, I'll speak about others, and then
7 I'll speak about myself. That's just the way I am.
8 I put others ahead, especially ones I care about.
9 But when -- where do I start from? You'd
10 like to know what we did when we learned that the
11 other employee -- I'm not going to say he or she.
12 You want to know what steps we did?
13 First of all, quarantining. Second of all,
14 cleaning the room or the area where they worked like
15 you've never seen before, wiped it, wiped every inch
16 of it, top to bottom, mopped it over and over. If
17 there were any cabinets or any pencils, keyboard,
18 mouse, all of that was wiped thoroughly.
19 Windows and doors were opened, air
20 condition unit running. I even brought with me a
21 little machine, which I don't think it does much,
22 which does -- like, some kind of purifier, and I ran
23 it for at least 72 hours.
24 Generally, that's what I did. We asked
25 them if they had contacted anybody, were close to

Page 32

1 anybody. Now, remember, when that happened, we were
2 already doing the whole nine yards with practicing
3 the social distancing and masks and all, so that
4 definitely helped. And we closed the area for a
5 number of hours, number of days.
6 **Q. Did an individual contracting COVID-19 --**
7 **or let me rephrase that.**
8 **Your knowledge of an individual contracting**
9 **COVID-19 and coming into the restaurant, did it ever**
10 **change the capacity of the restaurant?**
11 A. Did it ever change the capacity of the
12 restaurant? Well, it limited -- it caused the loss
13 of use for that area.
14 **Q. You never closed the restaurant down**
15 **because an individual that had contracted COVID came**
16 **into the restaurant, did you?**
17 A. No. Based on what I read on CDC's website,
18 it is okay to only close that area if possible, and
19 that's what we did. We followed the guideline.
20 **Q. And that was going to be my next question.**
21 **Is it fair to say that, in dealing with the**
22 **COVID-19 pandemic, that Oceana Grill followed the**
23 **guidelines set forth by the Center for Disease**
24 **Control?**
25 A. As much as we can, yes, sir.

Page 33

1 **Q. You didn't replace any dining room tables**
2 **because of COVID-19, did you?**
3 A. No, sir.
4 **Q. You didn't replace any chairs, flatware, or**
5 **silver because of COVID-19, did you?**
6 A. No, sir.
7 **Q. You didn't replace any equipment or drywall**
8 **or anything like that related to COVID-19, did you?**
9 A. People are coming into the restaurant
10 constantly, so even if I did, it was no good.
11 I mean, we changed things like the air
12 condition filters more often than we ever have.
13 Usually, they say, you know, you wait until the air
14 condition filter turns -- changes colors a little
15 bit before you change it. Now we're changing
16 whether it's white as the snow or not.
17 **Q. I know you-all cleaned a lot more, changed**
18 **air filters a lot more. Anything else that you did**
19 **with the inside of the restaurant as a result of**
20 **COVID-19?**
21 A. Yeah. We lost -- we lost use of majority
22 of the restaurant. The majority of the property, we
23 lost it's use. And continues -- I'm saying it in
24 the past tense, but we continue to be in this
25 situation.

Page 34

1 **Q. What capacity are you operating at today**
2 **inside the restaurant?**
3 A. I would say between -- we're in Phase 3,
4 which allows 75 percent, but taking the social
5 distancing into consideration, we're between 50 and
6 75. I'd hate not to be inaccurate and say 62 or 63.
7 We're somewhere around there.
8 **Q. And you're at that capacity level, not up**
9 **to 75, because you've made a decision that it's**
10 **safer for your employees and guests?**
11 A. You can -- that's fair to say. It's safer
12 and because we have to comply with the guidelines
13 also. So meaning, even though we can put the
14 restaurant 75 percent, but then what contradicts it
15 is the social distancing, so...
16 **Q. So because the guidelines require**
17 **75 percent, you have to space out, which keeps you**
18 **from being at 75 percent?**
19 A. Well, because -- so we have -- we could be
20 up to 75 percent. We can use up to 75 percent of
21 the property. We can occupy up to 75 percent of
22 property. However, let's say hypothetically, if we
23 were to put -- fill up the restaurant up to its
24 75 percent, people, customers, and employees would
25 be closer to one another than six feet, which create

Page 35

1 danger. So it's both. It's, you know, following
2 the guidelines and taking into high consideration
3 the safety of our employees and customers.
4 **Q. All right. Let me show you --**
5 MR. MILLER: Ginger, can you pull up
6 the areas of inquiry?
7 Mr. Bader, do you need a break?
8 THE WITNESS: No, sir.
9 MS. DODD: Allen, do you see it on the
10 screen?
11 MR. MILLER: I do not. Not yet.
12 MS. DODD: Okay. Hang on. You should
13 have it now.
14 MR. MILLER: Yes. You want to scroll
15 down to the last page?
16 BY MR. MILLER:
17 **Q. Mr. Bader, you've been presented not only**
18 **in your individual capacity but as the corporate**
19 **rep, and these are areas of inquiry that we asked**
20 **for someone to be able to speak to. I will tell you**
21 **that the prior deponent spoke to a lot of these, so**
22 **there is some overlap. I'm going to ask you if --**
23 **well, let me ask you this.**
24 **Have you seen these areas of inquiry**
25 **before?**

Page 36

1 A. I'm only -- I can only see one page.
2 **Q. We're going to --**
3 MR. MILLER: Can you go back to the
4 first page?
5 BY MR. MILLER:
6 **Q. So this is the notice of deposition.**
7 A. Yes.
8 **Q. And as part of that notice, we're required**
9 **to give areas that we would like to question you**
10 **about. The Exhibit A to this, which is on page 4,**
11 **those are the areas that we ask that someone be**
12 **produced to speak to.**
13 **Have you seen these -- this before?**
14 A. Yes, sir, I believe so.
15 **Q. I'll try to truncate the process by asking**
16 **if you could take a look at these and tell me if**
17 **there's anything on here that you cannot speak to.**
18 A. No.
19 **Q. We have some more, so go ahead -- I want**
20 **you to take a look at all of them first. Then I'll**
21 **ask the question.**
22 A. I'm good.
23 **Q. So of the 15 areas of inquiry, you are the**
24 **proper person to speak to all of these. Is that**
25 **fair?**

Page 37

1 A. Yes, sir. Unless my attorneys have any
2 objections, I believe so.
3 MR. MILLER: We'll mark the notice as
4 Exhibit 1.
5 (Exhibit No. 1 was identified.)
6 MR. MILLER: And I'll show you what
7 we'll mark as Exhibit 2, which is
8 Plaintiff's Second Supplemental and Amended
9 Petition for Declaratory Judgment.
10 (Exhibit No. 2 was identified.)
11 MS. DODD: Allen, is it up on the
12 screen?
13 MR. MILLER: Yes. Why don't we scroll
14 to paragraph 40.
15 BY MR. MILLER:
16 **Q. Mr. Bader, have you seen this document**
17 **before, the petition filed by Oceana Grill?**
18 A. Yes.
19 **Q. Paragraph 40 reads that "COVID-19 is known**
20 **to have been in and on properties within a one-mile**
21 **radius from the insured premises in the French**
22 **Quarter, contaminating the immediate area**
23 **surrounding the insured premises."**
24 **Do you see that?**
25 A. I do.

Page 38

1 **Q. Other than what you've discussed earlier**
2 **about your knowledge that COVID-19 is in -- is all**
3 **around us, do you have any specific knowledge of**
4 **properties where the COVID-19 is present?**
5 MR. ALVENDIA: Allen, before we go any
6 further, I'm going to have the same
7 objection as earlier, in the last
8 deposition, which is that this is a legal
9 document. It's a petition for damages,
10 supplemental. You're asking a layperson
11 questions about a legal document that was
12 drafted by attorneys, so there are legal
13 meanings to many of the paragraphs in here.
14 Subject to that objection, Mr. Bader
15 if you understand that question, you can
16 answer.
17 A. Yes. Mr. Miller, I believe you said -- you
18 asked, besides COVID-19 being all over, is there
19 anywhere else that I'm aware of it being present.
20 Was that the question?
21 BY MR. MILLER:
22 **Q. Let me rephrase the question.**
23 **Paragraph 40 says that "COVID-19 is known**
24 **to have been in and on properties within a one-mile**
25 **radius from the insured premises in the French**

Page 39

1 **Quarter...." What properties is paragraph 40**
2 **referring to and do you have any specific knowledge**
3 **of those properties?**
4 A. Yes. But I would like to add something to
5 what I said earlier. Maybe I wasn't clear.
6 It's not just all over; it's also in the
7 human beings. Human beings also carry the virus. I
8 realize I was just talking about where it could be
9 in the property, but also, you know, it's -- this is
10 how it's grows. It jumps from one to another.
11 Human beings have it.
12 But am I aware of it being present anywhere
13 else besides -- within a mile? Yes, I am.
14 **Q. Where?**
15 A. When I had the virus, before I knew I had
16 the virus -- as a matter of fact, I had it before
17 the first case was reported in Louisiana and -- to
18 my knowledge. But when I had it, I went to our
19 other properties. I visited our other properties,
20 which is Mambo's, less than half a block from
21 Oceana, and NOLA Cookery, our other sister
22 restaurant, which is about two blocks from Oceana.
23 **Q. Did you-all ever do any testing of any**
24 **surfaces in Mambo's?**
25 A. No, sir.

Page 40

1 **Q. Did you do any testing of surfaces in**
2 **NOLA Cookery?**
3 A. No, sir. There are two other -- well,
4 there's one other place that -- Lucy's. It was all
5 over the news. I think they either had someone
6 diagnosed -- diagnosed there with the virus or
7 something along those lines. But Lucy's, I don't
8 know if it's one a mile or less, but it's pretty
9 close.
10 And I also remember vividly the sad story
11 about a streetcar driver who died because of the
12 virus. And he was driving, you know, people to the
13 French Quarter, and he had the virus, so somebody
14 had it. I don't know if your question was limited
15 to property or also humans, but, you know, it's
16 both.
17 **Q. Do you know if there was any testing of**
18 **surfaces at Lucy's?**
19 A. No, sir. But to my recollection, somebody
20 was tested there and who, I'm assuming, touched some
21 kind of surface, I would imagine, if he worked
22 there. So, you know -- and I'm sure he was
23 breathing also.
24 You know, just -- this thing, if you speak,
25 it just -- it's all over the place. And if you --

Page 41

1 if you raise your voice, you get excited -- you
2 know, people who are passionate -- like you and I
3 work hard and long hours, we get passionate
4 sometimes. If we, out of passion and love, raise
5 our voice, this thing floats everywhere. You know,
6 it spreads it like you've never seen.
7 So I'm sure that's what happened there,
8 probably, to my knowledge, to my understanding.
9 **Q. Let's look at paragraph 41.**
10 **"COVID has caused a property loss or damage**
11 **covered under the policy within a one-mile radius of**
12 **insured premises, resulting in a prohibition of**
13 **access to the insured premises by a civil authority**
14 **order which triggered coverage under the policy."**
15 **Do you see that?**
16 A. Yes.
17 **Q. Prohibited access -- prohibition of access**
18 **to the insured premises. You were never precluded**
19 **from going into 739 Conti, were you?**
20 A. Our customers were, but not me.
21 **Q. Okay. And none of your employees were**
22 **precluded from going into 739 Conti, were they?**
23 A. Like I said earlier, you know, limited --
24 their access were limited -- was limited because we
25 lost, you know, use of the property, and their hours

Page 42

1 had to be cut tremendously, and many of them had to
2 be let go.
3 **Q. Okay. Paragraph 42 says "Plaintiff's**
4 **discovered the contamination of their business's**
5 **immediate area through the orders and directives**
6 **provided by its city government officials and Center**
7 **for Disease Control publicly available at their**
8 **prospective official websites."**
9 **Prior to the city government officials**
10 **orders and the Center for Disease Control**
11 **pronouncement, was there anything else that notified**
12 **you that COVID could have been possibly in the**
13 **premises?**
14 A. Prior to the government notice, did
15 anything -- sitting here today, I can't think of
16 any.
17 **Q. Other than the orders of the mayor and the**
18 **governor, do you have any personal knowledge of**
19 **physical evidence of COVID being present at**
20 **739 Conti?**
21 A. Absolutely.
22 **Q. And would that have been the times when**
23 **individuals tested positive for COVID?**
24 A. That's not the only thing. I mean, if you
25 turn the news on, the internet is -- people are

Page 43

1 talking about it. If you live in this beautiful
2 city and this beautiful country on this beautiful
3 earth, chances are, you know there's something bad
4 out there. Not just out there, in there too.
5 **Q. And would your answer be the same with**
6 **respect to personal knowledge of physical evidence**
7 **of COVID within one mile of Oceana Grill?**
8 A. Yes, sir.
9 **Q. Following the March 16, 2020, order,**
10 **vendors of Oceana Grill were -- continued to access**
11 **the property, correct?**
12 A. Limited access. Yes, sir.
13 **Q. Did Oceana ever stop its operations because**
14 **an individual, whether an employee or someone else,**
15 **tested positive for COVID-19?**
16 A. Oceana's operations were restricted because
17 of COVID-19 and the loss of use of the property and
18 the damage that the virus caused and causes.
19 **Q. Right. But did you ever stop operations**
20 **completely because of someone contracting COVID-19**
21 **at 739 Conti?**
22 A. Like I said, the areas had to be closed.
23 Certain areas where we learned that certain
24 individuals had the virus, those areas had to be
25 closed.

Page 44

1 **Q. Closing down a particular portion of the**
2 **restaurant and cleaning it, but would you stop**
3 **business altogether?**
4 A. Did we stop business altogether? Besides
5 that, the extreme limitation on what we can use, the
6 area we can use on our property, I mean, you know,
7 and the limited hours -- no.
8 **Q. Let's take a look at paragraph 60. The**
9 **first portion of that sentence in paragraph 60 reads**
10 **that "COVID-19 has rendered property unsafe and**
11 **unusable for ordinary use...."**
12 **Do you see that?**
13 A. I do.
14 **Q. Do you consider the property at Oceana to**
15 **be unsafe?**
16 A. Yes.
17 **Q. And other than -- other than the CDC**
18 **guidelines and the things we discussed, is there**
19 **anything else that you have done to render the**
20 **property safe?**
21 A. Everything else -- is there anything else
22 besides what we have discussed that we have done?
23 We've done a lot, Mr. Allen -- Mr. Miller. But
24 sitting here today, I can't think of anything, but
25 that does not mean that we didn't do other stuff.

Page 45

1 I don't know if one of the things I
2 mentioned, putting signs in the restaurant and --
3 you know, thank goodness, we have not had a problem
4 with guests refusing to put their mask on. But, you
5 know, we are going above and beyond to -- in order
6 to mitigate the danger that this virus imposes.
7 I hope you never get it, but it's a killer
8 virus. Neither you nor your loved ones.
9 **Q. Thank you for that.**
10 A. Absolutely.
11 **Q. Do any of the signs that Oceana places at**
12 **its restaurant indicate to the public that the**
13 **restaurant is unsafe?**
14 A. Yes.
15 **Q. And what specifically about the signs**
16 **indicate that the restaurant is unsafe?**
17 A. They say, if you don't have a mask on, keep
18 it moving. So -- I mean, they don't say it like
19 that. Obviously, they say it in much nicer way.
20 But -- and remaining -- you know, the social
21 distancing, six feet; and cover your mouth when you
22 cough; washing hands.
23 I'm thinking as -- but, yeah, these are the
24 signs that we have to remind people on the floor.
25 These signs have the word "COVID-19," probably the

Page 46

1 most googled word in the world nowadays.
2 **Q. I'm going to show you now what we'll mark**
3 **as Exhibit 3.**
4 **(Exhibit No. 3 was identified.)**
5 MR. ALVENDIA: Hey, Allen, we've been
6 going over an hour here. Could we take a
7 restroom break for about five, ten minutes?
8 MR. MILLER: Yeah. That works for me.
9 (Recess taken.)
10 BY MR. MILLER:
11 **Q. Mr. Bader, I want to follow up on something**
12 **we were talking about a little bit earlier.**
13 **I know, both in your discovery and your**
14 **testimony today, you indicated that you, in fact,**
15 **did contract COVID-19. Were you actually tested?**
16 A. Yes. I went to the -- yes.
17 **Q. And when was that?**
18 A. May 3rd or May 4th.
19 **Q. Earlier, I think you said you believed your**
20 **quarantine would have been in April. So was it**
21 **before or after this test?**
22 A. I take it back. April 4th, not May 4th.
23 April 4th.
24 **Q. Okay. I just wanted to get the timing**
25 **down.**

Page 47

1 **I'm sharing the screen, which we'll mark as**
2 **Exhibit 3, which I believe that's our CDC guidelines**
3 **for guidance for cleaning and disinfecting.**
4 **Have you seen this document before?**
5 A. Yes.
6 MR. MILLER: Scroll down, Ginger, to
7 the last paragraph.
8 BY MR. MILLER:
9 **Q. The last paragraph -- the first sentence in**
10 **that last paragraph of Exhibit 3 says that "The**
11 **virus that causes COVID-19 can be killed if you use**
12 **the right products."**
13 **Are you aware of that?**
14 A. If you use the right product, maybe you can
15 kill it, but it is continuously in the property. We
16 have people going in and out of the building, and it
17 is continuously being present.
18 So you may wipe it and then kill it. I
19 don't know what product this is, but you could.
20 According to what I've read, it's -- I don't know.
21 Some table surfaces, they just -- it adheres. But
22 if you kill it, people are constantly back into the
23 property, and it's constantly -- the property is
24 constantly being damaged.
25 It's in the air. So you can wipe it off a

Page 48

1 surface. I don't know how you can wipe the air.
2 People are breathing. I mean, you could drink a
3 bottle of sanitizer. I don't know if it does
4 anything. People probably would have drank some by
5 now, but, you know, it's just -- I don't know how
6 you can kill it.
7 **Q. Let me ask this question. The steps that**
8 **Oceana Grill put in place to protect its employees**
9 **and customers are consistent with the CDC**
10 **guidelines, correct?**
11 A. Yes, sir.
12 **Q. You're not doing anything outside of the**
13 **CDC guidelines, are you?**
14 A. If you have any tips, I'll take them. But
15 sitting here now, we try our best to mitigate and --
16 to mitigate the situation that we're in.
17 MR. MILLER: Ginger, would you pull up
18 Exhibit 4, please.
19 (Exhibit No. 4 was identified.)
20 BY MR. MILLER:
21 **Q. So Exhibit 4 is Plaintiff's Responses to**
22 **Defendant's Certain Underwriters At Lloyd's, London**
23 **First Set of Interrogatories, Requests for**
24 **Production of Documents, and Requests for Admissions**
25 **Propounded to Plaintiff.**

Page 49

1 **Are you familiar with this document?**
2 A. Yes, sir.
3 **Q. Did you assist in preparing the answers for**
4 **this document, the answers in response to the**
5 **discovery?**
6 A. Yes.
7 **Q. To the best of your knowledge, is**
8 **everything that's contained in your responses**
9 **accurate?**
10 A. Yes.
11 MR. MILLER: Ginger, would you turn to
12 Interrogatory No. 5.
13 BY MR. MILLER:
14 **Q. Mr. Bader, Interrogatory No. 5 talks about**
15 **paragraph 16 of the petition, which I'm not go to**
16 **rehash that, where there's an allegation that**
17 **COVID-19 has rendered the property unsafe and**
18 **unusable for ordinary use. But what I want to**
19 **focus -- my question is on No. 2.**
20 **No. 2 says "Please state the particular**
21 **dates the insured premises was rendered 'unsafe and**
22 **unusable for ordinary use.'" And in the response,**
23 **No. 2 states "Since the commencement of the civil**
24 **authority orders and COVID-19 contamination in**
25 **New Orleans." Do you see that?**

Page 50

1 A. I do.
2 **Q. And is that accurate?**
3 A. It is.
4 **Q. Okay. And those -- in that answer, those**
5 **things, the civil authority orders and COVID-19**
6 **contamination in New Orleans, are the basis for**
7 **which Oceana says that its property is unsafe and**
8 **not fit for ordinary use?**
9 A. Can you repeat the question?
10 **Q. Yes. In the petition, paragraph 60 said**
11 **COVID has rendered the property unsafe and unusable**
12 **for ordinary use. And the answer to your**
13 **Interrogatory No. 5, we asked, when did that become,**
14 **right, when did the property become unfit -- unsafe**
15 **and unfit for ordinary use. And No. 2 says since**
16 **the civil orders and since COVID-19 contamination in**
17 **New Orleans. Correct?**
18 A. Yes, sir.
19 **Q. And my question is, are those two things**
20 **the two things that rendered the property unsafe and**
21 **unfit for ordinary use?**
22 A. Both the presence of the virus and the
23 orders from the government.
24 **Q. Okay.**
25 MR. MILLER: Ginger, would you put up

Page 51

1 No. 5, Exhibit 5.
2 (Exhibit No. 5 was identified.)
3 BY MR. MILLER:
4 **Q. Mr. Bader, these are the supplemental**
5 **responses to our discovery.**
6 **Did you participate in compiling the**
7 **information for these supplemental responses?**
8 A. I did.
9 **Q. And have you read this document?**
10 A. I'm pretty sure I have. I can only see a
11 small part of it, but I'm pretty sure I have.
12 **Q. From what you recall, is everything that's**
13 **contained in Oceana's supplemental responses**
14 **accurate, to the best of your knowledge?**
15 A. Yes, sir.
16 **Q. Okay.**
17 MR. MILLER: Would you pull up
18 Exhibit 6, please.
19 (Exhibit No. 6 was identified.)
20 BY MR. MILLER:
21 **Q. We have in globo Exhibit 6, which contains**
22 **Amazon receipts, invoices from a number of**
23 **vendors -- Caire, DocuMart, Sysco -- as well as a**
24 **number of canceled checks.**
25 **Did you help compile this information?**

Page 52

1 A. I am aware of this information.
2 **Q. Okay. Other than -- I've taken the liberty**
3 **of numbering them 1 through -- numbering the pages 1**
4 **through 130. Take a look at this first one, which**
5 **is an Amazon receipt for AC filters.**
6 **Have you seen this before?**
7 A. I can't see it, but -- oh, I see the item
8 ordered. Yes, sir.
9 **Q. Okay. Are these the filters that you were**
10 **discussing earlier that you ordered so that -- now**
11 **you-all are changing more often?**
12 A. Not limited to these. This is probably one
13 of the order. But we had to turn a room into an air
14 condition filter room and -- but that's one of the
15 orders.
16 **Q. Okay. I have a number of -- not just one.**
17 **I don't want -- I didn't want to misstate that I'm**
18 **saying it was only one. In fact, pages 1 through 17**
19 **are all orders for AC filters.**
20 **Are there any others that you believe are**
21 **related to COVID-19?**
22 A. Are there any others?
23 **Q. Yeah.**
24 A. Like, are there any other filters? Or any
25 other product that we had to purchase?

Page 53

1 **Q. Right now I'm just talking about filters.**
2 A. Probably. There probably is.
3 I remember myself a few times picking up
4 filters from Home Depot. Do I have a receipt for
5 it? Who knows. But there may be some, you know,
6 other instances where I purchased filters.
7 **Q. Okay. So I have receipts for filters. I**
8 **have receipts for face masks, disposable face masks.**
9 **I have receipts for gloves. And I'm trying to get**
10 **to the meat of the coconut.**
11 **Other than the receipts that you-all have**
12 **submitted to us that I think you said you're aware**
13 **of, are there any other categories of products that**
14 **you would have purchased related to COVID-19?**
15 A. Yes.
16 **Q. Like what?**
17 A. I can tell you, every time I go to the
18 store, if I see Lysol, I'm grabbing everything on
19 the shelf. So I buy it often. We did not submit it
20 because probably the receipt wasn't -- wasn't
21 around. But yes, we do buy other products related
22 to the mitigation of coronavirus.
23 **Q. Let me see if I can rephrase that.**
24 **Other than disinfectant products, so other**
25 **than bleach, Lysol, bleach wipes, are there any**

Page 54

1 **other categories of products that you're using to**
2 **address COVID-19?**
3 A. Absolutely. Towels, mops, mop buckets,
4 paper towels, linen towels, gloves, which I don't
5 know if you mentioned or not.
6 **Q. Now, in this set of documents that you-all**
7 **produced, there are a number of Sysco receipts -- or**
8 **Sysco invoices, and many of them contain references**
9 **to food. I think you could start at 38, page 38.**
10 **Is it fair that the references to food are**
11 **not related to COVID-19? Right?**
12 A. Yes, sir. That's fair.
13 **Q. But you-all bought disinfectants and other**
14 **janitorial supplies from Sysco?**
15 A. Sysco isn't the only supplier.
16 **Q. Who else did you buy supplies from related**
17 **to remediation of COVID-19 at the property?**
18 A. Caire Restaurant Supply, Home Depot,
19 Ecolab, Amazon. I've purchased stuff from
20 Winn-Dixie, Rouses.
21 MR. MILLER: Turn to Exhibit 6,
22 page 80.
23 BY MR. MILLER:
24 **Q. I have a number of checks that were**
25 **produced. Are these related to supplies that**

Page 55

1 **you-all bought to remediate COVID?**
2 A. Yes, sir. This is probably DocuMart. Yes,
3 it's that company that printed disposable menus.
4 **Q. What did you-all buy from Loop Linen and**
5 **Uniform?**
6 A. We bought exactly what the title says:
7 linen, uniform, chef pants, chef jackets, floor
8 carpets.
9 **Q. How are the uniforms related to COVID**
10 **remediation?**
11 A. Okay. Generally, we buy uniform from them.
12 I'm not saying we bought uniform for COVID, in this
13 case. I thought you were telling me what do you buy
14 from this particular company. That's what they
15 sell. They sell exactly what the title says.
16 But for COVID, it's towels, it's linen for
17 the silverware, it is floor carpets.
18 **Q. When you say "floor carpets," describe that**
19 **to me. I don't know really know what that is.**
20 A. I'd have to check whether floor carpets was
21 included in this one or not. Floor carpets is one
22 of the things that they -- that they supply. So if
23 it doesn't say "floor carpets," that means that
24 wasn't included.
25 **Q. What is a floor carpet? Carpet in the**

Page 56

1 **normal sense of carpet? Or something different?**
2 A. Well, it's a -- it's a -- how do you
3 explain carpet in restaurant? It is a long, narrow
4 carpet that prevents slip or fall and also used
5 as -- you know, for customer safety.
6 **Q. Okay.**
7 A. Mat. I said "carpet." "Mat" is the right
8 word. Floor mats.
9 **Q. I know what those are.**
10 MR. MILLER: Turn to 126.
11 A. We also purchased the gloves from Loop,
12 I believe.
13 BY MR. MILLER:
14 **Q. You-all produced this document. Do you**
15 **know what this is?**
16 A. Yes, sir.
17 **Q. What is it?**
18 A. It is the daily checklist for our managers.
19 **Q. Was this something that was created by**
20 **Oceana? Or did you get it from -- is it from the**
21 **CDC?**
22 A. I'm sure it -- probably CDC.
23 **Q. Yeah, it's at the bottom. I'm sorry.**
24 **Is this the checklist that you gave to your**
25 **managers?**

Page 57

1 A. Correct.
2 **Q. Is there anything else given to them about**
3 **how to deal with COVID inside the restaurant?**
4 A. Was there anything else given to them?
5 **Q. Yes.**
6 A. I'm sure we have shared lots of other
7 information with them, steps on how to protect
8 themselves and keep the -- mitigate the -- try to
9 control the virus from spreading. So no, I wouldn't
10 say this is the only one we gave our managers.
11 **Q. I guess my question is, whatever**
12 **information that you gave your managers would have**
13 **been consistent with the CDC guidelines?**
14 A. It would be.
15 MR. MILLER: Why don't you give me
16 five minutes to look at my notes, and I'll
17 try to wrap up.
18 (Recess taken.)
19 MR. MILLER: Mr. Bader, I just have a
20 couple more questions.
21 BY MR. MILLER:
22 **Q. In the areas of inquiry that we attached as**
23 **Exhibit 1 earlier -- I'm just going to read it to**
24 **you rather than have her pull it up.**
25 **It says -- No. 15 in the notice of**

Page 58

1 **deposition, in the areas of inquiry, says that you**
2 **would be the person to testify concerning all**
3 **allegations or evidence to support the insured's**
4 **claim under the policy at issue.**
5 **And my question today is, other than all**
6 **the things that we discussed today, is there**
7 **anything else that you believe supports Oceana's**
8 **claim under the policy?**
9 A. No.
10 MR. MILLER: Okay. I have no further
11 questions.
12 MR. ALVENDIA: Thank you all.
13 And, Madam Court Reporter, we would
14 like a transcript as soon as possible,
15 together with the exhibits.
16 (This proceeding was concluded at 4:04 p.m. on
17 November 4, 2020.)
18
19
20
21
22
23
24
25

Page 59

1 **REPORTER'S CERTIFICATE**
2 I, YOLANDA J. PENA, Certified Court Reporter in
3 and for the State of Louisiana, Registered
4 Professional Reporter, and as the officer before
5 whom this testimony was taken, do hereby certify
6 that MOE BADER, after having been duly sworn by me
7 upon authority of R.S. 37:2554, did testify as set
8 forth in the foregoing 58 pages.
9 I further certify that said testimony was
10 reported by me in the Stenotype reporting method,
11 was prepared and transcribed by me or under my
12 direction and supervision, and is a true and
13 correct transcript to the best of my ability and
14 understanding.
15 I further certify that the transcript has been
16 prepared in compliance with transcript format
17 guidelines required by statute or by rules of the
18 board and that I have been informed about the
19 complete arrangement, financial or otherwise, with
20 the person or entity making arrangements for
21 deposition services.
22 I further certify that I have acted in
23 compliance with the prohibition on contractual
24 relationships, as defined by Louisiana Code of
25 Civil Procedure Article 1434, and in rules and
advisory opinions of the board.
I further certify that I am not an attorney or
counsel for any of the parties, that I am neither
related to nor employed by any attorney or counsel
connected with this action, and that I have no
financial interest in the outcome of this matter.
This certificate is valid only for this
transcript, accompanied by my original signature
and original raised seal on this page.
Baton Rouge, Louisiana, this 5th day of
November 5, 2020.

YOLANDA J. PENA, CCR, RPR
CCR NO. 2017002, RPR NO. 907346

Page 60

1 CAJUN CONTI LLC, ET AL
2 CASE NO. 2020-02558
3 VERSUS
4 DIVISION M-13
5 CERTAIN UNDERWRITERS AT
6 LLOYD'S, LONDON
7
8 **WITNESS CERTIFICATE**
9 I, MOE BADER, have read or have had the
10 foregoing testimony given on NOVEMBER 4, 2020, read
11 to me and hereby certify that it is a true and
12 correct transcription of my testimony with the
13 exception of the following corrections or changes,
14 if any:
15

Page	Line	Correction
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

MOE BADER
REPORTER: Yolanda J. Pena, CCR, RPR
ROUTING: Allen C. Miller, Esq., Roderick "Rico"
Alvending, Esq.

Moe Bader
November 4, 2020

Page 61

1 Baton Rouge Court Reporters
2 12016 Justice Avenue
3 Baton Rouge, LA 70816
4 November 5, 2020

5 MOE BADER
6 739 Conti Street
7 New Orleans, Louisiana 70130

8 Re: CAJUN CONTI LLC, ET AL
9 VERSUS
10 CERTAIN UNDERWRITERS AT LLOYDS,
11 LONDON

12 CASE NO. 2020-02558

13 Deposition of MOE BADER
14 taken on NOVEMBER 4, 2020

15 Dear Mr. Bader:

16 Please find enclosed your deposition. Please read
17 and make any changes on the enclosed Witness
18 Certificate. The certificate must be signed and
19 returned to my office at the address listed above
20 within thirty days of receipt of the deposition.

21 If you have any questions, please do not hesitate
22 to call me at (225) 292-8686.

23 Sincerely yours,

24 Yolanda J. Pena, CCR, RPR
25

A		
ability 59:7	Amended 4:14 37:8	aware 30:16 31:4 38:19 39:12 47:13 52:1 53:12
able 8:22 28:25 30:10 35:20	AND- 2:8,14	
Absolutely 42:21 45:10 54:3	answer 8:4,14,22 9:2 14:14,15 18:23 22:11,17 23:24 24:6,6,15 30:15 38:16 43:5 50:4,12	B
AC 52:5,19	answered 26:23	B-a-d-e-r 11:11
access 41:13,17,17,24 43:10,12	answering 20:22	B-a-d-r 11:11
accompanied 59:17	answers 24:8 49:3,4	bachelor's 9:9
accumulate 25:9	anybody 11:24 31:25 32:1	back 21:3 22:17 23:16 36:3 46:22 47:22
accurate 49:9 50:2 51:14	appointment 13:12	bad 17:25,25 43:3
acted 59:12	appreciate 14:14 24:4,10	Bader 1:11 4:12 6:21 7:1,11 13:3 18:14 25:18 35:7,17 37:16 38:14 46:11 49:14 51:4 57:19 59:4 60:6,23 61:5,12,14
action 23:23 24:2,14 59:16	approve 23:13	Bader's 18:11
add 39:4	April 21:1 46:20,22,23	Badr 11:9
address 15:23 16:10 54:2 61:17	area 31:14 32:4,13,18 37:22 42:5 44:6	bartended 10:6
adheses 47:21	areas 35:6,19,24 36:9,11,23 43:22,23,24 57:22 58:1	Based 32:17
adhesive 17:15	arrangement 59:10	basically 13:14
administering 6:9	arrangements 59:11	basis 50:6
administration 9:10	artfully 8:11 23:3	Baton 2:22 6:3 59:19 61:1,2
admissible 24:13 25:13	Article 5:11 59:13	beautiful 43:1,2,2
Admissions 48:24	asked 13:8 14:22 15:2 18:15,18 22:10 23:20 31:24 35:19 38:18 50:13	behalf 1:17 6:14,17,20
advice 17:11 19:2	asking 8:15 23:22 36:15 38:10	beings 39:7,7,11
advise 23:24 24:18	asserted 26:6	believe 16:12 19:10 26:21 27:15 28:4 29:9,11 36:14 37:2 38:17 47:2 52:20 56:12 58:7
advising 18:21	assist 49:3	believed 46:19
advisory 59:14	association 19:12	BELLE 1:23
afternoon 6:1 7:11,12	assume 8:15	best 8:13 48:15 49:7 51:14 59:7
ago 7:18	assuming 40:20	better 15:20
agree 6:7	attached 57:22	beyond 45:5
AGREED 5:3	attaching 27:3	big 13:16 27:10
ahead 9:5 31:8 36:19	attempt 14:9,12	bill 17:13,13
air 14:8 27:5,8 31:19 33:11,13,18 47:25 48:1 52:13	attended 19:11	binding 6:9
AL 60:1 61:8	attending 9:12	bit 20:18 26:5 33:15 46:12
allegation 49:16	attorney 6:12 11:14,17,18 59:14 59:15	bleach 15:16,19 53:25,25
allegations 25:1 58:3	attorney-client 13:1 18:22	block 39:20
Allen 2:20 6:13 7:13 23:19 24:11 25:14 35:9 37:11 38:5 44:23 46:5 60:24	attorneys 12:22 13:12 18:12 20:3 37:1 38:12	blocks 39:22
allow 8:3 22:24 23:6	authority 41:13 49:24 50:5 59:4	board 59:10,14
allowed 28:10 29:18,20 30:6	authorized 5:6	boom 17:24,24,24
allows 34:4	available 17:6 42:7	bottle 17:24 48:3
altered 26:18 27:2	Avenue 61:1	bottom 10:7 31:16 56:23
altogether 44:3,4	average 17:21	bought 54:13 55:1,6,12
Alvendia 2:4,4 6:16,16 7:7,7 12:23 18:9,17,20 23:19 24:10 25:6 38:5 46:5 58:12 60:25		bounds 24:12
Amazon 51:22 52:5 54:19		

<p>break 8:25 9:1 35:7 46:7 breaking 9:3 breathing 40:23 48:2 brought 31:20 buckets 54:3 building 21:12 28:25 29:4,8,19 29:20 30:13 47:16 business 9:10 15:7,12 19:6 20:3 21:18 25:25 26:2 29:16 44:3,4 business's 42:4 bussing 10:1 buy 53:19,21 54:16 55:4,11,13</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p>C 2:1,20 3:1 60:24 cabinets 31:17 Caire 51:23 54:18 Cajun 1:3,3,4,13,13,13 10:22,23 10:24 60:1 61:8 calculated 24:13 call 61:19 called 13:11 campus 9:15 canceled 51:24 Cantrell 29:11 capacity 9:24,25 30:17,17 32:10 32:11 34:1,8 35:18 care 31:8 carpet 55:25,25 56:1,3,4,7 carpets 55:8,17,18,20,21,23 carry 39:7 case 1:4 7:23 8:1 24:1 25:5 39:17 55:13 60:1 61:11 categories 53:13 54:1 CAUSE 1:18 caused 13:15 26:13,16 27:9 32:12 41:10 43:18 causes 43:18 47:11 causing 13:11,15 14:1,2,4,23 CCR 59:24,24 60:24 61:23 CDC 16:3,8 17:2 44:17 47:2 48:9 48:13 56:21,22 57:13 CDC's 4:16 32:17 Center 32:23 42:6,10 certain 1:7 23:5 43:23,23 48:22</p>	<p>60:3 61:10 certainly 25:13 certificate 4:6,7 59:1,17 60:5 61:16,16 certification 19:14 certifications 19:7 certified 1:19 6:3 59:2 certify 59:3,5,8,12,14 60:8 chair 27:6 chairs 33:4 chances 43:3 change 20:7 32:10,11 33:15 changed 20:6,11,12 22:6,8 33:11 33:17 changes 33:14 60:10 61:16 changing 16:23 33:15 52:11 charge 10:10 check 55:20 checklist 56:18,24 checks 4:22 51:24 54:24 chef 55:7,7 city 42:6,9 43:2 civil 1:1 5:7 41:13 49:23 50:5,16 59:13 claim 18:7,13 26:7 58:4,8 claims 26:5 clarify 8:14 classes 9:15,16 clean 15:5,5,6,8 18:2 cleaned 33:17 cleaning 4:16 15:10,13,14,22 31:14 44:2 47:3 clear 39:5 client 18:21 23:24 close 31:25 32:18 40:9 closed 32:4,14 43:22,25 closer 34:25 Closing 44:1 clothes 16:23 coconut 53:10 Code 5:6 59:13 codes 16:16 coffee 11:15 coincided 27:17 collaborated 12:19</p>	<p>collaborative 12:11,16 collateral 25:10 colors 33:14 come 17:10,23 24:19 28:10,21,25 coming 29:3,7 32:9 33:9 commencement 49:23 COMMENCING 1:25 communications 13:6 company 55:3,14 compile 51:25 compiling 51:6 complete 59:10 completely 30:9 43:20 compliance 59:9,12 comply 34:12 concerning 58:2 concluded 58:16 condiments 16:17,18 condition 31:20 33:12,14 52:14 connected 59:16 cons 12:18 consider 44:14 consideration 34:5 35:2 considered 5:12 consistent 48:9 57:13 constantly 15:10 16:21 33:10 47:22,23,24 consulting 17:10 contacted 31:25 contain 54:8 contained 49:8 51:13 contains 51:21 contaminating 37:22 contamination 42:4 49:24 50:6 50:16 Conti 1:3,13 7:2 10:23,24 21:7 26:8,11 28:11,18,21 31:2 41:19 41:22 42:20 43:21 60:1 61:5,8 continue 14:12 28:2,6 33:24 continued 3:1 25:9 29:25 30:4 43:10 continues 33:23 continuously 47:15,17 contract 46:15 contracted 20:17 32:15</p>
--	--	--

<p>contracting 32:6,8 43:20 contractual 59:12 contradicts 34:14 control 32:24 42:7,10 57:9 convention 2:21 19:12 conversation 8:6 12:1 13:16,19 conversations 13:2,4 cook 30:6 Cookery 39:21 40:2 cooking 28:17 corona 15:9 coronavirus 53:22 corporate 30:17 35:18 correct 15:1 22:13 23:7 26:9 28:19,22 30:1 43:11 48:10 50:17 57:1 59:7 60:9 Correction 60:12 corrections 60:10 cough 45:22 counsel 6:5 7:5 24:22 59:15,15 country 43:2 couple 9:16 57:20 court 1:1,19 6:3,4,8 8:4 58:13 59:2 61:1 cover 45:21 coverage 23:23 41:14 covered 41:11 covers 25:7 COVID 20:17 32:15 41:10 42:12 42:19,23 43:7 50:11 55:1,9,12 55:16 57:3 COVID-19 26:13 30:13,19 31:1 31:5 32:6,9,22 33:2,5,8,20 37:19 38:2,4,18,23 43:15,17,20 44:10 45:25 46:15 47:11 49:17 49:24 50:5,16 52:21 53:14 54:2 54:11,17 create 34:25 created 56:19 credit 9:8 Cuisine 1:4,4,13,14 10:22 cup 11:14 customer 28:20 56:5 customers 29:18 34:24 35:3 41:20 48:9</p>	<p>cut 21:14,16,24 28:14 42:1</p> <hr/> <p style="text-align: center;">D</p> <hr/> <p>D 4:1 d/b/a 1:4,14 dad 11:5,25 12:11 18:24 19:1 daily 20:10 56:18 damage 13:14 14:1,2,4,6,7,10,17 14:18,23,25 15:4,24 16:11 27:2 41:10 43:18 damaged 26:8 47:24 damages 13:11,22 24:1 26:11,12 26:16,17 38:9 Dan 6:17 danger 14:13 35:1 45:6 DANIEL 2:15 date 27:22 28:24 dates 49:21 Davillier 2:15,15 6:17 day 59:19 days 32:5 61:17 ddavillier@davillierlawgroup ... 2:17 deal 57:3 dealing 32:21 Dear 61:14 dec 23:23 24:2,14 decision 12:9,10,11,17,19 23:12 34:9 decision-making 12:13,14 Declaratory 4:14 37:9 defendant 1:17 2:19 4:18,20 7:22 Defendant's 48:22 defending 7:5 defined 59:13 definitely 32:4 delivery 27:25 28:3,6,11,16 29:25 demand 17:7 DEMARTEST 2:4 depending 16:14 depo 7:6 11:20 22:10 deponent 35:21 deposed 12:4</p>	<p>deposition 1:10 4:11 5:4,13 7:15 11:13,17,19 18:11 24:5 36:6 38:8 58:1 59:11 61:12,15,17 Depot 53:4 54:18 depth 13:9 describe 55:18 DESIGNATED 1:12 determine 17:4 23:1 diagnosed 20:13 30:23 40:6,6 died 40:11 different 16:25 17:11 19:11,12 56:1 dining 33:1 direction 59:7 directives 42:5 discovered 42:4 discovery 5:5 16:13 24:5,12 46:13 49:5 51:5 discuss 11:20 13:13,13 18:6 discussed 12:18 13:21 38:1 44:18,22 58:6 discussing 52:10 discussions 18:10,24 disease 19:16 32:23 42:7,10 disinfectant 53:24 disinfectants 54:13 disinfecting 4:16 47:3 disposable 16:15 53:8 55:3 distancing 16:4 32:3 34:5,15 45:21 DISTRICT 1:1 DIVISION 1:5 60:2 do-it-all 10:1 DocuMart 51:23 55:2 document 37:16 38:9,11 47:4 49:1,4 51:9 56:14 documents 48:24 54:6 Dodd 2:21 6:14 35:9,12 37:11 doing 9:18 15:23 16:1,10,13 32:2 48:12 doors 31:19 drafted 38:12 drank 11:14 48:4 drink 48:2 driver 40:11</p>
--	--	---

<p>driving 40:12 drywall 33:7 due 15:12 duly 7:3 59:4 DUNBAR 2:20 duties 21:3</p> <hr/> <p style="text-align: center;">E</p> <p>E 2:1,1,15 3:1,1 4:1 11:10,11 earlier 26:22 28:13 38:1,7 39:5 41:23 46:12,19 52:10 57:23 earth 17:7 43:3 Ecolab 54:19 education 9:6,7 effective 29:12 either 40:5 employed 59:15 employee 31:11 43:14 employees 21:11,24 28:8 34:10 34:24 35:3 41:21 48:8 enclosed 61:15,16 ensure 22:23 ensuring 23:9 enter 29:20 entering 21:6,12 entirety 27:3 ENTITLED 1:18 entity 59:11 equipment 33:7 especially 31:8 Esq 2:4,5,10,10,15,20,21 60:24 60:25 essence 10:14 estate 7:21 ET 60:1 61:8 events 19:13,13 Everybody 17:7 evidence 24:14 42:19 43:6 58:3 exactly 26:15 55:6,15 EXAMINATION 4:4 7:9 examined 7:3 exception 60:10 excited 41:1 excluding 5:8 exercise 8:2</p>	<p>Exhibit 4:11,13,15,17,19,21 36:10 37:4,5,7,10 46:3,4 47:2 47:10 48:18,19,21 51:1,2,18,19 51:21 54:21 57:23 exhibits 4:9 58:15 exists 18:5 expense 18:3,4 25:10 expenses 25:23,25 26:2 experience 19:6 experienced 27:12 expert 17:17 explain 10:4 12:15 31:3 56:3 explanation 8:8 extensive 19:5 extent 18:23 extra 18:3 extreme 44:5</p> <hr/> <p style="text-align: center;">F</p> <p>face 53:8,8 facility 28:22 31:2,4 fact 17:13 25:8 39:16 46:14 52:18 fair 8:8,16,17 32:21 34:11 36:25 54:10,12 fall 56:4 familiar 49:1 family 11:24 famous 9:8,20 16:3 far 23:21 24:1 30:7 fashion 26:25 30:10,11 father 11:20 12:2,17 13:4,8,21 18:6,12,19 father's 11:7 feet 34:25 45:21 file 12:9,10,20 filed 13:20,23 37:17 filing 18:8,13 fill 34:23 filter 33:14 52:14 filters 33:12,18 52:5,9,19,24 53:1 53:4,6,7 final 23:12 financial 59:10,16 find 17:11 61:15</p>	<p>first 7:3 16:2 18:8 27:11,14,14 31:13 36:4,20 39:17 44:9 47:9 48:23 52:4 fit 50:8 five 46:7 57:16 Fix 14:21 flatware 33:4 floats 41:5 floor 45:24 55:7,17,18,20,21,23 55:25 56:8 floors 10:2 focus 49:19 folks 10:3 follow 23:10 46:11 followed 19:2 32:19,22 following 16:3,8 17:1 21:2 23:13 29:17 35:1 43:9 60:10 follows 7:4 food 54:9,10 foregoing 59:5 60:7 forgiven 22:16,19 forgiveness 22:25 23:7 formalities 5:8 format 59:9 forth 32:23 59:5 frankly 23:20 25:11 French 37:21 38:25 40:13 frequency 16:20 friendly 26:22 front 29:10 fund 22:24 23:17 funding 25:5 funds 23:15 25:20,22 further 38:6 58:10 59:5,8,12,14</p> <hr/> <p style="text-align: center;">G</p> <p>GAUTHIER 1:15 2:9 general 10:13,17,20 19:19,23 21:3 22:3 generally 13:9 31:24 55:11 getting 25:10 Ginger 6:13 35:5 47:6 48:17 49:11 50:25 ginger.dodd@phelps.com 2:23 give 9:5 17:10 18:1 36:9 57:15</p>
---	---	--

given 7:15 57:2,4 60:7
globo 51:21
gloves 16:4,9 53:9 54:4 56:11
go 9:5 15:20 22:2 28:15 36:3,19
38:5 42:2 49:15 53:17
goes 8:2 16:7 19:25
going 8:2,3,7,15 12:25 18:9 20:2
24:7,17 25:13 31:11 32:20
35:22 36:2 38:6 41:19,22 45:5
46:2,6 47:16 57:23
good 6:1 7:12 9:4 12:4 20:4
28:23 33:10 36:22
goodness 45:3
googled 46:1
government 17:12 21:17,21,23
42:6,9,14 50:23
governor 27:18 42:18
grabbing 10:3 53:18
graduating 9:8
GRAVIER 2:16
great 10:3
Grill 1:5,14 9:20,22 10:21 17:3
22:11 30:12,19 31:3 32:22
37:17 43:7,10 48:8
GROUP 2:15
GROVE 1:23
grows 39:10
guess 16:5 17:18 57:11
guests 34:10 45:4
guidance 4:16 18:2 47:3
guideline 32:19
guidelines 16:3,9 17:1 23:10
32:23 34:12,16 35:2 44:18 47:2
48:10,13 57:13 59:9

H

half 39:20
hand 6:22 16:7,7
hands 16:23,24 45:22
Hang 35:12
happened 26:23 32:1 41:7
happy 20:21
hard 20:3 41:3
hate 34:6
head 26:4

health 19:16
hear 24:3,8
heard 20:4
help 17:3 51:25
helped 32:4
hesitate 61:18
hey 17:23 46:5
high 17:13 35:2
highest 9:6,7 17:6
hire 17:3,5,8,22 18:1
hold 12:24 25:6 29:21
home 20:20 53:4 54:18
hope 45:7
hotel 9:10
Houghtaling 1:15 2:9,10 6:19,19
hour 46:6
hours 9:8 19:24 21:14,16,24
28:14 30:7,8 31:23 32:5 41:3
41:25 44:7
HULLEN 1:16 2:11
human 39:7,7,11
humans 30:22 40:15
hygiene 16:22
hypothetically 34:22

I

identified 37:5,10 46:4 48:19
51:2,19
identify 6:6
II 2:10
imagine 40:21
immediate 37:22 42:5
imposes 45:6
inaccurate 34:6
inch 31:15
included 55:21,24
increased 16:19
indicate 45:12,16
indicated 46:14
individual 32:6,8,15 35:18 43:14
INDIVIDUALLY 1:12
individuals 31:1 42:23 43:24
infectious 19:16
information 51:7,25 52:1 57:7
57:12

informed 59:10
initial 23:20
inquiry 35:6,19,24 36:23 57:22
58:1
inside 28:22 31:2,4 33:19 34:2
57:3
instances 53:6
insured 37:21,23 38:25 41:12,13
41:18 49:21
insured's 58:3
intend 22:18,22
interest 11:1 59:16
internet 42:25
Interrogatories 48:23
Interrogatory 49:12,14 50:13
invoices 4:22 51:22 54:8
involve 7:19 18:11
involved 7:20
issue 58:4
issued 29:11
issuing 21:21
item 52:7

J

J 1:18 59:2,24 60:24 61:23
jackets 55:7
janitorial 54:14
Jennifer 2:5,10 6:17
jennifer@gmhatlaw.com 2:13
jenniferk@akdlalaw.com 2:7
job-wise 9:18
John 2:10 6:19
john@gmhatlaw.com 2:12
Judgment 4:14 37:9
jumps 39:10
Justice 61:1

K

Katrina 9:14,14,15,17
keep 19:22 45:17 57:8
keeps 34:17
KELLY 2:4
keyboard 31:17
kill 47:15,18,22 48:6
killed 47:11

killer 45:7
kind 8:1 31:22 40:21
knew 39:15
know 8:2,24,25 10:5 12:18 13:8
13:9,10,14,25 15:11,20 16:7,13
17:20,20 18:5 19:4,5,11,13,25
20:3,15 22:15 25:14 26:1 27:6
27:20 29:2 30:23,25 31:10,12
33:13,17 35:1 39:9 40:8,12,14
40:15,17,22,24 41:2,5,23,25
43:3 44:6 45:1,3,5,20 46:13
47:19,20 48:1,3,5,5 53:5 54:5
55:19,19 56:5,9,15
knowledge 17:16 19:8 32:8 38:2
38:3 39:2,18 41:8 42:18 43:6
49:7 51:14
known 37:19 38:23
knows 11:25 12:3 13:10,25 53:5
KUECHMANN 2:5

L

L 2:5 5:1
LA 61:2
LAW 1:14 2:15
lawsuit 12:3,9,10,20 13:20,23
18:8 26:6
lawyers 13:6 19:1
layperson 38:10
lead 24:13
lean 15:8,12
learn 17:18
learned 31:10 43:23
led 21:21
legal 38:8,11,12
LEMUEL 3:4
let's 26:5 34:22 41:9 44:8
level 9:6,7 34:8
liberty 52:2
limitation 44:5
limited 30:8,10,11 32:12 40:14
41:23,24,24 43:12 44:7 52:12
Line 60:12
linen 54:4 55:4,7,16
lines 40:7
LIST 4:9

listed 61:17
litigation 7:20
little 20:18 26:5 31:21 33:14
46:12
live 43:1
LLC 1:3,4,4,13,13,14,15 2:4,9,15
10:22,22,23,24 11:2,4,5,6 60:1
61:8
Lloyd's 1:7 48:22 60:3 61:10
LLP 2:20
loan 22:12,14,16,18,24 23:6,16
23:18 25:7,20
LOCATED 1:14
London 1:7 48:22 60:3 61:10
long 20:21 41:3 56:3
look 23:11,19 24:24 27:9 36:16
36:20 41:9 44:8 52:4 57:16
Loop 55:4 56:11
loss 13:16 15:12 27:9,12 32:12
41:10 43:17
lost 33:21,21,23 41:25
lot 19:13 28:15 33:17,18 35:21
44:23
lots 20:4 57:6
Louisiana 1:2,16,20,24 2:6,11,16
2:22 5:6 7:2 39:17 59:2,13,19
61:6
love 41:4
loved 45:8
luck 12:5
Lucy's 40:4,7,18
Lysol 15:18,21 53:18,25

M

M-13 1:5 60:2
M.D 3:4
machine 31:21
Madam 58:13
majority 33:21,22
making 12:19 24:24 59:11
Mambo's 39:20,24
managed 10:6
management 9:11
manager 10:13,18,20 11:6 19:19
19:23 21:3 22:3

managers 56:18,25 57:10,12
marathon 8:24
March 17:3 20:9,20 21:5,12 22:7
22:8 27:16,21 28:2,4,5,8 29:2,9
29:17,24 30:2,3 43:9
mark 37:3,7 46:2 47:1
mask 45:4,17
masks 16:4,9 32:3 53:8,8
Mat 56:7,7
mats 56:8
matter 17:13 39:16 59:16
mayor 27:18 29:9,11 42:17
meals 28:9,17
mean 14:20,20 24:5 27:6 33:11
42:24 44:6,25 45:18 48:2
meaning 15:9 34:13
meanings 38:13
means 10:14 55:23
meant 28:4
meat 53:10
medications 8:18
meetings 16:19,20
member 11:6
members 11:4
mentioned 45:2 54:5
menu 10:3,4
menus 16:15,16 55:3
met 11:14 19:1
METAIRIE 1:16 2:11
method 59:6
mid-May 29:23,25 30:3
mile 30:19 39:13 40:8 43:7
Miller 2:20 4:5 6:13,13 7:5,8,10
7:13 13:18 18:15,18 19:3 24:3
24:21 25:15,17 35:5,11,14,16
36:3,5 37:3,6,13,15 38:17,21
44:23 46:8,10 47:6,8 48:17,20
49:11,13 50:25 51:3,17,20
54:21,23 56:10,13 57:15,19,21
58:10 60:24
millera@phelps.com 2:23
Mine 11:11
minor 9:11
minutes 46:7 57:16
misstate 52:17

<p>mitigate 14:12 45:6 48:15,16 57:8 mitigation 53:22 Moe 1:11 4:12 7:1 59:4 60:6,23 61:5,12 moment 27:11,14,15 month 20:19,23 mop 54:3 mopped 31:16 mopping 10:1 mops 54:3 mortgages 25:2 mouse 31:18 mouth 45:21 move 25:16 moving 45:18 MOYE 3:4 MURPHY 1:15 2:9</p> <hr/> <p style="text-align: center;">N</p> <hr/> <p>N 2:1 3:1 4:1 5:1 name 6:2 7:13 10:21 11:7 napkins 16:24 narrow 20:9 56:3 national 19:11 nationally 6:2 need 8:5,5,7,25 24:8,22 35:7 needed 10:2 30:14 neither 45:8 59:15 never 31:15 32:14 41:6,18 45:7 New 2:6,16 7:2 9:9,13 49:25 50:6 50:17 61:6 news 17:18 40:5 42:25 Nice 7:12 nicer 45:19 nine 32:2 NOLA 39:21 40:2 normal 21:3 56:1 normally 30:7 NORTH 1:16 2:11 notes 57:16 notice 36:6,8 37:3 42:14 57:25 noticing 6:11 notified 42:11 November 1:25 58:17 59:19 60:7</p>	<p>61:3,13 nowadays 46:1 number 24:25 32:5,5 51:22,24 52:16 54:7,24 NUMBERED 1:18 numbering 52:3,3</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>O 5:1 oath 6:9 object 12:24 18:10 30:20 objection 6:8,15,18,20 38:7,14 objections 5:12 37:2 obligations 25:1,2 Obviously 45:19 occupy 34:21 occurred 28:17 Oceana 1:4,14 9:20,22 10:21 15:23 17:3 22:11,23 23:1,10 25:3,20 27:23 30:12,19 31:3 32:22 37:17 39:21,22 43:7,10 43:13 44:14 45:11 48:8 50:7 56:20 Oceana's 25:1 43:16 51:13 58:7 office 23:13 61:17 officer 59:3 OFFICES 1:15 official 42:8 officials 42:6,9 oh 52:7 okay 7:17 8:1,11,18 9:3,18 10:9 11:4 13:25 15:14 19:4 21:2,20 21:23 22:1 25:22,24 26:15 29:13 30:9,25 32:18 35:12 41:21 42:3 46:24 50:4,24 51:16 52:2,9,16 53:7 55:11 56:6 58:10 once 16:24 18:9 31:3 one-mile 37:20 38:24 41:11 one-time 16:17 ones 26:1 31:8 45:8 online 9:16 open 30:6 opened 31:19 operating 34:1</p>	<p>operations 10:15 30:8 43:13,16 43:19 opinions 59:14 opposed 18:8 order 13:13,13 16:21 29:11 41:14 43:9 45:5 52:13 ordered 52:8,10 orders 21:22,24 27:17 42:5,10,17 49:24 50:5,16,23 52:15,19 ordinary 44:11 49:18,22 50:8,12 50:15,21 original 59:17,18 Orleans 1:1 2:6,16 7:2 9:9,13 49:25 50:6,17 61:6 outcome 59:16 outside 11:24 48:12 overhead 25:7,9 overlap 35:22 owner 11:5 ownership 11:1</p> <hr/> <p style="text-align: center;">P</p> <hr/> <p>P 2:1,1 3:1,1 5:1 p.m 1:25 58:16 page 4:2 24:23 35:15 36:1,4,10 54:9,22 59:18 60:12 pages 52:3,18 59:5 pamphlets 4:22 pandemic 32:22 pants 55:7 paper 19:14 54:4 paragraph 37:14,19 38:23 39:1 41:9 42:3 44:8,9 47:7,9,10 49:15 50:10 paragraphs 38:13 PARISH 1:1 part 25:5 36:8 51:11 participate 51:6 particular 44:1 49:20 55:14 parties 5:4 59:15 passing 10:4 passion 41:4 passionate 41:2,3 pay 25:2,2 Paycheck 22:12</p>
---	--	---

Pena 1:19 6:2 59:2,24 60:24
61:23
pencils 31:17
pending 9:2
people 17:17 23:13 33:9 34:24
40:12 41:2 42:25 45:24 47:16
47:22 48:2,4
percent 34:4,14,17,18,20,20,21
34:24
Perez 2:10 6:17
perform 28:16
period 20:16,17 29:24 30:2
person 7:24 17:5,7 18:5 36:24
58:2 59:11
personal 16:22 30:16 42:18 43:6
personally 21:8
petition 4:14 24:25 37:9,17 38:9
49:15 50:10
Phase 29:22 34:3
PHELPS 2:20
phrased 8:11 23:4
physical 14:4,6,7,10,17,18,25
15:3,24 16:11 26:12,15,17
42:19 43:6
picking 53:3
piece 19:14
place 13:17 16:18 27:7 40:4,25
48:8
placed 27:21
places 45:11
plaintiff 6:18,20 7:22,25 48:25
Plaintiff's 4:13,18,20 37:8 42:3
48:21
PLAINTIFFS 2:3
please 6:22 48:18 49:20 51:18
61:15,15,18
plus 21:23
point 24:4 29:2
policy 41:11,14 58:4,8
portion 27:10,12 44:1,9
position 24:11
positive 31:1,5 42:23 43:15
possible 32:18 58:14
possibly 42:12
POYDRAS 2:5

PPP 22:24 23:15,18,22 24:17
25:4,11
practicing 32:2
PRAIRIEVILLE 1:24
precisely 20:23
preclude 8:21
precluded 21:6,11 29:3,7 41:18
41:22
premises 37:21,23 38:25 41:12
41:13,18 42:13 49:21
prepare 11:12
prepared 28:9 59:6,9
preparing 49:3
presence 50:22
present 3:3 21:6 22:7 38:4,19
39:12 42:19 47:17
presented 35:17
preshift 16:19,20
presumably 12:17
pretty 40:8 51:10,11
prevent 17:2
prevents 56:4
printed 55:3
prior 9:3 27:22 29:14 35:21 42:9
42:14
privilege 13:1 18:22
probably 17:6,12,20 19:8 29:22
41:8 45:25 48:4 52:12 53:2,2
53:20 55:2 56:22
problem 45:3
Procedure 5:7 59:13
proceeding 58:16
process 12:13,14 36:15
proclamation 29:10,15,17
produced 36:12 54:7,25 56:14
product 47:14,19 52:25
Production 48:24
products 47:12 53:13,21,24 54:1
Professional 59:3
program 22:12 23:6
Prohibited 41:17
prohibition 41:12,17 59:12
pronouncement 42:11
proper 36:24
properties 37:20 38:4,24 39:1,3

39:19,19
property 7:21 14:5,8,11,17,23
15:22 17:4 18:2 26:7,13,16,18
27:3,10,13 33:22 34:21,22 39:9
40:15 41:10,25 43:11,17 44:6
44:10,14,20 47:15,23,23 49:17
50:7,11,14,20 54:17
Propounded 48:25
pros 12:18
prospective 42:8
protect 48:8 57:7
Protection 22:12
proud 12:8
provided 5:11 42:6
public 19:16 45:12
publicly 42:7
pull 35:5 48:17 51:17 57:24
purchase 52:25
purchased 53:6,14 54:19 56:11
purifier 31:22
purpose 23:22
purposes 5:5,6
put 29:16 31:8 34:13,23 45:4
48:8 50:25
putting 45:2

Q

QR 16:16
qualify 22:20,22,25 23:6
quarantine 20:13,16,24 21:2
46:20
quarantining 31:13
Quarter 37:22 39:1 40:13
question 9:2,3 14:14,15,16,20
16:5 18:16,19 20:22,23 23:2
28:23 30:15 32:20 36:9,21
38:15,20,22 40:14 48:7 49:19
50:9,19 57:11 58:5
questions 8:3,4,10,14,22 23:20
23:25 24:7,17 25:15 38:11
57:20 58:11 61:18

R

R 2:1 3:1
R.S 59:4

<p>radius 37:21 38:25 41:11 raise 6:22 41:1,4 raised 59:18 ran 31:22 Re-Notice 4:11 read 32:17 47:20 51:9 57:23 60:6 60:7 61:15 reading 5:8 reads 37:19 44:9 real 7:20 15:5 reality 24:11 realize 39:8 really 55:19 reasonably 24:13 reasons 21:22 recall 51:12 receipt 52:5 53:4,20 61:17 receipts 4:22 51:22 53:7,8,9,11 54:7 receive 22:3,12 25:20 received 22:14 23:17 25:4 Recess 46:9 57:18 recollection 40:19 record 6:7 reduced 29:15 reenter 29:18 references 54:8,10 referring 39:2 refusing 45:4 regards 18:12 Registered 59:2 rehash 49:16 related 33:8 52:21 53:14,21 54:11,16,25 55:9 59:15 relationships 59:13 relayed 18:10 relevant 24:24 25:12 remaining 45:20 remediate 14:10,17 15:3 16:5 17:4 55:1 remediation 54:17 55:10 remember 16:14 32:1 40:10 53:3 remind 16:21 45:24 remote 6:10 render 44:19</p>	<p>rendered 44:10 49:17,21 50:11 50:20 rep 35:19 repeat 8:13 50:9 rephrase 23:3 32:7 38:22 53:23 replace 33:1,4,7 replaced 16:17 reported 1:17,22 39:17 59:6 reporter 1:19 6:1,3,8,21 8:4 58:13 59:2,3 60:24 REPORTER'S 59:1 Reporters 6:4 61:1 reporting 59:6 represent 6:6 7:14 representative 1:12 30:18 reproduces 26:24 Requests 48:23,24 require 34:16 required 36:8 59:9 requirements 23:5 reserved 5:12 respect 43:6 response 49:4,22 responses 4:18,20 8:6 48:21 49:8 51:5,7,13 responsible 10:14 22:23 rest 24:22 restaurant 9:10 10:11,15,22 13:15,22 14:3 15:7 19:6,12 20:3 27:21 28:10 29:16 32:9,10 32:12,14,16 33:9,19,22 34:2,14 34:23 39:22 44:2 45:2,12,13,16 54:18 56:3 57:3 restauranteur 17:21 restricted 29:15 30:5,5 43:16 restrictions 21:17 27:20 29:16 restroom 46:7 result 33:19 resulting 41:12 resume 30:6 returned 61:17 revisit 24:19 Rico 2:4 6:16 7:7 24:3 60:24 rico@akdlalaw.com 2:7 rid 16:5,15,16</p>	<p>right 6:22 7:8 8:10 9:5 11:22 12:1 13:7,20 14:24 21:18 28:18 30:4 35:4 43:19 47:12,14 50:14 53:1 54:11 56:7 ROAD 1:23 Roderick 2:4 60:24 room 31:14 33:1 52:13,14 Rouge 2:22 6:3 59:19 61:1,2 Rouses 54:20 ROUTING 60:24 RPR 59:24,24 60:24 61:23 rules 59:9,13 running 31:20</p> <hr/> <p style="text-align: center;">S</p> <hr/> <p>S 2:1 3:1 5:1 sad 40:10 safe 44:20 safer 34:10,11 safety 35:3 56:5 salaries 25:2 salary 22:4,6,8 sanitizer 48:3 sanitizers 15:18,21 saying 17:16 33:23 52:18 55:12 says 38:23 42:3 47:10 49:20 50:7 50:15 55:6,15 57:25 58:1 scary 26:25 schedule 19:22 20:1,5,10,10 screen 35:10 37:12 47:1 scroll 35:14 37:13 47:6 seal 59:18 second 4:13 12:24 31:13 37:8 seconds 16:25 see 7:12 35:9 36:1 37:24 41:15 44:12 49:25 51:10 52:7,7 53:18 53:23 seek 22:18 seen 31:15 35:24 36:13 37:16 41:6 47:4 52:6 self-replicating 17:14 sell 55:15,15 send 17:12 sense 56:1 sentence 44:9 47:9</p>
---	---	---

series 8:3
service 27:23,25 28:3,3,6,11,12
29:19,21
services 28:17 30:1 59:11
set 13:12 32:23 48:23 54:6 59:4
severely 29:15
share 20:21
shared 57:6
sharing 47:1
shelf 53:19
shining 10:2
show 19:14 35:4 37:6 46:2
shut 24:18
shy 9:8
signature 59:17
signed 61:16
signing 5:9
signs 16:18 45:2,11,15,24,25
silver 33:5
silverware 10:2 27:7 55:17
simply 8:12
Sincerely 61:20
sir 7:16 8:20,23 10:16 11:3,10,19
11:25 14:22 15:25 18:3 19:9,18
19:21 20:14,25 21:4,9,10,25
22:5,9,14 25:19 27:5,19 28:1,5
28:7 29:5 30:11,23 32:25 33:3
33:6 35:8 36:14 37:1 39:25
40:3,19 43:8,12 48:11 49:2
50:18 51:15 52:8 54:12 55:2
56:16
sister 39:21
sitting 16:13 19:9 26:1,3 42:15
44:24 48:15
situation 23:23 33:25 48:16
six 34:25 45:21
slip 56:4
slow 16:6 19:24
small 51:11
snow 33:16
soap 15:16,19 16:24
social 16:3 32:3 34:4,15 45:20
somebody 17:10,23 40:13,19
Son 12:5
soon 58:14

sorry 10:24 23:2 56:23
Sound 20:1
Sounds 9:4
source 25:11,12
space 34:17
speak 11:16,18,23 31:6,7 35:20
36:12,17,24 40:24
speaking 10:3 13:9
specialized 19:7,15
specific 10:12 38:3 39:2
specifically 45:15
spelled 11:10,11
spoke 12:21,22 35:21
spray 17:24
spread 16:6 17:2
spreading 57:9
spreads 41:6
staff 16:20
start 6:11 9:21 31:9 54:9
started 9:25 10:1,7,7 29:22
state 1:2,19 49:20 59:2
statement 15:9
states 49:23
statute 59:9
Stenotype 59:6
steps 22:15 31:12 48:7 57:7
sticks 26:24
STIPULATED 5:3
STIPULATION 4:3
stop 9:12 43:13,19 44:2,4
store 53:18
story 20:21 40:10
Street 1:16 2:5,11,16,21 7:2 21:7
26:8,11 28:11 61:5
streetcar 40:11
stuff 16:25 44:25 54:19
Subject 38:14
submit 18:7 53:19
submitted 16:12 53:12
substance 13:5
suing 7:24
SUITE 2:5,16,21
supervision 59:7
supplemental 4:13,20 37:8 38:10
51:4,7,13

supplier 54:15
supplies 54:14,16,25
supply 54:18 55:22
support 58:3
supports 58:7
sure 12:16 20:22 27:1 30:22
40:22 41:7 51:10,11 56:22 57:6
surface 30:18,20 40:21 48:1
surfaces 14:7,10,18,25 15:4,6,15
15:24 16:11 26:24 27:4,6 30:12
39:24 40:1,18 47:21
surrounding 37:23
swear 6:21
sworn 7:3 59:4
Sysco 51:23 54:7,8,14,15

T

T 5:1,1
table 27:6 47:21
table's 16:17
tables 10:1,5 16:16 33:1
take 8:25 9:1 17:23 36:16,20
44:8 46:6,22 48:14 52:4
taken 1:17 5:5 22:16 46:9 52:2
57:18 59:3 61:13
takeout 27:23 28:3,6,12,16,20
29:19,21,25
talk 26:5
talked 19:4
talking 25:7 39:8 43:1 46:12
53:1
talks 49:14
teach 19:8
Technically 10:19
TELEPHONE 3:4
tell 12:1,13 13:3,5 17:23 26:10
28:24,24 29:6,7 35:20 36:16
53:17
telling 55:13
ten 9:7 46:7
ten-day 20:17
tense 33:24
test 46:21
tested 30:12,22 31:1,4 40:20
42:23 43:15 46:15

<p>testified 7:4 testify 58:2 59:4 testimony 27:2 46:14 59:3,5 60:7 60:9 testing 30:18,20 39:23 40:1,17 thank 45:3,9 58:12 thing 20:12 40:24 41:5 42:24 things 16:21 17:18 20:4 33:11 44:18 45:1 50:5,19,20 55:22 58:6 think 8:10 18:15,18 19:20 22:10 22:11 23:21,25 24:8,21 30:14 30:24 31:21 40:5 42:15 44:24 46:19 53:12 54:9 thinking 11:24 16:6 45:23 thirty 61:17 THOMAN 3:5 thoroughly 31:18 thought 55:13 TIFFANY 3:5 time 6:5 8:25 15:8,8,12 21:5 30:5 53:17 times 42:22 53:3 timing 46:24 tips 48:14 title 10:12 55:6,15 today 8:19 11:13,17,19 26:1,3 34:1 42:15 44:24 46:14 58:5,6 told 12:4 top 26:3 31:16 touched 40:20 towels 54:3,4,4 55:16 training 19:5,15 transcribed 59:6 transcript 1:10 5:9 58:14 59:7,8 59:9,17 transcription 60:9 tremendously 21:14 42:1 trial 5:12 25:14 triggered 41:14 true 59:7 60:8 truncate 36:15 truthfully 8:22 try 12:8 36:15 48:15 57:8,17 trying 16:14 53:9</p>	<p>turn 42:25 49:11 52:13 54:21 56:10 turns 33:14 two 17:18 24:16 39:22 40:3 50:19,20 two-week 20:16 type 19:22</p> <hr/> <p style="text-align: center;">U</p> <hr/> <p>U 5:1 uh-huhs 8:7 uh-uhs 8:7 understand 8:12 18:20 27:1 38:15 understanding 15:19 26:10,14 41:8 59:8 understood 8:15 Underwriters 1:7 6:14 7:14 18:7 48:22 60:3 61:10 unfit 50:14,15,21 unfortunately 15:11 17:19 20:14 22:2 27:9 uniform 55:5,7,11,12 uniforms 55:9 unit 31:20 University 9:9,12 unnecessary 18:4 UNO 19:5 unsafe 44:10,15 45:13,16 49:17 49:21 50:7,11,14,20 unusable 44:11 49:18,22 50:11 use 5:13 15:21 16:17 27:9,12 32:13 33:21,23 34:20 41:25 43:17 44:5,6,11 47:11,14 49:18 50:8,12,15,21 use.' 49:22 usual 15:11 Usually 33:13 utilized 23:15</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p>valid 59:17 vendors 43:10 51:23 verbal 8:6 VERSUS 1:6 60:2 61:9</p>	<p>videoconference 1:10 6:10 view 24:4 VIRGINIA 2:21 virus 13:10 14:1,2,13,23 16:7 17:2,9,14,15,19,22,25 21:19,21 21:23 25:3 26:19,23 27:3 39:7 39:15,16 40:6,12,13 43:18,24 45:6,8 47:11 50:22 57:9 visited 39:19 vividly 40:10 voice 41:1,5</p> <hr/> <p style="text-align: center;">W</p> <hr/> <p>W 2:10 W-a-s-s-e-k 11:8 wait 33:13 waited 10:5 waived 5:10 want 9:16 13:9 17:7 20:22 26:22 27:1 31:12 35:14 36:19 46:11 49:18 52:17,17 wanted 28:20 46:24 washing 16:22,24 45:22 wasn't 39:5 53:20,20 55:24 Wassek 11:8 watch 17:18 water 15:16,19 16:25 way 15:17,20 31:7 45:19 we'll 6:11 37:3,7 46:2 47:1 we're 15:12 16:13 33:15 34:3,5,7 36:2,8 48:16 we've 23:25 44:23 46:5 wearing 16:4,9 website 32:17 websites 17:12 42:8 week 19:24,24 went 20:7,14 21:3 39:18 46:16 weren't 30:6 white 33:16 wicked 17:9 Windows 31:19 Winn-Dixie 54:20 wipe 17:22 47:18,25 48:1 wiped 31:15,15,18 wipes 53:25</p>
--	---	--

<p>witness 4:7 5:9 6:9 13:7 35:8 60:5 61:16 word 45:25 46:1 56:8 work 19:22 20:3,5,10,15 41:3 worked 28:9 31:14 40:21 working 9:20,21 works 23:10 46:8 world 46:1 wouldn't 57:9 wrap 57:17</p> <hr/> <p style="text-align: center;">X</p> <hr/> <p>X 4:1</p> <hr/> <p style="text-align: center;">Y</p> <hr/> <p>Y 2:21 y'all 12:18 yards 32:2 yeah 18:17 20:15 24:10 33:21 45:23 46:8 52:23 56:23 year 9:12,21 years 7:18 9:17 Yolanda 1:18 6:2 59:2,24 60:24 61:23 you-all 12:19 13:22 27:22 33:17 39:23 52:11 53:11 54:6,13 55:1 55:4 56:14</p> <hr/> <p style="text-align: center;">Z</p> <hr/> <p style="text-align: center;">0</p> <hr/> <p>001-130 4:22</p> <hr/> <p style="text-align: center;">1</p> <hr/> <p>1 1:4,13 4:11 29:22 37:4,5 52:3,3 52:18 57:23 1100 2:21 12016 61:1 126 56:10 130 52:4 1434 59:13 1455 5:11 15 36:23 57:25 16 21:5,12 22:7 27:21 28:2,5,8 29:2 43:9 49:15 1625 2:5</p>	<p>16th 20:9 22:8 27:16 28:4 17 52:18 1702 2:16 18487 1:23</p> <hr/> <p style="text-align: center;">2</p> <hr/> <p>2 4:13 37:7,10 49:19,20,23 50:15 2:06 1:25 20 16:25 2003 9:23 2007 9:17,19 2008 9:17,19 10:20 19:20,21 2017002 59:24 2020 1:25 17:3 20:6,8,10 21:5,12 22:7 27:22 28:2,5,8 29:3 30:3 43:9 58:17 59:19 60:7 61:3,13 2020-02558 1:4 60:1 61:11 20th 29:12 21 30:3 21st 29:12,17,24 225 2:22 61:19 292-8686 61:19</p> <hr/> <p style="text-align: center;">3</p> <hr/> <p>3 4:15 34:3 46:3,4 47:2,10 346-0285 2:22 3500 1:16 2:11 37 4:11,13 37:2554 59:4 38 54:9,9 3rd 20:20 46:18</p> <hr/> <p style="text-align: center;">4</p> <hr/> <p>4 1:25 4:17 36:10 48:18,19,21 58:17 60:7 61:13 4:04 58:16 40 37:14,19 38:23 39:1 400 2:21 41 41:9 42 42:3 456-8624 2:12 46 4:15 48 4:17 482-5811 2:6 4th 46:18,22,22,23</p>	<hr/> <p style="text-align: center;">5</p> <hr/> <p>5 4:3,19 49:12,14 50:13 51:1,1,2 59:19 61:3 50 34:5 504 2:6,12,17 51 4:19,21 58 59:5 582-6998 2:17 59 4:6 5th 59:19</p> <hr/> <p style="text-align: center;">6</p> <hr/> <p>6 4:21 51:18,19,21 54:21 60 4:7 44:8,9 50:10 62 34:6 63 34:6</p> <hr/> <p style="text-align: center;">7</p> <hr/> <p>7 4:5 70002 1:17 2:11 70112 2:6,16 70130 7:2 61:6 70769 1:24 70802 2:22 70816 61:2 72 31:23 739 7:2 21:7 26:8,11 28:11,18,21 31:2 41:19,22 42:20 43:21 61:5 75 34:4,6,9,14,17,18,20,20,21,24</p> <hr/> <p style="text-align: center;">8</p> <hr/> <p>80 19:24 54:22</p> <hr/> <p style="text-align: center;">9</p> <hr/> <p>907346 59:24 909 2:5 935 2:16</p>
--	---	---