

# EXHIBIT 2

## PART 4

<p style="text-align: right;">230</p> <p>1 regular business hours." Is that the same thing as  2 we just talked about, or is that something different?  3 A That's the same thing.  4 Q Okay. So the "disciplined due to absences"  5 and "denied the opportunity to teach summer classes  6 on campus during regular business hours" overlap. Is  7 that fair to say?  8 A Yes.  9 Q Okay. So these are the only -- these are  10 the four things that you reported to the EEOC,  11 correct?  12 A I do not believe those are the only four  13 things that I reported, but there -- these are some  14 of the things I reported to the EEOC.  15 Q Okay. This is the only thing that's  16 included in your Charge of Discrimination. Is that  17 fair to say?  18 A What, the September 23rd meeting?  19 Q What we just read, these four things, that  20 you were disciplined -- discriminated against -- that  21 you complained about discrimination in September of  22 2005, and then you were "denied the opportunity to  23 set and administer classroom policy," that you were  24 "singled out and ridiculed in the presence of</p>	<p style="text-align: right;">232</p> <p>1 A It says, "I also believe that I have been  2 retaliated against."  3 Q Okay. But there are no examples. This  4 says, "I have been retaliated against in violation of  5 Title VII of the Civil Right" -- what I was talking  6 about was the specific examples of race  7 discrimination, national origin discrimination,  8 disability discrimination, and retaliation. The  9 specific examples of that that you provide in the  10 charge were in this little narrative portion in the  11 box that we just went over. That's the description  12 of what's in this charge.  13 A Okay. Well, I want to say this, but I  14 don't want you to get upset with me about saying it.  15 But the box provided is maybe 6 inches in length,  16 heightwise. There's a paragraph and a half in this.  17 And what I experienced encompassed years. So is  18 everything that I experienced in that little box  19 that's been provided? No.  20 Q Did you ask the EEOC for more room to  21 provide examples of discriminatory conduct?  22 A No, I did not.  23 Q Do you know whether or not people sometimes  24 staple on another page or so to explain the</p>
<p style="text-align: right;">231</p> <p>1 colleagues and co-workers," number three, you were  2 "disciplined due to absences" relating to your  3 disability, and, number four, you were "denied the  4 opportunity to teach" classes in the summer in  5 regular business hours.  6 Those are the four things that you were  7 complaining about in this charge. Is that correct?  8 A Yeah, but you're missing one.  9 Q What am I missing?  10 A I also believe that I have been retaliated  11 against in violation to such-and-such-and-such. I do  12 believe that reporting Dr. Kartje caused me huge  13 problems. I do believe that reporting Dr. Kartje  14 after her contract was not reinstated caused me huge  15 problems.  16 Q Okay.  17 A I do believe that she retaliated against  18 me, and you just hadn't spoken of that yet.  19 Q Well, I can only go by what's written in  20 here.  21 A Right.  22 Q Where -- I mean --  23 A It's in the last paragraph.  24 Q Oh.</p>	<p style="text-align: right;">233</p> <p>1 discrimination they feel they have been subjected to?  2 A I did not know that they did that.  3 Q Okay. And you never went back to the EEOC  4 and said, "Hey, there's more," or "I want to amend  5 this," or "I want to change this," or "I want to  6 revise this," did you?  7 A No.  8 Q After your meeting with Mr. Heinrich and  9 Dr. Kartje in September of '05 and then after your  10 meeting with Rick Soller in October of '05, what  11 else, if anything, happened before you filed your  12 Charge of Discrimination, before August 1 of 2006,  13 that you considered to be discriminatory, harassing,  14 retaliatory?  15 A As of -- before -- okay.  16 Q Before the charge.  17 A I can't think of anything else.  18 Q Okay. So then nothing happened in 2006, at  19 least up until August 1 of 2006, correct?  20 A What is -- I don't understand what your  21 question is.  22 Q I want -- we've been going through --  23 A Nothing happened with regards to what?  24 Q To your claim about -- did anything else</p>

<p style="text-align: right;">234</p> <p>1 discriminatory, harassing, or retaliatory happen to  2 you in the year 2006? We've already gone through  3 2004 and 2005.  4 A Got it.  5 Q Up until August 1 of 2006, was there  6 anything else that you believe was harassing or  7 discriminatory or retaliatory that happened to you  8 between January 1, 2006, and August 1, 2006, the day  9 you signed your Charge of Discrimination?  10 A Yes.  11 Q Okay. What else happened?  12 A In the summer -- I don't know if it's  13 exactly June or July. I can't recall that -- she  14 takes away my ability to teach summer classes.  15 Q Okay.  16 A That's something that she does right away.  17 So I'm teaching online. And what happens in July of  18 2006 is I am reprimanded for grading student papers  19 and mailing them back to them, something that many  20 professors do, because students are used to reading  21 handwriting of a real human being and working on  22 things, errors or corrections that they need to make  23 in terms of that.  24 Many professors had participated in this.</p>	<p style="text-align: right;">236</p> <p>1 It could have been Cathy Colton as well.  2 Q All right. And is she also a coordinator?  3 A Yes.  4 Q So what did you tell them you wanted to  5 teach in the summer of 2006?  6 A I gave them two -- I believe that I gave  7 them the two online classes that I felt like I was  8 allowed to teach.  9 Q Did you ask or tell anybody that you wanted  10 to teach during daytime hours that summer?  11 A No.  12 Q Did you tell anybody that you wanted to  13 teach on campus in the evening in the summer of 2006?  14 A No.  15 Q Did you know other professors or teachers  16 who were teaching online in the summer of 2006?  17 A Yes.  18 Q Was it a fairly common way of teaching in  19 the summer, to teach online?  20 A About four people, five people teach  21 online. So I don't know -- that's very subjective.  22 Is that very common?  23 Q All right. Fair enough.  24 You were not the only teacher who was</p>
<p style="text-align: right;">235</p> <p>1 And I was being reprimanded of it in terminology  2 of -- and I think you have the e-mail of it -- in the  3 terminology of "If you don't know how to grade  4 online, then maybe you shouldn't be teaching online."  5 So it was another account of me being incompetent or  6 not knowing what I was doing. And I did know how to  7 grade online.  8 Q Prior to summer school starting of 2006, is  9 there anything that was discriminatory, retaliatory,  10 or harassing from January 1 till the time you were  11 getting ready to teach in the summer of 2006?  12 A Not that I can think of.  13 Q Okay. Now, when you were getting ready to  14 teach in the summer of 2006, who did you communicate  15 with to determine what classes you would be teaching  16 that summer?  17 A I believe that I communicated with Mary  18 Winter.  19 Q And what was her position?  20 A She's the class coordinator, course  21 coordinator.  22 Q And what classes, if any, did you tell her  23 you wanted to teach?  24 A I'm sorry. I believe it was Mary Winter.</p>	<p style="text-align: right;">237</p> <p>1 teaching online in the summer of 2006. Is that --  2 A No.  3 Q And had teachers been teaching online  4 before the summer of 2006?  5 A Yes.  6 Q And these teachers who were teaching  7 online, do you know of any of them who -- what their  8 disability status was, I mean, whether they were  9 teaching online because of a medical reason or not a  10 medical reason?  11 A I have no idea.  12 Q No idea. And the race of these teachers,  13 were there some white teachers who were teaching  14 online?  15 A Yes --  16 Q And some --  17 A -- I believe so.  18 Q Some teachers whose national origin wasn't  19 Puerto Rican?  20 A I believe so.  21 Q So you did not take Dr. Kartje up on her  22 offer at the end of that September '05 e-mail to  23 revisit the issue of the method by which you were  24 going to teach in the summer of 2006. Is that</p>



<p style="text-align: right;">238</p> <p>1 correct?</p> <p>2 A That would have done nothing but created a</p> <p>3 problem situation for me.</p> <p>4 Q Okay. But the answer -- did you or did you</p> <p>5 not contact her to say, "This is what I'd like to do</p> <p>6 this summer"?</p> <p>7 A No. I did not want to be a problem person</p> <p>8 for Dr. Kartje, which I would have become if I had</p> <p>9 done that.</p> <p>10 Q Okay. So you did not contact her.</p> <p>11 A Concerning teaching --</p> <p>12 Q Concerning teaching in the summer of 2006.</p> <p>13 A Yeah, no.</p> <p>14 Q Okay. And the two classes that you wanted</p> <p>15 to teach online, were you allowed to teach those</p> <p>16 classes?</p> <p>17 A Yes.</p> <p>18 Q And you have an issue because Dr. Kartje</p> <p>19 sent you an e-mail saying that you should not be</p> <p>20 grading papers manually; you should be grading them</p> <p>21 online?</p> <p>22 A Yeah. And it went further, though, to say</p> <p>23 that students are not often filling out evaluations</p> <p>24 for their teachers for online courses, but that she</p>	<p style="text-align: right;">240</p> <p>1 August, I am not at CLC. From August through May of</p> <p>2 2006, I am on medical leave of absence.</p> <p>3 Q Was there something discriminatory about</p> <p>4 the medical leave, or you're just telling me that</p> <p>5 this happened?</p> <p>6 A I'm just telling you that I'm not there</p> <p>7 anymore after that time period.</p> <p>8 Q Okay. All right. So then it's fair to say</p> <p>9 that in 2006, the conduct that you claim was</p> <p>10 discriminatory was in connection with your teaching</p> <p>11 online in the summer and Dr. Kartje saying to you</p> <p>12 something about student surveys and needing -- your</p> <p>13 needing to correct papers online. Is that fair to</p> <p>14 say?</p> <p>15 A Yes.</p> <p>16 Q Okay. So we're done with 2006 in that</p> <p>17 regard.</p> <p>18 A Yes.</p> <p>19 Q Now, you mentioned --</p> <p>20 MS. THORPE: Oh. Let me do this. What's</p> <p>21 our exhibit number?</p> <p>22 THE REPORTER: 17.</p> <p>23 MS. THORPE: Okay. Would you mark these 17</p> <p>24 and 18, please?</p>
<p style="text-align: right;">239</p> <p>1 would be sure that my students filled out evaluations</p> <p>2 for them to give me some helpful comments that I</p> <p>3 would need. That's what she went further to say.</p> <p>4 Q Okay.</p> <p>5 A Which, by the way, I didn't get any of</p> <p>6 these comments that she thought I would get.</p> <p>7 Q Okay. Were you -- do you know whether</p> <p>8 Dr. Kartje received any complaints that because you</p> <p>9 were not providing feedback online, sometimes there</p> <p>10 was a lengthy delay between the time when the</p> <p>11 grade -- when the papers were corrected and the time</p> <p>12 the students actually received the papers?</p> <p>13 A I do not know for a fact whether she</p> <p>14 received complaints or not.</p> <p>15 Q Is there anything else that you believe was</p> <p>16 discriminatory in 2006 other than your teaching the</p> <p>17 two classes online and Dr. Kartje's comment to you</p> <p>18 about student evaluations and returning papers, not</p> <p>19 being graded online?</p> <p>20 A Well, directly before this June or July</p> <p>21 span, I contact Tom Heinrich about medical leave and</p> <p>22 about what steps do I have to take to take a medical</p> <p>23 leave of absence, directly before that. I take a</p> <p>24 medical leave of absence directly after that. As of</p>	<p style="text-align: right;">241</p> <p>1 (Easton Exhibits 17 and 18</p> <p>2 marked.)</p> <p>3 BY MS. THORPE:</p> <p>4 Q Ms. Easton, I'm showing you and your</p> <p>5 counsel what have been marked as Exhibits 17 and 18.</p> <p>6 Exhibit 17 is titled Faculty Employment Contract,</p> <p>7 2005-2006. Is that your signature where it says</p> <p>8 "Employee"?</p> <p>9 A Yes.</p> <p>10 Q And this says that you will have a salary</p> <p>11 of \$53,636 from the 15th of August '05 through</p> <p>12 May 13th, '06. Is that correct?</p> <p>13 A Yes.</p> <p>14 Q And then on the next document, also a</p> <p>15 Faculty Employment Contract, this says 2006 Column</p> <p>16 Movement. Is that your signature where it says</p> <p>17 "Employee" at the bottom?</p> <p>18 A Yes.</p> <p>19 Q And this is dated March 14th, 2006,</p> <p>20 correct?</p> <p>21 A Yes.</p> <p>22 Q Okay. This was after you complained to Tom</p> <p>23 Heinrich in human resources, after that meeting with</p> <p>24 Dr. Kartje and Mr. Heinrich in September of '05. Is</p>

<p style="text-align: right;">250</p> <p>1 Q And then what happens to you? When you say</p> <p>2 you -- I mean, we all get very uncomfortable when</p> <p>3 we're hot. Is there something in particular that</p> <p>4 happens to you because you have MS when you've been</p> <p>5 exposed to extreme heat?</p> <p>6 A I would -- I start to -- I become dizzy.</p> <p>7 Q Okay.</p> <p>8 A Usually if it's in 90s or beyond, I become</p> <p>9 dizzy. And more than being -- dizziness brings</p> <p>10 nausea, so I would become dizzy and/or nauseated.</p> <p>11 Q So the nausea doesn't generally appear on</p> <p>12 its own; it appears in connection with your feeling</p> <p>13 dizzy?</p> <p>14 A Yes.</p> <p>15 Q Sensitive to red meat. Is that something</p> <p>16 that you can correct with your diet?</p> <p>17 A Yes.</p> <p>18 Q Okay.</p> <p>19 A It's something I do correct with my diet.</p> <p>20 Q And were you a non-red meat eater in let's</p> <p>21 say 2004-2005?</p> <p>22 A Yes.</p> <p>23 Q Okay. Just so the record is clear, you</p> <p>24 were not eating red meat in 2004-2005.</p>	<p style="text-align: right;">252</p> <p>1 A Yes.</p> <p>2 Q And then the other thing that you talked</p> <p>3 about was numbness. How does that become a factor</p> <p>4 when you're having an episode?</p> <p>5 A That --</p> <p>6 Q What triggers that?</p> <p>7 A Sorry. That doesn't usually happen</p> <p>8 immediately, but what will happen is, as an example,</p> <p>9 if I spend Monday really warm in 100-degree heats or</p> <p>10 something, or 90-something-degree heats, what will</p> <p>11 happen is within days of me doing that, I start to</p> <p>12 experience numbness in my feet and in my hands. I</p> <p>13 start to not be able to feel them anymore.</p> <p>14 Q And how do you control for that, or do you?</p> <p>15 Is there medication you can take, or how do you</p> <p>16 ameliorate the situation?</p> <p>17 A You have to try to put yourself in a</p> <p>18 healthy situation. Myself in a healthy situation is</p> <p>19 leaving extreme temperatures.</p> <p>20 Q Okay. Now, as I take it, in the summer of</p> <p>21 2005, you had access to air-conditioned classrooms at</p> <p>22 the College of Lake County?</p> <p>23 A I did.</p> <p>24 Q And in the summer of 2006 -- oh, you didn't</p>
<p style="text-align: right;">251</p> <p>1 A No.</p> <p>2 Q Okay.</p> <p>3 A And I'm sorry. I'll clarify that even</p> <p>4 further. I'm definitely not eating it often at all.</p> <p>5 Q Okay. All right. When you start -- if</p> <p>6 you've been in an area of excessive heat and you</p> <p>7 start to feel dizzy, if you step into air</p> <p>8 conditioning, does that ameliorate the situation?</p> <p>9 Are you better? Or does that -- once you're hot, you</p> <p>10 know, you've had it?</p> <p>11 A It would make the situation better. If I</p> <p>12 left the heat and was in a cooler situation, I would</p> <p>13 be -- I would feel better, usually right away.</p> <p>14 Q And that's often something under your</p> <p>15 control, is it not, with extreme heat? You can just</p> <p>16 leave the situation?</p> <p>17 A Yeah, if I have somewhere to go. I mean,</p> <p>18 sometimes -- I'm just trying to think of times in my</p> <p>19 life where I haven't had that much control, like if</p> <p>20 I'm outside or something. I have to be careful</p> <p>21 before I even get there of not to put myself in</p> <p>22 situations where I'm in 100-degree heat.</p> <p>23 Q So if you've got access to air</p> <p>24 conditioning, that should control the problem?</p>	<p style="text-align: right;">253</p> <p>1 teach on campus; you were teaching online at home.</p> <p>2 A In the summer of 2006?</p> <p>3 Q Right.</p> <p>4 A Yeah.</p> <p>5 Q Okay. So the classroom setting had no</p> <p>6 impact on what was going on in --</p> <p>7 A In 2006, yeah.</p> <p>8 Q Right, in the summer.</p> <p>9 A Right.</p> <p>10 Q Okay. You treated with Dr. Zak only twice.</p> <p>11 Is that right?</p> <p>12 A That I went to see him?</p> <p>13 Q Yeah.</p> <p>14 A I'm not sure of the exact times.</p> <p>15 Q All right. If I tell you that his medical</p> <p>16 records indicated you were there in March of '06 and</p> <p>17 September of '06, would that sound on point?</p> <p>18 A If that's what they say, then it sounds on</p> <p>19 point.</p> <p>20 Q Okay. And when you saw Dr. Zak, was that</p> <p>21 the first time that you sought treatment for multiple</p> <p>22 sclerosis since the time you started teaching at</p> <p>23 College of Lake County?</p> <p>24 A Yes.</p>



<p style="text-align: right;">254</p> <p>1 Q So from 2002 until around March of 2006,</p> <p>2 you were not seeking any treatment for your multiple</p> <p>3 sclerosis?</p> <p>4 A I was not sick in any way of my MS, so no.</p> <p>5 Q Okay.</p> <p>6 A I had regular visits with my actual primary</p> <p>7 care physician, and I didn't have issues with my MS.</p> <p>8 Q Okay. Now, you mentioned you went out on</p> <p>9 leave in the summer of 2006.</p> <p>10 MS. THORPE: Well, actually, before we do</p> <p>11 that, let me just -- let's mark this 20.</p> <p>12 (Easton Exhibit 20 marked.)</p> <p>13 BY MS. THORPE:</p> <p>14 Q Ms. Easton, I'm showing you and your</p> <p>15 attorney what's been marked as Exhibit 20. This is</p> <p>16 a -- it's titled Health Assessment Form for the</p> <p>17 Neurological Patient, and it's dated March 1, 2006.</p> <p>18 Is this a document that you completed before your --</p> <p>19 or at the time of your initial visit with Dr. Zak?</p> <p>20 A I believe so.</p> <p>21 Q Okay. And the information on the first</p> <p>22 page, is that something that you filled out? Is that</p> <p>23 your handwriting?</p> <p>24 A Yes, it is.</p>	<p style="text-align: right;">256</p> <p>1 A Yes.</p> <p>2 Q Okay. And it asks you on here, "What is</p> <p>3 your current level of activity?" and it gives various</p> <p>4 choices. And you checked off, "Normal activity, no</p> <p>5 restrictions." Do you see that? It's in Box No. 3.</p> <p>6 A I do.</p> <p>7 Q And was that accurate? As of March 1,</p> <p>8 2006, you had normal activity, no restrictions?</p> <p>9 A I was suffering dizziness at that time and</p> <p>10 numbness at that time, but I was able to go to class</p> <p>11 and teach my classes at that time.</p> <p>12 Q Okay. And is it fair to say that you had</p> <p>13 your normal activity level with no restrictions from</p> <p>14 the time you started teaching at College of Lake</p> <p>15 County in 2002 at least through March 1, 2006, which</p> <p>16 is the date you completed this document?</p> <p>17 A No. By this time, that is not -- that's</p> <p>18 not correct, only because by this time of 3/1/06, I'm</p> <p>19 not going for long walks anymore. I'm not going to</p> <p>20 my dance classes anymore. By 3/1 of 2006, I'm not</p> <p>21 doing those activities.</p> <p>22 Q Okay.</p> <p>23 A I know not to do those activities.</p> <p>24 Q You did not disclose that on here, though,</p>
<p style="text-align: right;">255</p> <p>1 Q Okay. And the information on this page is</p> <p>2 correct?</p> <p>3 A Yes.</p> <p>4 Q Now, it says in here, "Are you currently</p> <p>5 working?" and you answered, "Yes." You had not gone</p> <p>6 out on leave at that point. Is that correct?</p> <p>7 A Not yet, no.</p> <p>8 Q And then it says, "When was your last day</p> <p>9 of work?" and you say, "Yesterday." Is that -- did</p> <p>10 you work the day before that you went in?</p> <p>11 A Yeah, but it's not accurate -- sorry --</p> <p>12 because it says the date is 3/1/06. But I taught --</p> <p>13 that's March. I taught in April. I taught in May as</p> <p>14 well.</p> <p>15 Q Right, right. No, I'm not suggesting --</p> <p>16 A So that wasn't -- my last day of work was</p> <p>17 not --</p> <p>18 Q No, no, no. Your last day that you worked</p> <p>19 before you went in for the visit.</p> <p>20 A Got it. I'm sorry. I'm sorry.</p> <p>21 Q That's all right. Yes. You continued to</p> <p>22 work --</p> <p>23 A Yes.</p> <p>24 Q -- after you saw the doctor.</p>	<p style="text-align: right;">257</p> <p>1 did you, that you were not doing those activities?</p> <p>2 A I -- I guess not. I do disclose that I'm</p> <p>3 feeling dizziness, though, and numbness.</p> <p>4 Q Correct. But in terms of the activity</p> <p>5 level, you have chosen the box "Normal activity, no</p> <p>6 restrictions."</p> <p>7 A Yeah.</p> <p>8 Q Now, what you're saying now is that even</p> <p>9 though you checked that box, you weren't dancing and</p> <p>10 you weren't going for long walks. Is that correct?</p> <p>11 A Yes.</p> <p>12 Q You were able to continue to teach --</p> <p>13 A I was.</p> <p>14 Q -- at that time? Okay. And you were able</p> <p>15 to take care of your personal grooming?</p> <p>16 A Yes.</p> <p>17 Q And household activities?</p> <p>18 A I was.</p> <p>19 Q Okay. So really the only effect at that</p> <p>20 point in time was it was cutting into some of your</p> <p>21 leisure activities. Is that a fair statement?</p> <p>22 A At this time?</p> <p>23 Q Right.</p> <p>24 A Well, I'm sorry, but depression would be</p>

<p style="text-align: right;">258</p> <p>1 cutting into a lot more than my leisure activities at  2 that point. That would be coming into my office  3 during my office hours or coming with me to work if I  4 feel like I'm being attacked or if I feel sad or if I  5 feel uncomfortable.  6 Q Well, is depression a symptom of multiple  7 sclerosis?  8 A Is what?  9 Q Depression. Is that separate from your  10 multiple sclerosis?  11 A People who suffer multiple sclerosis often  12 suffer from depression, so, no, I don't believe that  13 they're separate. I don't believe everybody who  14 suffers from multiple sclerosis suffers depression,  15 no, but a number of people who suffer one suffer the  16 other.  17 Q In connection with your depression, were  18 you still able to interact with your students?  19 A Yes, I was.  20 Q Got up every day to go to work?  21 A Yes.  22 Q You did everything that you needed to do?  23 A Yes.  24 Q That's all with this document.</p>	<p style="text-align: right;">260</p> <p>1 the Xanax that Dr. Munteanu was prescribing for  2 anxiety, you weren't specifically being treated for  3 depression, correct?  4 A No. And she was prescribing me I believe  5 it was called Wellbutrin, which is some kind of pill  6 for that, those things.  7 Q "Those things" being what?  8 A Depression.  9 MS. THORPE: These are our next two in  10 sequence.  11 (Easton Exhibits 21 and 22  12 marked.)  13 BY MS. THORPE:  14 Q Ms. Easton, now, you mentioned that you  15 went out on medical leave in the summer of 2006. Is  16 that correct?  17 A Yes.  18 Q Okay. I'm showing you and your counsel  19 what's been marked as Exhibits 21 and 22.  20 A I'm sorry. I didn't mean to interrupt. In  21 August of 2006. I taught summer school in 2006.  22 Q Okay. So you were there for the entire  23 summer school session --  24 A Yes.</p>
<p style="text-align: right;">259</p> <p>1 THE WITNESS: Can I go to the washroom real  2 quick?  3 MS. THORPE: Absolutely.  4 (Recess taken from 4:08 p.m.  5 to 4:12 p.m.)  6 BY MS. THORPE:  7 Q Did Dr. Zak give you anything for the  8 depression?  9 A No.  10 Q Were you seeing anybody besides Dr. Zak in  11 the spring of 2006 for depression?  12 A Dr. Munteanu was giving me things like  13 Xanax for not the term "depression," but definitely  14 for anxiety and nervousness. Dr. Munteanu was doing  15 that. And I was seeing a psychologist named  16 Dr. Tannen.  17 Q That wasn't that early, was it?  18 A I'm not sure of the exact date. I don't  19 know the date of that. I believe I began to see her  20 while I was on medical leave.  21 Q I think that's correct.  22 A Right. So I don't have the exact date on  23 that.  24 Q So before you went out on leave, other than</p>	<p style="text-align: right;">261</p> <p>1 Q -- in the summer of 2006?  2 A Yes.  3 Q Exhibit 21. Can you identify this? Is  4 this a note that you got from Dr. Munteanu?  5 A Yes.  6 Q M-U-N-T-E-A-N-U.  7 A Yes.  8 Q Dated July 15, 2006?  9 A Yes.  10 Q And this simply says that she certifies  11 that you need a medical leave of absence for medical  12 reasons, right?  13 A Yes.  14 Q It doesn't say what those reasons are, does  15 it?  16 A No.  17 Q And then the next note, which is also by  18 Dr. Munteanu -- this is Exhibit 22.  19 A Yes.  20 Q That also certifies that you need a medical  21 leave. This one says she "needs a medical leave of  22 absence for medical reasons. This leave of absence  23 should be between August 19, 2006, and May 15, 2006."  24 I assume that means -- should be 2007.</p>



<p style="text-align: right;">262</p> <p>1 A Yes.</p> <p>2 Q This also does not provide a specific</p> <p>3 reason or reasons for the medical leave, right?</p> <p>4 A No.</p> <p>5 Q Now, she asked for you to be on leave</p> <p>6 starting August 19, 2006. Were you given the leave</p> <p>7 effective that date?</p> <p>8 A Yes.</p> <p>9 Q Okay. So that August 19th was following</p> <p>10 the completion of the summer school class schedule</p> <p>11 for 2006, right?</p> <p>12 A Yes.</p> <p>13 Q Okay. And when you returned to work, you</p> <p>14 returned before the summer school session of 2007.</p> <p>15 Is that right?</p> <p>16 A I returned for the summer school session of</p> <p>17 2007.</p> <p>18 Q And do you recall what month summer school</p> <p>19 started in 2007?</p> <p>20 A It should have started in June.</p> <p>21 Q June. So you were gone from August 19th,</p> <p>22 2006, until sometime in June 2007, but early enough</p> <p>23 in June or in time in June for the summer school</p> <p>24 schedule that was starting.</p>	<p style="text-align: right;">264</p> <p>1 Q Did you have a conversation with somebody</p> <p>2 to communicate the reason for your leave?</p> <p>3 A Yes.</p> <p>4 Q Okay. And who was that with?</p> <p>5 A My doctor, Dr. Munteanu.</p> <p>6 Q Who filled -- do you know who filled out</p> <p>7 the information on the first page of this Medical</p> <p>8 Leave Request Form?</p> <p>9 A No. I would assume that it was my partner</p> <p>10 maybe. Kathryn Starzec, my ex-partner, filled this</p> <p>11 out. I'm looking at the handwriting. I believe that</p> <p>12 she filled this out.</p> <p>13 Q And the --</p> <p>14 A I probably -- sorry -- asked her to do so</p> <p>15 because my handwriting is atrocious and embarrassing.</p> <p>16 Q When you signed this document on July the</p> <p>17 10th, had she -- had Kathryn filled out the first</p> <p>18 page of this document?</p> <p>19 A Had she filled out this sentence? Yeah,</p> <p>20 these two. Yeah.</p> <p>21 Q Well, at the top and at the bottom.</p> <p>22 A Yes.</p> <p>23 Q So that was already completed.</p> <p>24 A Yes.</p>
<p style="text-align: right;">263</p> <p>1 A Yes.</p> <p>2 Q So when you were out on leave, what you</p> <p>3 missed was the fall semester of 2006 and the spring</p> <p>4 semester of 2007. Is that right?</p> <p>5 A Yes, that is correct.</p> <p>6 Q Okay. Now, you also submitted --</p> <p>7 MS. THORPE: Let me mark this 23.</p> <p>8 (Easton Exhibit 23 marked.)</p> <p>9 BY MS. THORPE:</p> <p>10 Q I'm showing you what's been marked as</p> <p>11 Exhibit 23, Family &amp; Medical Leave Request Form.</p> <p>12 It's a two-page document. Is that your signature on</p> <p>13 the second page?</p> <p>14 A Yes, it is.</p> <p>15 Q And did you sign that on or about</p> <p>16 July 10th, 2006?</p> <p>17 A Yes.</p> <p>18 Q Okay. The information on the first page of</p> <p>19 this document, there's some information filled out at</p> <p>20 the very top and then at the very bottom. Is that</p> <p>21 information that you hand-printed in?</p> <p>22 A No, it's not my handwriting.</p> <p>23 Q None of it is your handwriting?</p> <p>24 A No.</p>	<p style="text-align: right;">265</p> <p>1 Q Okay. Now, do you know where Kathryn got</p> <p>2 the information where it says "Describe the</p> <p>3 Condition"? It says, "Multiple sclerosis</p> <p>4 intensified," and then above that somebody wrote in</p> <p>5 "Severe stress-induced symptoms and." Do you know</p> <p>6 who --</p> <p>7 A Same handwriting, same person.</p> <p>8 Q So Kathryn wrote that?</p> <p>9 A Yeah, she wrote that, to which I got from</p> <p>10 my doctor, though, and reported to her and she wrote</p> <p>11 for me.</p> <p>12 Q Okay. So if I understand you correctly,</p> <p>13 your doctor told you that the condition was</p> <p>14 "stress-induced symptoms and multiple sclerosis</p> <p>15 intensified"?</p> <p>16 A Yes.</p> <p>17 Q And you told that to Kathryn, and Kathryn</p> <p>18 put it in the form?</p> <p>19 A Yeah. I probably wrote it on a piece of</p> <p>20 paper and had her transcribe it because her writing</p> <p>21 is more neat than mine.</p> <p>22 Q So that was more information that was</p> <p>23 provided in Dr. Munteanu's notes, the Exhibits 21 and</p> <p>24 22?</p>



<p style="text-align: right;">270</p> <p>1 A No.</p> <p>2 Q You were aware -- were you not? -- at least</p> <p>3 through the efforts of Tom Heinrich that there was</p> <p>4 disability insurance that you might qualify for while</p> <p>5 you were out on leave. Is that correct?</p> <p>6 A He said something about it once. I did not</p> <p>7 know the ins and outs of that. I still don't.</p> <p>8 MS. THORPE: Okay. Let's mark this 25.</p> <p>9 (Easton Exhibit 25 marked.)</p> <p>10 BY MS. THORPE:</p> <p>11 Q Ms. Easton, I'm showing you and your</p> <p>12 counsel what's been marked as Exhibit 25. It's a</p> <p>13 letter dated August 26th to you from Tom Heinrich,</p> <p>14 and it said that there are attachments.</p> <p>15 A August 11th. Sorry.</p> <p>16 Q What did I say?</p> <p>17 A August 25th. That's okay.</p> <p>18 Q Oh, no. Thank you for correcting that.</p> <p>19 A Mm-hmm.</p> <p>20 Q It's August 11th, 2006.</p> <p>21 Have you seen this letter before?</p> <p>22 A Yes.</p> <p>23 Q Okay. He refers to a brief conversation</p> <p>24 that you had yesterday, and he is attaching a</p>	<p style="text-align: right;">272</p> <p>1 him to say, you know, you didn't get the attachments?</p> <p>2 A No, I wouldn't have known to be expecting</p> <p>3 this. I've never seen this before. I've never</p> <p>4 participated in this activity before. My point is if</p> <p>5 I get this letter like in the mail -- it says "Via</p> <p>6 Certified Mail" -- I would have been like, "You're</p> <p>7 missing those two major documents I should have,"</p> <p>8 because I would have known that, that I was supposed</p> <p>9 to have this Part 1 and Part 2. I would have known</p> <p>10 that.</p> <p>11 Q Okay. So you knew that there was a</p> <p>12 mechanism by which you could apply for disability</p> <p>13 benefits then, correct?</p> <p>14 A Okay. Yeah.</p> <p>15 Q And Mr. Heinrich was providing you with the</p> <p>16 portion that the college was supposed to fill out.</p> <p>17 Is that correct?</p> <p>18 A Okay. Yes.</p> <p>19 Q And these benefits were available from the</p> <p>20 State Universities Retirement System. Is that</p> <p>21 correct?</p> <p>22 A Yes.</p> <p>23 Q Okay. And this was a benefit that if you</p> <p>24 qualified would have paid you a substantial part of</p>
<p style="text-align: right;">271</p> <p>1 "completed 'employer section' of the disability</p> <p>2 application form for you to include with the other</p> <p>3 sections of the disability application form."</p> <p>4 Do you recall having a conversation with</p> <p>5 Mr. Heinrich about applying for disability?</p> <p>6 A I did, and I also remember having a</p> <p>7 conversation about this 51 remaining health leave</p> <p>8 days was not correct.</p> <p>9 Q That was subsequently corrected, was it</p> <p>10 not?</p> <p>11 A Oh, yes.</p> <p>12 Q What I'm interested at the moment, though,</p> <p>13 your conversation with Mr. Heinrich in and around</p> <p>14 August of 2006, what do you remember him telling you</p> <p>15 with respect to applying for disability benefits?</p> <p>16 A I don't remember us talking about that, I</p> <p>17 mean, but I do remember seeing this sheet.</p> <p>18 Q Okay. And the attachments, the application</p> <p>19 for disability that Mr. Heinrich filled out, did that</p> <p>20 come with the letter?</p> <p>21 A I don't remember if it did, but I have seen</p> <p>22 this before.</p> <p>23 Q Okay. If it didn't come with the letter</p> <p>24 and he referred to attachments, would you have called</p>	<p style="text-align: right;">273</p> <p>1 your salary while you were out on leave. Is that</p> <p>2 correct?</p> <p>3 A I -- I'm not under the impression that --</p> <p>4 that I would have been paid without that coming out</p> <p>5 of my retirement. I don't -- I'm not under that</p> <p>6 impression. I mean, I don't know if that's accurate</p> <p>7 or inaccurate, but that's how I felt. I thought that</p> <p>8 me being paid was this coming directly out of my</p> <p>9 retirement.</p> <p>10 Q Did you not ask if there was a separate</p> <p>11 benefit available, a long-term or short-term</p> <p>12 disability benefit that you could qualify for that</p> <p>13 would pay you some of your income, most of your</p> <p>14 income, if your leave was approved by the State</p> <p>15 Universities Retirement System?</p> <p>16 A No. These short-term and long-term benefit</p> <p>17 language that you have is not a language that I</p> <p>18 either had or had access to at all. At this time I</p> <p>19 never had done this before, anything like it before.</p> <p>20 Q Did you ask --</p> <p>21 A No, I do not.</p> <p>22 Q You've got to let me finish the question.</p> <p>23 A Sorry.</p> <p>24 Q Did you ask Mr. Heinrich what kind of</p>

<p style="text-align: right;">274</p> <p>1 benefits the disability application would have 2 qualified you for?</p> <p>3 A No, I did not.</p> <p>4 Q Did you talk to anybody outside of the 5 college or in the college to find out about the 6 benefits or the source of the benefits for disability 7 under the State Universities Retirement Program?</p> <p>8 A No, I did not. I was not at work. I was 9 very sick at this time, and I was doing my best to 10 get better so I could come back to work.</p> <p>11 Q Did you talk to your doctor or did a doctor 12 mention to you that there might be disability 13 benefits that you might qualify for that would 14 provide you with a significant portion of your salary 15 while you were out on leave?</p> <p>16 A No.</p> <p>17 Q Did you ask Mr. Heinrich why he was sending 18 this form to you?</p> <p>19 A I assumed it was a part of my medical leave 20 that he had to send me this form. That's what I 21 assumed. This terminology that you're using, this 22 terminology that you have access to, this isn't 23 terminology that when I taught I thought about, 24 benefits, long-term, short-term. That's not a part</p>	<p style="text-align: right;">276</p> <p>1 communication about disability applications. Is that 2 correct?</p> <p>3 A Yes.</p> <p>4 Q And then he says, "As you will note, 5 according to our records, you may remain in 'pay 6 status' with full pay through October 24, 2006. This 7 projection assumes you will continue to be medically 8 disabled through this period of time, and that you 9 use all of your 51 remaining health leave days."</p> <p>10 Did that not tell you that at the end of 11 51 days, you will no longer have payment from the 12 college?</p> <p>13 A What this document told me is that they 14 were inaccurate in terms of their information, to 15 which I contacted him and I said, "That is not true. 16 That is not true at all," and to which I waited some 17 weeks, and then I got something else talking about 18 60-something days.</p> <p>19 Q Correct. And at the bottom of here, 20 there's a note, a handwritten note: "11/6/06. It 21 was" --</p> <p>22 A Oh. Sorry.</p> <p>23 Q -- "determined that Marlaina actually had 24 67 health leave days with PS adjustment and FY</p>
<p style="text-align: right;">275</p> <p>1 of my vocabulary.</p> <p>2 Q Well, was it important to you while you 3 were on leave to make sure that you had salary for as 4 long as possible?</p> <p>5 A I thought that I would have salary --</p> <p>6 Q And why did you think --</p> <p>7 A -- for as long as possible.</p> <p>8 Q Why did you think that?</p> <p>9 A Because I thought that the College of Lake 10 County would take care of me. I thought that they 11 would pay me.</p> <p>12 Q Well, didn't they pay you your salary for 13 67 days?</p> <p>14 A I didn't know that they weren't going to 15 pay me. I guess, yes, they did. I didn't know 16 that -- that my payments would stop.</p> <p>17 Q Well, let's take a look at the letter.</p> <p>18 A Okay.</p> <p>19 Q First he says, "Per our brief conversation 20 yesterday, I have attached completed 'employer 21 sections' of the disability application form for you 22 to include with the other sections of the disability 23 application form."</p> <p>24 So apparently there had been some prior</p>	<p style="text-align: right;">277</p> <p>1 accrual." Correct?</p> <p>2 A Yes. And so I'm asking -- oh, I can't ask 3 anything. But like what then would that have taken 4 me to is what's going in my head. This says 5 October 24th of 2006, but adding 17 -- 16 days to 6 that, where does that take me to? Does that take me 7 through the whole semester? Like how long am I 8 getting paid? I'm not aware of that information.</p> <p>9 Q Well, but why didn't you ask Mr. Heinrich 10 if you did not understand why he was sending you the 11 disability form? He's telling you clearly in here 12 you have 51 remaining health leave days, and then 13 after you pointed out -- you were astute enough to 14 point out, "Oh, there's a mistake. I have more 15 days," and they promptly corrected that and said, 16 "Oh, you're right. You get 67 days paid."</p> <p>17 Why didn't you ask him, "Why are you 18 sending this? Is this money going to come out of my 19 retirement fund?"</p> <p>20 A I don't know that I didn't ask him that 21 information. You're saying, "Why didn't you?" but I 22 don't know for a fact that I didn't ask him that 23 information.</p> <p>24 Q Did you or did you not understand that by</p>



<p style="text-align: right;">286</p> <p>1 County?</p> <p>2 A Right now, in hindsight, yes. At the time,</p> <p>3 no. I was trying to take care of myself and be on</p> <p>4 leave. That's what I was trying to do, and get</p> <p>5 better. At the time, did I think about that? No. I</p> <p>6 had already communicated with them, and I felt like</p> <p>7 they helped me as much as they were going to help me,</p> <p>8 and that was sending me some paperwork, some of which</p> <p>9 is inaccurate. So ...</p> <p>10 Q Okay. There was one thing that you pointed</p> <p>11 out on the application that you thought was</p> <p>12 inaccurate.</p> <p>13 A There were two things that I pointed out.</p> <p>14 Q Not on the application.</p> <p>15 A Oh. Well, you know the difference, though.</p> <p>16 This is what I received -- right? -- in the mail.</p> <p>17 Q Okay. But they corrected an error about</p> <p>18 the number of health days that you had. Is that</p> <p>19 right?</p> <p>20 A Right. That doesn't mean it wasn't an</p> <p>21 inaccuracy at the start, though.</p> <p>22 Q I know. But the point was when you brought</p> <p>23 something to their attention that was not accurate,</p> <p>24 they corrected it, did they not?</p>	<p style="text-align: right;">288</p> <p>1 MS. THORPE: Oh, has it been marked?</p> <p>2 BY MS. THORPE:</p> <p>3 Q Okay. Exhibit 26 --</p> <p>4 A Okay.</p> <p>5 Q -- from June 11, 2007.</p> <p>6 MS. THORPE: Thank you. I kept looking for</p> <p>7 it.</p> <p>8 BY MS. THORPE:</p> <p>9 Q Okay. Exhibit 26. This is a letter to you</p> <p>10 from the State Universities Retirement System of</p> <p>11 Illinois, correct?</p> <p>12 A Yes.</p> <p>13 Q And it's in regard to a disability</p> <p>14 application you submitted, correct?</p> <p>15 A Yes.</p> <p>16 Q So they are acknowledging that you did</p> <p>17 submit a disability application, correct?</p> <p>18 A Yes.</p> <p>19 Q Then they say, "Your disability claim has</p> <p>20 been reviewed by the State Universities Retirement</p> <p>21 System and has been denied due to ineligibility for</p> <p>22 the following reason(s): The requested therapy notes</p> <p>23 were never received."</p> <p>24 Do you -- did you do anything to try to get</p>
<p style="text-align: right;">287</p> <p>1 A Yes.</p> <p>2 Q And that was a benefit that you got:</p> <p>3 "Oops, we're very sorry. We accidentally omitted</p> <p>4 16 days," or whatever the number of days was. "We're</p> <p>5 going to give it to you," right?</p> <p>6 A Right.</p> <p>7 Q So why did you think that if there was</p> <p>8 something else regarding your benefits that you</p> <p>9 couldn't talk to somebody and they would not likewise</p> <p>10 be willing to help you work through it?</p> <p>11 A Honestly, because them saying that my</p> <p>12 "Stress/Nonphysical" level was only medium, I thought</p> <p>13 there was a great chance I wouldn't get this anyway.</p> <p>14 Q Okay. But -- all right.</p> <p>15 A I didn't think I would get this anyway.</p> <p>16 Q Fine. That's fine. But you submitted the</p> <p>17 application to SURS. Is that right?</p> <p>18 A Yes, I did.</p> <p>19 Q Okay. And then there was -- where did I</p> <p>20 put it?</p> <p>21 A I'm sorry. Did you cover this one, 26?</p> <p>22 Q Yeah. If there's an exhibit number on</p> <p>23 there, I covered it.</p> <p>24 A You did? Okay. That's fine.</p>	<p style="text-align: right;">289</p> <p>1 the therapy notes to the State Universities</p> <p>2 Retirement System?</p> <p>3 A Yes, I mailed them my therapy notes with my</p> <p>4 doctors more than one time. Over and over, I kept</p> <p>5 mailing them my notes.</p> <p>6 Q And when you say "them," you're talking</p> <p>7 about --</p> <p>8 A SURS.</p> <p>9 Q -- SURS?</p> <p>10 A Sorry.</p> <p>11 Q Okay. Then it says, "You may file a</p> <p>12 written request for review with the SURS Deputy</p> <p>13 Director of Member Services at the address shown</p> <p>14 above if you believe this decision is incorrect."</p> <p>15 Did you do that?</p> <p>16 A No.</p> <p>17 Q Why not?</p> <p>18 A I don't know. I don't even know if --</p> <p>19 remember when I got this. That doesn't mean that I</p> <p>20 didn't get it; I just don't remember it. It was one</p> <p>21 piece of paperwork of many that I was getting at this</p> <p>22 time.</p> <p>23 Q Would a piece of paper that would have</p> <p>24 given you additional income, additional benefits</p>

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

MARLAINA EASTON,	)	
	)	
Plaintiff,	)	
	)	
-vs-	)	No. 07 CV 6127
	)	
COLLEGE OF LAKE COUNTY,	)	Judge Darrah
DR. JEAN KARTJE and BOARD OF	)	
TRUSTEES OF THE COLLEGE OF	)	Magistrate
LAKE COUNTY,	)	Judge Brown
	)	
Defendants.	)	

VOLUME II, pages 295 - 448

Deposition of MARLAINA EASTON, taken before  
LAURA R. RENKE, CSR, RDR, CRR, pursuant to the  
provisions of the Federal Rules of Civil Procedure of  
the United States District Courts pertaining to the  
taking of depositions, at 35 East Wacker Drive,  
Suite 500, Chicago, Illinois, commencing at  
10:25 a.m. on the 5th day of October, 2009.

There were present at the taking of this  
deposition the following counsel: