

EXHIBIT 2

PART 5

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17 REPORTED BY LAURA R. RENKE, RDR, CRR.

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1 MS. THORPE: Back on the record.
 2 MARLAINA EASTON,
 3 called as a witness herein, having been previously
 4 duly sworn and having testified, was examined and
 5 testified further as follows:
 6 EXAMINATION (Resumed)
 7 BY MS. THORPE:
 8 Q Ms. Easton, you're still under oath.
 9 A Okay.
 10 Q When we met last time, or as we are
 11 breaking up last time, we were talking about your
 12 medical leave, some of the documentation that was
 13 prepared --
 14 A Mm-hmm.
 15 Q -- in connection with your leave.
 16 A Right.
 17 MS. THORPE: I want to -- just for
 18 housekeeping purposes, we marked a document as
 19 Exhibit No. 27, and we never actually got to the
 20 document. And so just so the record is clear, I'm
 21 going to substitute a different document for it.
 22 So, Bob, I don't know if you're -- I know I
 23 gave you copies of everything. There was a series of
 24 e-mails from January of '07 that we marked as

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1 Exhibit 27. I never presented it to the witness, and
 2 I'm not going to use that document. So just for
 3 clarification.
 4 MR. GILDO: Okay.
 5 THE WITNESS: That I have -- I'm sorry.
 6 Were you done? Did I interrupt you?
 7 BY MS. THORPE:
 8 Q No, I'm done with my question.
 9 A Okay. There was a pile of papers I had
 10 that you guys took back before I left. Do they give
 11 that back to me again? I think it was the exhibits
 12 that you were talking about.
 13 Q If there's any document in the pile that
 14 you need to look at, you'll just let me know. If
 15 there's something I want to show you, I will show
 16 you.
 17 A Okay. All right.
 18 Q That was one in the pile, but that was the
 19 last one, and I never asked you any questions about
 20 it.
 21 A Got it. Okay.
 22 Q Okay. I am going to show you the document
 23 that we were talking about before we marked No. 27.
 24 That was No. 26. I'm going to hand this to you.

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1 A Mm-hmm.
 2 Q Other than the application for
 3 disability --
 4 A Right.
 5 Q -- and the letter from Dr. Tannen and your
 6 medical authorization, all of which are dated August
 7 of 2006, did you submit anything else to SURS in
 8 connection with your medical leave?
 9 A No.
 10 Q Okay. Now, the letter that we were looking
 11 at, Exhibit No. 26, also provided a phone number. It
 12 says, "Please contact a SURS benefit counselor at,"
 13 and it gives you an 800 number and a 217 number if
 14 you had any questions. Did you call either one of
 15 those phone numbers in connection with the
 16 determination on June 11, 2007, that you had been
 17 denied disability benefits?
 18 A No.
 19 I'm sorry. There was also something -- I
 20 apologize -- submitted to them by the College of Lake
 21 County --
 22 Q No. The question was you.
 23 A -- as well.
 24 Q Ms. Easton --

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1 A Okay.
 2 Q -- all I wanted to know about --
 3 A That's fine.
 4 Q -- was you.
 5 A Yeah, I -- okay.
 6 Q I mean, your prior testimony was that you
 7 submitted --
 8 A I did.
 9 Q -- a record, so I wanted to know what you
 10 submitted.
 11 A That's fine.
 12 Q The records that you identified were a
 13 letter from a doctor in August of '06, the disability
 14 application signed by Dr. Munteanu in August of '06,
 15 and your release of medical records authorization,
 16 also dated in August of '06.
 17 A Right.
 18 Q That was it.
 19 A Right.
 20 Q Okay. Then we were also talking last
 21 time -- we talked a little bit about the FMLA leave
 22 that you had. You had asked for a leave following
 23 the conclusion of summer school in 2006 so that you
 24 would be gone from -- for the fall of '06 and the

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1 spring of '07, and it was your intent to return for
 2 the summer of 2007. Correct?
 3 A Mm-hmm, yes.
 4 Q Okay. And that was what you asked for in
 5 your FMLA documentation, correct?
 6 A Yes.
 7 Q And the school indicated to you that you
 8 could take a leave for that period of time, correct?
 9 A Yes.
 10 Q And while you were out on leave initially,
 11 you received a letter from the school, from Tom
 12 Heinrich, did you not, inquiring into the status of
 13 your leave?
 14 MS. THORPE: Let's mark this Exhibit 27.
 15 (Easton Exhibit 27 marked.)
 16 BY MS. THORPE:
 17 Q Ms. Easton, I'm showing you and your
 18 attorney a letter dated December 6, 2006. It's
 19 addressed to you, "Confidential, Addressee Only,"
 20 certified mail and regular mail from Tom Heinrich
 21 regarding your leave. Have you seen this letter
 22 before?
 23 A I believe, yes.
 24 Q And in this letter, Mr. Heinrich was asking

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1 whether or not you might be able to come back to the
 2 school earlier in the spring semester. Is that
 3 right?
 4 A It's telling me that it expects for me to
 5 come back in May of 2007.
 6 Q Okay. Well, let's look at the first
 7 paragraph. "As you know, last summer you provided
 8 the College with medical documentation indicating
 9 that you should be off of work through May 2007.
 10 Nevertheless, as the College is completing its
 11 staffing for the next semester, we wanted to verify
 12 that this medical assessment is still accurate."
 13 Correct?
 14 A Yes.
 15 Q So they were asking whether or not you
 16 still needed all that time or perhaps you could come
 17 back earlier. Is that correct?
 18 A Yes.
 19 Q And you were not ready to come back at that
 20 time, were you?
 21 A I was not.
 22 Q And I believe that last time we looked at
 23 some documents that you provided and that your doctor
 24 provided to the school, saying that you would be

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1 occurred.

2 Q Does it sound accurate that you saw him in

3 September of '06, and you missed an appointment in

4 December of '06, and those were the only times you

5 saw him?

6 A Well, according to what you just said, I

7 saw him one time. You said that I saw him --

8 Q Yeah, yeah.

9 A -- and then missed. And then this says I

10 saw him in March.

11 Q Well, right.

12 A So I saw him twice.

13 Q When was the second time -- oh, March and

14 September?

15 A Right.

16 Q Right. Does that sound right to you?

17 A It sounds right to me, yeah.

18 Q Okay. So you saw him only one time then

19 when you were on your medical leave in September of

20 '06, right?

21 A Yes.

22 Q All right. So you were treating with

23 Dr. Munteanu. You were treating with Dr. Zak.

24 MR. GILDO: Excuse me. I'm sorry.

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1 (Brief interruption.)

2 BY MS. THORPE:

3 Q Were you treating with anybody else while

4 you were on medical leave?

5 A Yes, I was treating -- treated by

6 Dr. Tannen. Her name is Deirdre, with an R.

7 Dr. Deirdre Tannen, yes.

8 Q And what is her area of speciality?

9 A She is a psychologist.

10 Q Now, until your symptoms started to lift in

11 approximately March of 2006 --

12 A Looking at that date, I don't know for a

13 fact that it's March of 2006.

14 Q Oh?

15 A I don't have that. But if I looked at my

16 medical records, I could tell you that.

17 Q Well, I just want your best memory. At

18 some point in time you got better. Is that right?

19 A Yes.

20 Q Okay. And you certainly were well enough

21 to teach when you came back in June of '06, correct?

22 A Right.

23 Q So sometime between September -- strike

24 that -- sometime between late August '06 and June of

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1 '07 --

2 A Yes.

3 Q -- your symptoms improved?

4 A Absolutely.

5 Q And all I'm trying to get from you is a

6 sense of when you think you started feeling

7 significantly better.

8 A Right. I want to change that then from

9 March to April, if that's okay.

10 Q So you believe in April of '07, you were

11 feeling significantly better.

12 A Right.

13 Q Okay. While you were -- while your

14 symptoms were at their -- well, strike that.

15 Do you know whether or not canker sores are

16 a symptom of multiple sclerosis?

17 A I'm not under the impression that they are.

18 I'm under the impression they're a symptom of stress

19 and anxiety.

20 Q What about the difficulty breathing? Was

21 that also stress- and anxiety-related as far as you

22 knew?

23 A Yes, and symptoms of multiple sclerosis.

24 Q Anything else -- any other symptoms that

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1 you were suffering while you were out that you

2 believe were stress- and anxiety-related?

3 A Yes, depression.

4 Q Anything else?

5 A I believe that's it.

6 Q Okay. And it's your memory that although

7 you saw Dr. Zak only once while you were on medical

8 leave, he put you on a medication to help your

9 multiple sclerosis symptoms, the Copaxone. Is that

10 right?

11 A Yes.

12 Q And did you take that medication throughout

13 the time you were on your medical leave?

14 A Yes.

15 Q Are you still taking it?

16 A Yes.

17 Q Was Dr. Zak the only physician with whom

18 you treated during your medical leave specifically

19 for multiple sclerosis issues?

20 A The only neurologist?

21 Q The only medical person that you saw while

22 you were on leave for the symptoms of multiple

23 sclerosis.

24 A No.

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1 Q Who else did you see?
2 A Dr. Andra Munteanu is my primary care
3 physician.
4 Q Okay. She's primary. Did she treat you
5 for MS?
6 A She treated me for depression, which she
7 said had an acute effect on my multiple sclerosis.
8 Q All right. I'm talking about the physical
9 symptoms of MS. Did you treat with anybody other
10 than Dr. Zak that one time while you were on your
11 medical leave for physical symptoms associated with
12 your multiple sclerosis?
13 A Yes, Dr. Andra Munteanu.
14 Q Well, you said depression she treated you
15 for. What else?
16 A And anxiety. And all of these things
17 helped to make my -- as my depression anxiety got
18 better, my multiple sclerosis started getting better
19 too.
20 Q Okay. But in terms of physical things like
21 numbness and so forth, did you see a doctor other
22 than Dr. Zak that one time for the physical symptoms
23 of multiple sclerosis?
24 A Yes, Dr. Munteanu. I understand that

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1 that's irritating you, but she gave -- she put me on
2 medications that controlled my anxiety and stress.
3 That controlled my numbness and nausea and vomiting.
4 They had a direct correlation with each other,
5 100 percent.
6 Q All right. When your symptoms were at
7 their worst in fall and early winter of 2006 and into
8 2007, were you able to take care of your own, you
9 know, personal grooming needs?
10 A I did my best. I did my best. There were
11 days that I was in bed for two days straight and did
12 not possibly wake up to groom myself.
13 Q Okay. But when you did, you know, want to
14 wash your hair, take a shower, do light housework,
15 cook for yourself, were you able to do those things?
16 A Sometimes. Sometimes I was not.
17 Q Okay. Were you able to read?
18 A Often, no. Not during that time period
19 where I was very sick, no.
20 Q Able to take any walks?
21 A No.
22 Q Keep up on publications in your field?
23 A Absolutely not.
24 Q Did you interview for any jobs while you

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1 were on your medical leave?
2 A I don't know.
3 Q Did you interview for a position at Harold
4 Washington College in October --
5 A I did.
6 Q In October of 2006?
7 A If that's the date you have, yes.
8 Q Okay. So you did interview at least at
9 Harold Washington College --
10 A Yes.
11 Q -- while you were on leave.
12 A Yes.
13 Q And when did you make -- did you submit a
14 written application?
15 A Yes.
16 Q And when did you submit the application?
17 A I'm not sure. You would have that date
18 better than I would.
19 Q Well, were you already on your medical
20 leave when you submitted that application, or was it
21 before you took your leave?
22 A I don't know. When did I submit the
23 application?
24 Q I'm asking you.

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1 A I'm sorry; I don't know.
2 Q You don't know. That's fine.
3 What did the -- did you go in person for an
4 interview?
5 A Yes.
6 Q And do you recall when in October of '06
7 this was?
8 A No.
9 Q How did you get there?
10 A I -- I believe that Kathryn drove me
11 there.
12 Q And what was involved in the interview
13 process?
14 A Questions -- if I can remember, questions
15 were asked of me, and I had to -- I remember doing a
16 lesson plan.
17 Q Did you interview with more than one person
18 when you were there?
19 A There were a number of people there. There
20 were a room of people there. It wasn't full of
21 people, but there were, I think, about like six
22 people there.
23 Q So you had to prepare a lesson plan. You
24 knew going into the interview it had to be prepared.

332	<p>1 Q How long was this?</p> <p>2 A The residency?</p> <p>3 Q Yeah.</p> <p>4 A I think it was seven.</p> <p>5 Q Were you a presenter, or you were a</p> <p>6 participant?</p> <p>7 A I was listening to the professors, so a</p> <p>8 participant.</p> <p>9 Q Did you have to write a paper or do</p> <p>10 anything in connection with this residency?</p> <p>11 A Well, on the residency, probably not. But</p> <p>12 afterwards, yeah.</p> <p>13 Q And when you say after, how long after?</p> <p>14 A For the semester of classwork. I -- there</p> <p>15 are papers that are due.</p> <p>16 Q And did you submit the paper on time?</p> <p>17 A I -- I don't know. I don't remember. But</p> <p>18 I don't remember ever being late with my work, so I</p> <p>19 would have to argue yes to that.</p> <p>20 Q Okay.</p> <p>21 A Or say yes to that.</p> <p>22 Q Now, you returned to the College of Lake</p> <p>23 County in June of '07. Is that right?</p> <p>24 A Yes.</p>	334	<p>1 A I believe so.</p> <p>2 Q Okay. And then the online course or</p> <p>3 courses, what did you teach online that summer?</p> <p>4 A I would have taught that summer -- I</p> <p>5 believe either two 121s or -- yeah, it was two 121s,</p> <p>6 I believe.</p> <p>7 Q So you taught three classes the summer of</p> <p>8 2007?</p> <p>9 A I don't know that I didn't teach 121 too.</p> <p>10 I don't know that I didn't teach another class as</p> <p>11 well.</p> <p>12 Q So you taught at least three classes the</p> <p>13 summer of 2007?</p> <p>14 A Yes, yes.</p> <p>15 Q Okay. And the English 108 class that you</p> <p>16 taught on campus, was this during regular campus</p> <p>17 hours, or was this an evening class?</p> <p>18 A I believe it was during regular campus</p> <p>19 hours.</p> <p>20 Q Now, are you aware of anybody in the</p> <p>21 English department or Communication Arts department</p> <p>22 who taught more than three summer school classes in</p> <p>23 the summer of 2007?</p> <p>24 A I -- I don't know.</p>
333	<p>1 Q Do you remember the first -- the date of</p> <p>2 the first day of classes?</p> <p>3 A No.</p> <p>4 Q What classes did you teach that summer of</p> <p>5 '07?</p> <p>6 A I believe that I taught 108. I believe</p> <p>7 that I taught 108. I don't know that for a fact. I</p> <p>8 believe that I taught online courses, and I might</p> <p>9 have taught 121, but I don't remember.</p> <p>10 Q Now, when you -- you distinguished</p> <p>11 English 108 from online courses. I just want to make</p> <p>12 sure I'm understanding you.</p> <p>13 A Yes.</p> <p>14 Q The English 108, was that an in-person</p> <p>15 class, or was that an online class that you taught?</p> <p>16 A That's an in-person class.</p> <p>17 Q Okay.</p> <p>18 A They don't teach that class online.</p> <p>19 Q All right. So you came to the campus and</p> <p>20 taught the English 108 class that summer.</p> <p>21 A Of '07.</p> <p>22 Q Of '07.</p> <p>23 A Yes.</p> <p>24 Q Okay.</p>	335	<p>1 Q Were there classes besides these three</p> <p>2 English classes or maybe more that you wanted to</p> <p>3 teach that summer that you did not get?</p> <p>4 A I don't remember.</p> <p>5 Q Fall semester 2007. What classes did you</p> <p>6 teach?</p> <p>7 A Oh, okay. Fall. Sorry.</p> <p>8 I'm not -- I don't -- I don't remember</p> <p>9 exactly. I'm assuming that I taught 108 and online</p> <p>10 121 and 122 and creative writing. That's I assume</p> <p>11 that I taught.</p> <p>12 Q Okay. This was your typical complement of</p> <p>13 classes. Is that right?</p> <p>14 A Yes.</p> <p>15 Q Okay. Those were the classes that you</p> <p>16 wanted to teach that fall. Is that right?</p> <p>17 A Of '07?</p> <p>18 Q Yes.</p> <p>19 A Yes.</p> <p>20 Q Okay. So you got all the classes in '07 in</p> <p>21 the fall that you wanted to teach.</p> <p>22 A I believe so.</p> <p>23 Q Okay. And what about in the spring of '08?</p> <p>24 Did you, likewise, get the classes that you wanted to</p>

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1 teach? You had your normal 108, 121, 122, and
 2 creative writing classes?
 3 A I believe so.
 4 Q While you were on your medical leave, you
 5 were paid a portion of your salary. Is that right?
 6 A I believe so. At the beginning I was paid.
 7 MS. THORPE: Okay. Let's mark this.
 8 (Easton Exhibit 28 marked.)
 9 BY MS. THORPE:
 10 Q Ms. Easton, I'm showing you and your
 11 counsel a two-page document. First page is to you.
 12 Subject is "Leave Pay Status." And the second page
 13 is a bunch of copies of tapes running different
 14 numbers. Have you seen this document before?
 15 A I believe so.
 16 Q It states in here that you should have been
 17 paid for 67 days of health leave. You're entitled to
 18 gross pay of 25,792.99. Just want to confirm. Were
 19 you paid the 25,792.99 that this states?
 20 A Okay. Yes.
 21 Q Okay. And did you have any reason to
 22 disagree with the college's calculation as to the
 23 amount that you were eligible to be paid while you
 24 were on your medical leave?

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1 A I don't understand your question. I do
 2 disagree with the fact that they stopped paying me, I
 3 mean, if that's what you're asking me. I disagree
 4 with that wholeheartedly.
 5 Q Okay. And why do you disagree?
 6 A Because I didn't understand why they
 7 stopped paying me. I didn't understand why I stopped
 8 being paid when I felt like I went on medical leave
 9 due to stress and my multiple sclerosis, and I felt
 10 like they contributed to that. I didn't -- I didn't
 11 think it was fair that they stopped paying me at all.
 12 Q Is there anything in your contract or any
 13 other document that you can point to that would show
 14 that you would have an entitlement to paid leave
 15 beyond the 25,000-plus that the college paid?
 16 A Also a heavy question because in my
 17 contract and in the board policy, it specifically
 18 says over and over again that you are -- people are
 19 not allowed to discriminate against you at work or
 20 else they're not going to be there anymore. And
 21 Dr. Kartje was still there years after she was
 22 discriminating against me publicly. So it says that.
 23 MS. THORPE: Would you read the question
 24 back, please?

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1 (Record read.)
 2 BY MS. THORPE:
 3 Q So other than your belief that you were
 4 discriminated against, is there anything else that
 5 you can point to in a document that would show that
 6 you have an entitlement to anything beyond the
 7 \$25,000-plus that the college paid you?
 8 A No.
 9 Q Now, the college paid for your health
 10 insurance while you were on your medical leave. Is
 11 that right?
 12 A Yes.
 13 Q And I understand that you are claiming
 14 out-of-pocket expenses in connection with medical
 15 expenses that you incurred while you were on your
 16 medical leave. Is that right?
 17 A Yes.
 18 Q Do you have any documents indicating what
 19 it is that you're looking for in terms of
 20 reimbursement for medical expenses?
 21 A No, I do not have any with me at this time.
 22 Q Did you ever submit to the college any
 23 documents requesting reimbursement for any medical
 24 expenses while you were on your medical leave?

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1 A No.
 2 Q Have you up until this point in the
 3 litigation produced any documents that would indicate
 4 what you are looking for in terms of an entitle --
 5 strike that.
 6 Have you at any time during the litigation
 7 produced any documents that show your out-of-pocket
 8 medical expenses while you were on your medical
 9 leave?
 10 A I've attempted to get them. Have I
 11 produced any? No.
 12 Q Okay. Speaking generally, if you can, what
 13 are the -- what is the nature of the medical expenses
 14 that you are asking to be reimbursed?
 15 A I had to -- every time I saw a doctor, I
 16 had to pay out of pocket to see them. Insurance pays
 17 some of what I have to pay, but I had to pay out of
 18 pocket to see my doctors every time I saw them, and I
 19 was seeing doctors weekly while I was on medical
 20 leave.
 21 Q Now, it's always been the case, has it not,
 22 that you have to pay out of pocket to see the doctor?
 23 Even when you're back at school and you're on full
 24 teaching responsibilities, you still have a portion

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1 Q The psychologist that Dr. Munteanu
 2 recommended, was that Dr. Tannen?
 3 A Yes.
 4 Q And Dr. Tannen you saw specifically for
 5 what issues?
 6 A Stress, anxiety, and MS.
 7 Q Okay. Now, were these the only issues that
 8 you discussed with Dr. Tannen and Dr. Munteanu?
 9 A What, MS?
 10 Q Your work-related stress and anxiety.
 11 A No, those would not have been the only
 12 issues that I discussed with Dr. Tannen, no.
 13 Q Okay. There were other issues outside of
 14 your work and environment that were giving you stress
 15 and anxiety?
 16 A Yes.
 17 Q And what were some of those other issues?
 18 I don't want details, just sort of broadly speaking.
 19 A That's fine. I suffer from posttraumatic
 20 stress disorder, absolutely suffer from posttraumatic
 21 stress disorder, something that I have controlled for
 22 20-something years of my life. And during this time
 23 period, I didn't feel capable of controlling that
 24 anymore.

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1 Q Anything else that was non-work-related
 2 stress or anxiety that -- for which you sought
 3 treatment in this time period?
 4 A You said for which I sought treatment?
 5 Q Mm-hmm.
 6 A No.
 7 Q Were you trying to sell your house in this
 8 time period?
 9 A I believe so.
 10 Q And do you have -- was that a stressor for
 11 you?
 12 A No, I don't believe that I thought it was
 13 stressful, no.
 14 Q You didn't have problems with contractors
 15 that you were reporting, problems with a roofer, that
 16 were contributing to your anxiety?
 17 A A roofer?
 18 Q Mm-hmm.
 19 A No.
 20 Q Okay. Do you have issues at about this
 21 time in the summer of 2006 regarding an operation
 22 that a niece had? Was that a stressor for you?
 23 A It was sad for me. No, it wasn't a
 24 stressor for me.

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1 Q Did you report to both Drs. Tannen and
 2 Munteanu that you were worried that you had cancer in
 3 this time period?
 4 A No.
 5 Q Were you dealing with family estrangement
 6 issues in this time period?
 7 A With the posttraumatic stress disorder
 8 coming up, absolutely. I was raped by a family
 9 member, linking to posttraumatic stress disorder. So
 10 yes, that would have come up.
 11 Q Are you still treating with Dr. Tannen?
 12 A Yes.
 13 Q Issues that are unrelated to work?
 14 A No, they're related to work.
 15 Q Are there other issues as well?
 16 A So far as my therapist? I'm sure I talked
 17 to her about other issues that are not related to
 18 work.
 19 Q Let me show you --
 20 MS. THORPE: 29?
 21 THE REPORTER: Yes.
 22 (Easton Exhibit 29 marked.)
 23 BY MS. THORPE:
 24 Q Ms. Easton, I'm showing you and your

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1 attorney what's been marked as Exhibit 29. It's a
 2 copy of your complaint in this lawsuit. Have you
 3 seen this before?
 4 A Yes, I have.
 5 Q You discussed the contents with your
 6 lawyer?
 7 A Yes, I did.
 8 Q And you were confident that the information
 9 in here was accurate?
 10 A I believe so, yes.
 11 Q Okay. I'd like to direct your attention to
 12 paragraph 15, which starts on page 3.
 13 A Okay. Okay.
 14 Q According to this paragraph, in the period
 15 between August 2004 and July 2006, you attribute
 16 various acts of harassment -- of what you
 17 characterize as harassment and discrimination by
 18 Dr. Kartje. I believe we've talked about all of
 19 these. I just want to confirm that these are the
 20 incidents of which you are complaining.
 21 A Yes, these are some of the instances that
 22 I'm complaining.
 23 Q Okay. Well, what else are you complaining
 24 about that's not in here since you said some of the

348	<p>1 incidents?</p> <p>2 A Right. Well, the various times that I've</p> <p>3 reported it are not in here, and there's also</p> <p>4 something that occurred in March of 2005 pertaining</p> <p>5 to gossip that is not in here.</p> <p>6 Q Wait. What's the March 2005? Is that</p> <p>7 different than the March 2005 library incident that</p> <p>8 we talked about last time?</p> <p>9 A Yes.</p> <p>10 Q Okay. What's this March 2005 incident?</p> <p>11 A March 2005, Rita Eastburg came to my desk.</p> <p>12 She was my office mate for some time. She came to my</p> <p>13 desk in March of 2005 and stated that I -- that</p> <p>14 basically Jean told her that she's done everything</p> <p>15 that she can for me to fix basically my acts of not</p> <p>16 being in my office and not doing what I'm supposed to</p> <p>17 do and that -- that she's trying her hardest to help</p> <p>18 me, but I keep disappointing her.</p> <p>19 And so then I asked Rita Eastburg why would</p> <p>20 Dr. -- who wasn't "doctor" at the time -- be speaking</p> <p>21 of me to her under any degree? And she said, "She's</p> <p>22 trying to see if I can help you because she's trying</p> <p>23 to and is not able to."</p> <p>24 And then when I said to her, "I don't think</p>	350	<p>1 he feels like he's being harassed and discriminated</p> <p>2 against by Dr. Kartje.</p> <p>3 And it's relevant to me because it's</p> <p>4 ongoing, pervasive, and I believe that it's being</p> <p>5 done as a way to punish him for coming to the</p> <p>6 observation between me and Dr. Kartje.</p> <p>7 Q Do you have any documentation or anything</p> <p>8 to support that suspicion?</p> <p>9 A Do I have any? No.</p> <p>10 Q Anything else?</p> <p>11 A In 2005? No.</p> <p>12 Q Anything else that's not listed in the</p> <p>13 complaint here?</p> <p>14 A No. Not that I have noticed, no.</p> <p>15 Q Okay. I'd like to then direct your</p> <p>16 attention to paragraph 23, which starts on the bottom</p> <p>17 of page 6. This says, "In July 2007, Marlaina</p> <p>18 returned to her regular employment with the College,</p> <p>19 free from the outrageous and unreasonable</p> <p>20 discrimination and harassment of Defendant Dean, and</p> <p>21 has, since said return, not suffered any of the</p> <p>22 symptoms outlined above."</p> <p>23 So I just want to confirm you agree with</p> <p>24 that statement.</p>
349	<p>1 it's appropriate that you and Dr. Kartje are talking</p> <p>2 about me with each other," she then started talking</p> <p>3 about her tenuring me and having regrets and blah,</p> <p>4 blah, blah.</p> <p>5 But the reason why it's relevant is</p> <p>6 Dr. Kartje's gossip of me was something that was</p> <p>7 ongoing.</p> <p>8 Q Let me stop you right there.</p> <p>9 A Yes.</p> <p>10 Q Did you -- after Rita reported this alleged</p> <p>11 conversation that she had with Dr. Kartje --</p> <p>12 A Right.</p> <p>13 Q -- did you talk to Dr. Kartje about this?</p> <p>14 A No.</p> <p>15 Q Anything other than this alleged gossip in</p> <p>16 March of 2005 that you're complaining about other</p> <p>17 than -- again, I don't want to go over the incidents</p> <p>18 in the complaint. We talked about them in depth last</p> <p>19 time.</p> <p>20 A Right, absolutely. Yes, in this period</p> <p>21 after Juan Carlos Domecq comes to observe a</p> <p>22 discussion of my second observation with Dr. Kartje,</p> <p>23 it's relevant to me because he's approaching me</p> <p>24 constantly after that period of 2004 into 2005 where</p>	351	<p>1 A I'm just looking at the symptoms from</p> <p>2 above.</p> <p>3 Q Sure.</p> <p>4 A Tightening sensations, canker sores,</p> <p>5 inability to hold food, rapid weight loss, general</p> <p>6 numbness in her body, visual impairment, peripheral,</p> <p>7 and loss in some of -- yes, none.</p> <p>8 Q Okay. Although it says in July 2007 you</p> <p>9 returned, that should be June 2007, should it not?</p> <p>10 Didn't summer school start in June?</p> <p>11 A Yes. Yeah, it should be June.</p> <p>12 Q Okay. That's all I have on that document.</p> <p>13 Have you spoken with anybody about being a</p> <p>14 witness for you in this lawsuit?</p> <p>15 A No.</p> <p>16 Q Have you discussed this lawsuit with</p> <p>17 anybody other than your attorney?</p> <p>18 A I believe that Juan Carlos knows that</p> <p>19 there's a lawsuit. I have not discussed any details</p> <p>20 of this with him, no.</p> <p>21 Q Well, how would he know of the lawsuit if</p> <p>22 you haven't discussed it with him?</p> <p>23 A That I'm in court online. My name is</p> <p>24 attached to the College of Lake County and Jean</p>

368	<p>1 do. Is that right?</p> <p>2 A They did not prohibit that, no.</p> <p>3 Q So if you wanted to, you could have taught</p> <p>4 the 108 class at night?</p> <p>5 A If I wanted to drive home at 11:00 and</p> <p>6 12:00 in the morning, I could have. I don't find</p> <p>7 that realistic, no.</p> <p>8 Q And what time in the evening was the 108</p> <p>9 class taught?</p> <p>10 A It would have been taught until about --</p> <p>11 till about 9:45. From 7:00 to 9:45 four days a week</p> <p>12 that class would have been taught.</p> <p>13 Q So you decided that that was not a viable</p> <p>14 option for you?</p> <p>15 A It was not.</p> <p>16 Q But that was what you decided, not what the</p> <p>17 college decided.</p> <p>18 A That is definitely what I decided, but also</p> <p>19 something that other faculty get to choose, not to</p> <p>20 drive home really late at night if they choose not</p> <p>21 to.</p> <p>22 Q Okay. Now, when we talked about that</p> <p>23 September 2005 memo last time and Dr. Kartje had</p> <p>24 mentioned in that about, you know, your teaching</p>	370	<p>1 THE WITNESS: No.</p> <p>2 BY MS. THORPE:</p> <p>3 Q In the prior summer, in the summer of 2005,</p> <p>4 you taught the 108 class on campus. Is that right?</p> <p>5 A Of '05?</p> <p>6 Q Of '05.</p> <p>7 A I believe so.</p> <p>8 Q And what time was the class held?</p> <p>9 A I'm not sure.</p> <p>10 Q Was it during the day?</p> <p>11 A Yes.</p> <p>12 Q Okay. So you believe you're entitled to --</p> <p>13 well, strike that.</p> <p>14 You taught two other English classes in the</p> <p>15 summer of 2006. Is that right?</p> <p>16 A Yes.</p> <p>17 Q And those were the ones that you taught</p> <p>18 online?</p> <p>19 A I believe so, yes.</p> <p>20 Q Are you aware of anybody who taught -- in</p> <p>21 the English department who taught more than two</p> <p>22 classes in the summer of 2006?</p> <p>23 A I have no idea.</p> <p>24 Q Do you know if there's any policy about</p>
369	<p>1 during regular daytime hours was an issue, she also</p> <p>2 said in the memo that, you know, "We can talk about</p> <p>3 this as we start planning for the summer."</p> <p>4 Did you ever have a conversation with</p> <p>5 Dr. Kartje about making arrangements to teach the 108</p> <p>6 class on campus in the summer of 2006?</p> <p>7 A No, I did not approach her about that</p> <p>8 again. If she already made it clear to me that she</p> <p>9 wasn't comfortable with me teaching it, there would</p> <p>10 be no reason why I would approach her to try to</p> <p>11 change that without appearing argumentative with her.</p> <p>12 Q Did you approach anybody else in the</p> <p>13 English department or on campus about your desire to</p> <p>14 teach the 108 class on campus during normal business</p> <p>15 hours in the summer of 2006?</p> <p>16 A With Dr. Kartje there?</p> <p>17 Q No.</p> <p>18 MS. THORPE: Would you read the question?</p> <p>19 THE WITNESS: Well, sorry. Just because</p> <p>20 after she's not there I do -- I do approach her.</p> <p>21 MS. THORPE: Wait, wait. Let her read the</p> <p>22 question back.</p> <p>23 THE WITNESS: Sorry.</p> <p>24 (Record read.)</p>	371	<p>1 trying to teach -- or strike that.</p> <p>2 Do you know if there's any policy in effect</p> <p>3 if a teacher in the English department wants to teach</p> <p>4 more than two classes in the summer?</p> <p>5 A I'm sorry. I have to qualify that because</p> <p>6 I don't -- two classes, are you talking about eight</p> <p>7 hours? You have to differentiate between hours and</p> <p>8 classes because two 108 classes is the equivalent of</p> <p>9 16 hours, whereas two 121 classes are half that. So</p> <p>10 what are you referring to?</p> <p>11 Q Well, you said you taught two classes in</p> <p>12 the summer of 2006. So what were you referring to?</p> <p>13 A I was referring to two regular standard</p> <p>14 three-credit classes.</p> <p>15 Q Okay.</p> <p>16 A Not two six-credit classes.</p> <p>17 Q Are you aware of anybody who taught more</p> <p>18 than two standard three-credit classes in the summer</p> <p>19 of 2006?</p> <p>20 A No.</p> <p>21 Q Do you know if there is a policy within the</p> <p>22 department about how to handle requests to teach more</p> <p>23 than two standard-credit classes in the summertime?</p> <p>24 A I think that your pay is affected, even</p>

388	<p>1 think it said "car, trapped." I was in some kind of 2 accident, not where I got hurt or anything, but I had 3 to wait for the police to come, and it took a 4 ridiculous amount of time. So that was one of the 5 times. 6 One of the times I think I was sick, but I 7 know that it didn't have anything to do with MS 8 because usually if I was sick, I usually wrote that 9 on there. 10 And I don't remember what the other reason 11 for the other time was. 12 Q Do you remember if the other reason had 13 anything to do with MS? 14 A No, it did not. 15 Q Did it have anything to do with your 16 reacting to heat? 17 A I don't believe so. 18 Q Now, you were questioned with regard to 19 your visit to the EEOC and the form that was filled 20 out and which you signed. Was that form filled out 21 by you at the time of the visit? 22 A No. 23 Q So give me the scenario as to how that 24 occurred, if you would.</p>	390	<p>1 A Many of them, yes. All of them before 2 that -- 3 Q Up until that date? 4 A Yes. 5 Q You've been asked a lot of questions about 6 your disability of MS, and my question to you is: 7 Can you relate to us your history regarding episodes 8 of MS in your lifetime? 9 A I can. I -- the first time that I got 10 sick, I was 15. Yes, 17 years ago. I was 15 years 11 old, and I got sick. They did not diagnose me as 12 having multiple sclerosis. They put me on 13 prednisone, and they diagnosed me as having 14 post-infectious encephalitis. 15 And then almost exactly a year later, I got 16 sick again in the same way, and then they did a 17 spinal tap. They did a spinal tap on me. I went on 18 some kind of prednisone. And when they did the 19 spinal tap, it came back as being positive for me 20 having multiple sclerosis because there was fluid in 21 my spinal cord, something that doesn't happen. 22 Q And what were your symptoms during that 23 period when you were 15 years old? 24 Prior to that, had you had any other</p>
389	<p>1 A After waiting for a period of time, I went 2 in, and there was a gentleman sitting behind a desk. 3 And then he asked me questions for a little over an 4 hour. It was probably like an hour and a half. And 5 I answered questions or he asked me, "Well, what do 6 you think happened?" And then I talked to him for 7 about an hour and a half. 8 That form was not filled out that -- right 9 away. I might have signed something, but that form 10 was not filled out by me, and it wasn't filled out 11 right away, no. 12 Q And did you personally fill out that form, 13 or were you asked to fill out that form? 14 A No. 15 Q So this was filled out by the agent of the 16 EEOC? 17 A This was filled out by the agent of the 18 EEOC. 19 Q It was based on a long, detailed 20 conversation? 21 A About an hour and a half, yes. 22 Q And in that hour and a half, did you go 23 through many of the things that we've talked about at 24 this hearing?</p>	391	<p>1 symptoms of MS? 2 A Prior to 15, I had not. And my symptoms 3 were numbness, extreme numbness, vomiting, feeling 4 very sick, vomiting, and not basically being able to 5 feel my feet and walking, quote/unquote, funny. And 6 those symptoms happened. 7 And then the same thing happened a year 8 later where I was diagnosed with multiple sclerosis. 9 And then I did not get sick for a very long time 10 until -- 11 Q Okay. Included in those symptoms was there 12 dizziness? 13 A Extreme dizziness, nausea, vomiting. 14 Q How about effects on your peripheral 15 vision? 16 A Yes, and effects on my ability to walk and 17 numbness. Those are all affected. 18 Q And did you have depression at that time? 19 A I don't think so. 20 Q And was your sickness accompanied by canker 21 sores? 22 A No. 23 Q Now, between -- okay. After that, you say 24 a year later you were diagnosed. Were you treated in</p>

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1 any way?
 2 A Yes, I was treated --
 3 Q Were you about 16 years old?
 4 A At 16, yeah. I went on methylprednisone, I
 5 believe, or prednisone, one of them, something
 6 fluorescent green in a ball, an IV. I went on that.
 7 And I went on that for a short period of time, and
 8 then I got better right away, even though the
 9 swelling remained with me in my face and hands for a
 10 long time. And that was at 16.
 11 Q And did the symptoms subside?
 12 A Yes, they did.
 13 Q Did they -- when is the next time they
 14 reoccurred or any symptoms that related to your MS
 15 reoccurred?
 16 A I believe that the next time that they
 17 reoccurred was at -- during my issues in CLC in 2006,
 18 although there are opportunities that during the
 19 hundred-and-something degrees that Chicago has
 20 sometimes, I might have felt sick sometimes, but not
 21 often. Maybe once or twice between the ages of 16
 22 and 25 or 26 or 27. I don't remember the exact ages
 23 when I go on medical leave. 2006.
 24 Q And were you informed that the exposure to

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1 excessive heat over 100 degrees, you indicated --
 2 A Yeah.
 3 Q -- would perhaps cause an onset of your
 4 multiple sclerosis?
 5 A An onset of symptoms, yeah, right.
 6 Q And during the years 2002 through 2005, did
 7 you have any onsets of multiple sclerosis caused by
 8 heat at the college?
 9 A I didn't have onsets of multiple sclerosis
 10 caused by anything. I didn't have onsets of multiple
 11 sclerosis at all during that time period.
 12 Q And your onset started in what year?
 13 A Again?
 14 Q Your second time.
 15 A Third time?
 16 Q Well, okay. The third time.
 17 A Well, 15 and then 16 --
 18 Q 15, 16, and now --
 19 A -- and then in 2006 when I went on medical
 20 leave. It began in 2005. The onset of symptoms
 21 began again in 2005.
 22 Q And you've testified as to what those
 23 symptoms were at great length, have you not?
 24 A Yeah, I have.

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1 Q And relative to what you believe were --
 2 what you've testified was discriminatory conduct by
 3 Dr. Kartje, what was the relationship between your
 4 feeling these symptoms and your suffering from
 5 Dr. Kartje's wrongful acts?
 6 A What -- what happened is --
 7 MS. THORPE: I just want to object to the
 8 form of the question and the assumptions that are
 9 made, but you can answer.
 10 THE WITNESS: No, that's okay.
 11 Do you want to restate that?
 12 BY MR. GILDO:
 13 Q No. Go ahead.
 14 A Okay. So far as this was a progression --
 15 Q Let me restate that. You've alleged that
 16 Dr. Kartje during this period of time in 2004 through
 17 2007 committed a series of acts which you've detailed
 18 in your testimony. Is that correct?
 19 A Yes.
 20 MS. THORPE: Well, I also want to object.
 21 The complaint talks about through 2006. So ...
 22 THE WITNESS: Well, it --
 23 MS. THORPE: Your complaint -- you can ask
 24 what you want to ask. I'm objecting to the form of

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1 the question.
 2 BY MR. GILDO:
 3 Q And through 2006, was there any
 4 relationship in your mind between the conduct of
 5 Dr. Kartje towards you, which you've testified about,
 6 and your onset of symptoms of multiple sclerosis?
 7 A Yes.
 8 Q And what was that relationship?
 9 A I felt like every time I had a run-in with
 10 Dr. Kartje, which was often, or every time I felt
 11 hostility from her or discrimination from her, I
 12 found that I became more and more and more stressed
 13 out. And the more stressed out I became, the more
 14 sick I became. The more stressed out I became, the
 15 more anxiety I felt, the more depression I felt, the
 16 more I felt illness pertaining to MS, where feeling
 17 anxiety became feeling numbness, became feeling
 18 nauseated, became vomiting, became having my
 19 peripheral vision affected. That's how that
 20 progressed. I went from feeling anxious to feeling
 21 nervous to feeling sad to feeling depressed to
 22 feeling sick to feeling sick, sick, sick. And then
 23 it becomes MS.
 24 Q Now, it got to -- and you kept a diary on a