

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES
DEPARTMENT S09 HON. ANA MARIA LUNA, JUDGE

-000-

IN RE THE MATTER OF THE) CASE NO.
) 17STPB10142
CONSERVATORSHIP OF CAVAN ARGILA.)
)
)
-----)

REPORTER'S TRANSCRIPT OF PROCEEDINGS

WEDNESDAY, JANUARY 15, 2025

APPEARANCES:

FOR THE PETITIONER: SUPPORT SERVICES FOR THE DEAF
CARL ARGILA, PH.D., IN PRO PER
P.O. BOX 1219
PICO RIVERA, CALIFORNIA 90660
(800) 903-6903

FOR RESPONDENT THE DEPARTMENT OF DEVELOPMENTAL SERVICES
DEPARTMENT OF OFFICE OF LEGAL AFFAIRS
DEVELOPMENTAL BY: MEREDITH NIXON, ESQ.
SERVICES: 1215 O STREET, MS 9-30
SACRAMENTO, CALIFORNIA 95814

FOR THE O'NEILL, HUXTABLE & ABELSON, LLP
CONSERVATEE: BY: MARY L. O'NEILL, ESQ.
1631 BEVERLY BOULEVARD
LOS ANGELES, CALIFORNIA 90026

FOR RESPONDENT ENRIGHT & OCHELTREE, LLP
SAN GABRIEL/POMONA BY: AARON ABRAMOWITZ, ESQ.
REGIONAL CENTER: 13351 RIVERSIDE DRIVE, SUITE 380
SHERMAN OAKS, CALIFORNIA 91423

AMY E. SAYLOR, CSR #11560
OFFICIAL REPORTER

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

M A S T E R I N D E X

VOLUME 1

SESSIONS

WEDNESDAY, JANUARY 15, 2025

PAGE

A.M. SESSION

4

M A S T E R I N D E X

VOLUME 1

CHRONOLOGICAL INDEX OF WITNESSES

PAGE

CAVAN ARGILA, (THE CONSERVATEE HEREIN)	
DIRECT BY EXAMINATION BY MR. ARGILA	11
CROSS-EXAMINATION BY MS. O'NEILL	14
CROSS-EXAMINATION BY MS. DIXON	20
REDIRECT EXAMINATION BY MR. ARGILA	22
FURTHER RECROSS-EXAMINATION BY MS. O'NEILL	27
FURTHER RECROSS-EXAMINATION BY MS. DIXON	40
FURTHER REDIRECT EXAMINATION BY MR. ARGILA	42

1 CASE NUMBER: 17STPB10142
2 CASE NAME: CAVAN ARGILA CONSERVATORSHIP
3 LONG BEACH, CALIFORNIA TUESDAY, JANUARY 14, 2025
4 DEPARTMENT S09 HON. ANA MARIA LUNA, JUDGE
5 REPORTER: AMY E. SAYLOR, RMR, CSR #11560
6 TIME: A.M. SESSION

7 APPEARANCES:

8 CARL ARGILA, THE PETITIONER HEREIN, PRESENT
9 BY AND ON BEHALF OF HIMSELF, IN PRO PER;
10 MEREDITH NIXON, ATTORNEY AT LAW, ON BEHALF
11 OF THE DEPARTMENT OF DEVELOPMENTAL SERVICES;
12 MARY L. O'NEILL, ATTORNEY AT LAW, ON BEHALF
13 OF THE CONSERVATEE, CAVAN ARGILA;
14 AARON ABRAMOWITZ, ATTORNEY AT LAW, ON BEHALF
15 OF SAN GABRIEL/POMONA REGIONAL CENTER,
16 APPEARING VIA LA-COURT-CONNECT; JOHN ARCE
17 AND JAMES FOSTER, ASL INTERPRETERS; JOHN
18 MAUCERE AND JUSTIN JACKERSON, CDI
19 INTERPRETERS.

20
21 (THE FOLLOWING PROCEEDINGS
22 WERE HELD IN OPEN COURT:)

23
24 THE COURT: WE'LL GO BACK ON THE RECORD IN THE
25 CONSERVATORSHIP OF CAVAN ARGILA, 17STPB10142. WE HAVE
26 THE PARTIES AND COUNSEL PRESENT.

27 MR. ABRAMOWITZ, CAN YOU HEAR US?

28 MR. ABRAMOWITZ: I CAN HEAR YOU FINE, YOUR HONOR.

1 THANK YOU.

2 THE COURT: ALL RIGHT. WHILE WE'RE IN
3 INTRODUCTIONS, WE HAVE MS. NORNIA XU. SHE'S A 2-L FROM
4 USC, INTERESTED IN ALL THINGS PROBATE. SO SHE'S DOING
5 AN EXTERNSHIP, AND I'M SHARING TIME WITH HER AND JUDGE
6 ROSENBLOOM, WHO SITS DOWNTOWN. SO SHE'LL BE OBSERVING
7 THIS AFTERNOON -- OR TODAY.

8 ALL RIGHT. THE OTHER HOUSEKEEPING ISSUE WE
9 NEED TO JUST MAKE EVERYBODY AWARE OF, APPARENTLY,
10 DEPARTMENT 18, WHICH IS OUR PRELIMINARY HEARING
11 COURTROOM, WILL HAVE THE NEED FOR OUR ASL INTERPRETER.
12 THEY'RE NOT READY ON THEIR MATTER YET, SO WE'VE GOT OUR
13 INTERPRETER HERE WITH US, BUT IF THEY CALL AND NEED HIM,
14 THEY'RE GOING TO -- THAT'S GOING TO TAKE PRIORITY. SO
15 I'M HOPING WE CAN GET THROUGH EVERYTHING THIS MORNING AS
16 QUICKLY AS POSSIBLE, SO IF WE HAVE TO RELEASE AN
17 INTERPRETER, IT DOESN'T IMPACT US TOO MUCH.

18 ALL RIGHT. SO, MR. ARGILA, WE HAD
19 FINISHED, I BELIEVE, YOUR TESTIMONY YESTERDAY, AND WE
20 GOT THROUGH ALL OF YOUR EXHIBITS, AND I BELIEVE YOU WERE
21 GOING TO CALL YOUR SON AS A WITNESS.

22 MR. ARGILA: YOUR HONOR, I'M STILL HAVING
23 DIFFICULTY HEARING YOU.

24 THE COURT: OKAY. I SAID, YESTERDAY, YOU HAD
25 FINISHED YOUR TESTIMONY BECAUSE WE HAD GOTTEN THROUGH
26 ALL OF YOUR EXHIBITS, AND YOU WERE INTENDING TO CALL
27 YOUR SON AS A WITNESS.

28 MR. ARGILA: WELL, YOUR HONOR, I'M TRYING TO

1 UNDERSTAND THE PROCESS. I WILL BE CROSS-EXAMINED ON MY
2 TESTIMONY; IS THAT CORRECT?

3 THE COURT: I'M SORRY. YES, YOU WILL, BUT IN
4 LIGHT OF THE FACT THAT WE'VE GOT AN ISSUE WITH THE
5 INTERPRETER, I'M GOING TO INTERRUPT THAT AND HAVE YOU
6 INQUIRE OF CAVAN WHILE WE HAVE THE INTERPRETERS HERE.

7 MR. ARGILA: OKAY. AND THEN WE WOULD CONTINUE --

8 THE COURT: THEN WE COME BACK TO YOU FOR
9 CROSS-EXAMINATION WITH THE ATTORNEYS.

10 MR. ARGILA: DO I UNDERSTAND THAT AFTER I'M
11 CROSS-EXAMINED, I WILL HAVE A CHANCE TO RECROSS -- TO --

12 THE COURT: YOU CAN REDIRECT YOUR TESTIMONY, GIVE
13 REDIRECT AS TO THE QUESTIONS ON CROSS.

14 MR. ARGILA: AND THEN, NORMALLY, I WOULD BE
15 CALLING CAVAN AS MY WITNESS; ALTHOUGH, WE WILL CHANGE
16 THAT ORDER, AND THEN THERE WILL BE A CROSS-EXAMINATION
17 OF CAVAN AND A REDIRECT AGAIN; IS THAT CORRECT?

18 THE COURT: CORRECT.

19 MR. ARGILA: AND THEN THAT'S THE END OF MY CASE
20 PRESENTATION; IS THAT CORRECT?

21 THE COURT: YOU TELL ME. YOU'RE THE ONE THAT'S
22 PUTTING ON THE EVIDENCE.

23 MR. ARGILA: WELL, NORMALLY, THEN, THEY WOULD
24 PRESENT THEIR CASE. I ASSUME THAT'S HOW IT WOULD GO.

25 THE COURT: WELL, WHEN YOU'RE FINISHED PRESENTING
26 ALL YOUR EVIDENCE, INCLUDING WITNESSES, I'M GOING TO ASK
27 IF YOU REST IN YOUR CASE-IN-CHIEF, AND YOU'LL TELL ME,
28 "YES," BECAUSE YOU HAVE NOTHING ELSE. AND, POTENTIALLY,

1 THERE COULD BE MOTIONS THAT WOULD BE MADE AT THAT POINT,
2 OR, POTENTIALLY, THE DEPARTMENT WILL MOVE INTO THEIR --
3 THEIR CASE-IN-CHIEF.

4 MR. ARGILA: OKAY.

5 THE COURT: I DON'T KNOW.

6 MR. ARGILA: AT WHAT POINT DO I PRESENT MY FINAL
7 CLOSING ARGUMENTS?

8 THE COURT: WELL, IF WE HAVE A MOTION, YOU'RE
9 GOING TO HAVE TO ARGUE THE MOTION. IF THE CASE
10 CONTINUES -- WELL, I'LL HEAR THE CASE-IN-CHIEF FROM THE
11 DEPARTMENT. WHEN THEY'VE RESTED, THEN I WOULD ASK FOR
12 CLOSING ARGUMENTS.

13 MR. ARGILA: OKAY. AND, OF COURSE, ALL OF THIS
14 THAT WE'VE DONE, WE DID YESTERDAY AND WE'RE DOING NOW,
15 IS ON THAT FIRST PETITION ONLY --

16 THE COURT: CORRECT, ON THE REMOVAL PETITION.

17 MR. ARGILA: -- WHICH IS CONCERNING REMOVAL OF DDS
18 AS THE CONSERVATOR.

19 THE COURT: CORRECT.

20 MR. ARGILA: OKAY. IT TAKES ME A WHILE TO
21 UNDERSTAND THESE THINGS. I APPRECIATE YOUR PATIENCE.

22 THE COURT: ALL RIGHT. SO ARE YOU READY TO CALL
23 CAVAN?

24 MR. ARGILA: OKAY. SO --

25 THE COURT: HANG ON A SECOND. WE HAVE TO HAVE
26 CAVAN SWORN IN.

27 SO, CAVAN, COULD I HAVE YOU STAND AND RAISE
28 YOUR RIGHT HAND TO TAKE THE OATH?

1 JOHN ARCE,
2 CERTIFIED-COURT ASL INTERPRETER,
3 TRANSLATED ENGLISH INTO SIGN LANGUAGE
4 AND SIGN LANGUAGE INTO ENGLISH FOR THE
5 WITNESS AS FOLLOWS:
6

7 CAVAN ARGILA,
8 THE CONSERVATEE HEREIN, CALLED AS A
9 WITNESS BY THE PETITIONER, HAVING BEEN
10 FIRST DULY SWORN, WAS EXAMINED AND
11 TESTIFIED AS FOLLOWS:
12

13 THE CLERK: YOU DO SOLEMNLY STATE THAT THE
14 TESTIMONY YOU MAY GIVE IN THE CAUSE NOW PENDING BEFORE
15 THIS COURT SHALL BE THE TRUTH, THE WHOLE TRUTH, AND
16 NOTHING BUT THE TRUTH, SO HELP YOU GOD?

17 THE WITNESS: YES.

18 THE COURT: OKAY. YOU CAN GO AHEAD AND TAKE YOUR
19 SEAT.

20 MS. O'NEILL: YOUR HONOR, MAYBE WE SHOULD HAVE THE
21 INTERPRETER UP WITH THE MICROPHONE.

22 THE COURT: OKAY. SO I WAS JUST GOING TO INQUIRE.
23 FOR THE INTERPRETERS. WOULD YOU PREFER TO HAVE CAVAN ON
24 THE WITNESS STAND?

25 THE INTERPRETER: THIS IS JOHN SPEAKING. I THINK
26 IT'S EASIER IF WE STAY WHERE WE ARE, AND, AS MS. O'NEILL
27 STATED, HAVE THE MICROPHONE MOVED TOWARD THE
28 INTERPRETER.

1 THE COURT: OKAY. THAT'S FINE. I'M NOT SURE THAT
2 THEY'RE MOBILE. THE ONLY THING WOULD BE TO GIVE THEM
3 THE REMOTE -- THE HAND-HELD.

4 MS. O'NEILL: BUT THAT'S NOT GOING TO WORK.

5 THE BAILIFF: IT'S NOT LONG ENOUGH, YOUR HONOR.

6 MS. O'NEILL: WELL, IT IS, IF CAVAN MOVES OVER AND
7 THE INTERPRETER SITS HERE.

8 THE COURT: OKAY. SO WHAT WOULD WE LIKE TO DO?

9 MS. O'NEILL: HAVE CAVAN SIT OVER THERE, AND YOU
10 CAN SIT HERE IN FRONT OF THE MICROPHONE.

11 MR. ABRAMOWITZ: YOUR HONOR, THE MIC SHUFFLING,
12 FOR MY BENEFIT, I CAN HEAR OUR ASL INTERPRETER SPEAKING
13 FROM WHERE HE IS CURRENTLY SITTING. SO IF IT'S JUST FOR
14 MY BENEFIT, THE SHUFFLE, THERE'S NO NEED. IF IT'S FOR
15 THE COURT, THE AUDIO WITHIN THE COURTROOM ITSELF, I
16 DEFER TO THE PEOPLE THAT ARE ACTUALLY IN THAT ROOM.

17 THE COURT: WELL, I'VE BEEN ABLE TO HEAR -- THERE
18 HASN'T BEEN ALL THAT MUCH OPPORTUNITY, BUT I THINK IT
19 WOULD BE SAFER TO HAVE THE ASL INTERPRETER CLOSER TO THE
20 MIC. SO YOU CAN PULL UP ANOTHER CHAIR, OR WE CAN --
21 THERE WE GO.

22 THE INTERPRETER: YOUR HONOR, AS A SOUND CHECK, IF
23 THIS WORKS FOR YOU, IT WORKS FOR ME. THANK YOU.

24 THE COURT: OKAY. CAN YOU HEAR, MR. ABRAMOWITZ,
25 AS WELL?

26 MR. ABRAMOWITZ: YOU WERE FINE BEFORE; EVEN BETTER
27 NOW.

28 THE COURT: OKAY. TERRIFIC. ALL RIGHT.

1 SO, MR. ARGILA, YOU CAN GO AHEAD AND TAKE A
2 SEAT AND BEGIN YOUR QUESTIONING.

3 MR. ARGILA: YOUR HONOR, I'M GOING TO ASK THAT YOU
4 PERMIT ME TO QUESTION MY SON DIRECTLY FACE-TO-FACE, IN
5 SIMULTANEOUS COMMUNICATION ASL --

6 THE COURT: NO.

7 MR. ARGILA: -- AND SIGN LANGUAGE.

8 THE COURT: NO, BECAUSE --

9 MR. ARGILA: AND, IF NOT, WHAT WOULD BE THE
10 RATIONALE FOR THAT?

11 THE COURT: BECAUSE I NEED THE OFFICIAL
12 TRANSLATION. I NEED TO MAKE SURE THAT THE QUESTION --

13 THE INTERPRETER: PLEASE USE THE INTERPRETER.

14 THE COURT: MAKE SURE THAT THE QUESTION IS
15 PROPERLY TRANSLATED FOR CAVAN TO ANSWER -- FOR CAVAN'S
16 ANSWER TO BE PROPERLY TRANSLATED TO THE COURT.

17 SO YOU JUST ASK YOUR QUESTIONS IN WORDS
18 WITHOUT ANY SIGN LANGUAGE, MR. ARGILA. LET THE
19 INTERPRETERS DO THE INTERPRETING.

20 MR. ARGILA: OKAY. I WANTED -- I WANTED TO
21 UNDERSTAND WHAT THE THINKING WAS ON THAT.

22 THE COURT: IT'S NOT ANY DIFFERENT THAN IF YOU
23 COULD SPEAK SPANISH AND WANTED TO ASK YOUR QUESTIONS IN
24 SPANISH TO THE WITNESS. WE NEED TO HAVE THE CERTIFIED
25 INTERPRETERS BE THE ONES DOING ALL THE CONVEYING OF THE
26 QUESTION AND THE CONVEYING OF THE ANSWER.

27 MR. ARGILA: I UNDERSTAND THE RATIONALE FOR THAT.
28 THANK YOU, YOUR HONOR.

1 DIRECT EXAMINATION

2 BY MR. ARGILA:

3 Q FIRST QUESTION FOR CAVAN IS DO YOU --

4 THE COURT: AND YOU CAN TAKE YOUR SEAT, SIR.

5 MR. ARGILA: OKAY.

6 Q DO YOU WANT TO CONTINUE -- DO YOU WANT TO
7 CONTINUE WITH THE REGIONAL CENTER AS YOUR CONSERVATOR?8 MS. O'NEILL: OBJECTION, YOUR HONOR. MISSTATES
9 FACTS IN EVIDENCE.10 THE COURT: OKAY. SO THE REGIONAL CENTER ISN'T
11 THE CONSERVATOR. IT'S THE DEPARTMENT OF DEVELOPMENTAL
12 SERVICES. SO IS THE QUESTION THAT YOU'RE ASKING,
13 MR. ARGILA, DOES YOUR SON WISH TO HAVE THE DEPARTMENT OF
14 DEVELOPMENTAL SERVICES REMAIN AS HIS CONSERVATOR?15 MR. ARGILA: YES. SO THAT QUESTION WAS ALREADY
16 DELIVERED TO CAVAN, AND CAVAN RESPONDED, "NO."17 THE COURT: THE QUESTION THAT YOU ASKED, TO WHICH
18 THERE WAS AN OBJECTION --19 MR. ARGILA: -- HAS ALREADY BEEN PRESENTED TO
20 CAVAN, AND CAVAN HAS ANSWERED IT AS IT WAS PRESENTED.

21 THE COURT: OKAY.

22 MR. ARGILA: AND AS THE INTERPRETERS WILL
23 ARTICULATE, HIS ANSWER WAS, "NO."24 THE COURT: THERE WAS ON OBJECTION TO YOUR
25 QUESTION. THE OBJECTION IS SUSTAINED. THE ANSWER, TO
26 THE EXTENT THAT YOU'VE COMMUNICATED IT -- IT HASN'T BEEN
27 COMMUNICATED BY THE INTERPRETERS -- IS STRICKEN.

28 ALL RIGHT. SO THE QUESTION, I BELIEVE, YOU

1 WANTED TO ASK, MR. ARGILA, WAS WHETHER CAVAN WANTED THE
2 DEPARTMENT OF DEVELOPMENTAL SERVICES TO REMAIN AS
3 CONSERVATOR?

4 SO, CAVAN, IF YOU COULD ANSWER THAT
5 QUESTION, PLEASE.

6 Q BY MR. ARGILA: OKAY. SO --

7 THE COURT: WAIT. WAIT. I HAVEN'T GOTTEN AN
8 ANSWER.

9 MR. ARGILA: YOUR HONOR --

10 THE COURT: MR. ARGILA, YOU NEED TO LET THE
11 INTERPRETERS GIVE THE ANSWER.

12 MR. ARGILA: OKAY. BECAUSE THE INTERPRETER IS
13 ASKING ME TO RESTATE THE QUESTION.

14 THE COURT: OKAY. I'M GOING TO ASK THE AMERICAN
15 SIGN LANGUAGE INTERPRETER TO PLEASE LET ME KNOW WHAT THE
16 ANSWER WAS.

17 THE WITNESS: DAD, JUST TELL THEM I SAID, "YES."

18 THE COURT: OKAY. OKAY. NEXT QUESTION.

19 MR. ARGILA: SO, YOUR HONOR --

20 THE WITNESS: AND NOW DAD'S QUIET.

21 MR. ARGILA: YOUR HONOR, CAVAN WAS CONFUSED --

22 MS. O'NEILL: OBJECTION, YOUR HONOR.

23 MR. ARGILA: -- BY ALL OF THIS INTERACTION.

24 MS. O'NEILL: OBJECTION, YOUR HONOR.

25 THE COURT: OKAY. MR. ARGILA, YOU MIGHT NOT LIKE
26 THE ANSWER, BUT THAT'S THE ANSWER THAT'S BEEN GIVEN TO
27 THE COURT BY THE COURT-APPROVED INTERPRETER.

28 MR. ARGILA: YES, I UNDERSTAND. I UNDERSTAND WHAT

1 YOU'RE STATING, YOUR HONOR. SO MY ONLY STATEMENT -- I
2 MEAN, I'M DONE QUESTIONING CAVAN. I'M DONE QUESTIONING
3 CAVAN.

4 THE COURT: OKAY.

5 MR. ARGILA: THERE'S NO POINT IN GOING FURTHER;
6 HOWEVER, FOR THE RECORD, CAVAN DID NOT UNDERSTAND THAT
7 QUESTION CLEARLY, AND HE WAS CONFUSED WITH ALL OF THE
8 INTERACTIONS ATTEMPTING TO EXPLAIN THE DISTINCTION
9 BETWEEN REGIONAL CENTER AND DDS.

10 THE COURT: OKAY. WELL, THAT'S YOUR
11 EDITORIALIZING.

12 MR. ARGILA: THAT MAY WELL BE.

13 THE COURT: OKAY. BUT THE ANSWER TO THE QUESTION
14 WAS, "DAD JUST TELL THEM I SAID 'YES,'" IN RESPONSE TO
15 THE QUESTION WHETHER THE DEPARTMENT SHOULD REMAIN AT THE
16 CONSERVATOR.

17 MR. ARGILA: CAVAN DID NOT UNDERSTAND THAT
18 QUESTION.

19 THE COURT: AGAIN, THAT'S YOU EDITORIALIZING.

20 ANY OTHER QUESTIONS THAT YOU HAVE FOR YOUR
21 SON?

22 MR. ARGILA: I HAVE NO FURTHER QUESTIONS AT THIS
23 TIME, YOUR HONOR. CAVAN IS CONFUSED BY THIS PROCESS.

24 THE COURT: OKAY. AGAIN, EDITORIALIZING,
25 MR. ARGILA.

26 MR. ARGILA: YES, I UNDERSTAND THAT, YOUR HONOR.

27 THE COURT: ALL RIGHT. MR. ABRAMOWITZ, DID YOU
28 HAVE ANY QUESTIONS FOR CAVAN?

1 MR. ABRAMOWITZ: NOTHING FROM ME, YOUR HONOR.

2 THE COURT: MS. DIXON?

3 MS. DIXON: NO, YOUR HONOR.

4 THE COURT: MS. O'NEILL?

5 MS. O'NEILL: JUST A COUPLE, YOUR HONOR.

6 THE COURT: OKAY.

7 MS. O'NEILL: IF YOU DON'T MIND.

8 THE COURT: NO.

9

10 CROSS-EXAMINATION

11 BY MS. O'NEILL:

12 Q CAVAN, ARE YOU CURRENTLY EMPLOYED?

13 A YES.

14 Q WHERE ARE YOU EMPLOYED?

15 A I HAVE TWO JOBS. I WORK AT AMAZON AND
16 PROGRAM FOR A JOB -- JOB PROGRAM. YOU KNOW, I WORK WITH
17 CLIENTS BY GIVING THEM TOURS AS PART OF MY JOB PROGRAM.

18 Q AND DO YOU ENJOY YOUR JOB?

19 A YES.

20 Q DO YOU WANT TO CONTINUE WORKING THERE?

21 A YES.

22 Q HOW LONG HAVE YOU BEEN WORKING FOR AMAZON?

23 A NOVEMBER 8TH, I GOT THE JOB, SO I'M IN MY
24 THIRD MONTH.

25 Q AND THEY KEPT YOU ON EVEN AFTER THE
26 CHRISTMAS HOLIDAYS?

27 A YES, THEY DID.

28 Q AND I JUST WANT TO ASK YOU A COUPLE

1 QUESTIONS --

2 A AND I GOT A PROMOTION.

3 Q EXCELLENT.

4 A I'M STILL LEARNING. I'M STILL TRAINING,
5 BUT I'M DOING BETTER AND MOVING UP.

6 Q SO LET ME ASK YOU A LITTLE BIT ABOUT WHERE
7 YOU LIVE. DO YOU LIVE IN A HOUSE?

8 A YES, THAT'S RIGHT.

9 Q HOW MANY PEOPLE LIVE WITH YOU?

10 A FOUR.

11 Q DO YOU HAVE YOUR OWN ROOM?

12 A YES.

13 Q AND DO YOU HAVE YOUR OWN BATHROOM?

14 A YES. IT'S ATTACHED TO THE BEDROOM.

15 Q AND IS THE HOUSE SET UP TO ACCOMMODATE DEAF
16 PEOPLE?

17 A YES. IT HAS ALL THE TECHNOLOGY, LIKE A
18 FLASHING DOORBELL, THE FIRE ALARM. ALSO, IT HAS A
19 STROBE LIGHT, AND THE ALARM SYSTEM USES A VIBRATION
20 SYSTEM TO WAKE YOU UP. WHEN SOMEONE KNOCKS ON THE DOOR,
21 THERE'S VIBRATION DEVICES TO LET YOU KNOW SOMEONE'S AT
22 THE DOOR, SO, YES.

23 Q ARE YOU COMFORTABLE LIVING THERE?

24 A IN MY ROOM, I'M VERY COMFORTABLE; HOWEVER,
25 AS SOON AS I GO OUT OF THE ROOM, I'M WITH THE OTHER
26 THREE PEOPLE, AND IT IS -- IT'S ANNOYING.

27 Q ARE THE OTHER THREE PEOPLE DEAF ALSO?

28 A YES.

1 Q AND IS THERE SOMEONE ON STAFF ALL THE TIME
2 THAT CAN USE SIGN LANGUAGE TO COMMUNICATE?

3 A NO. THERE IS ONE DEAF STAFF MEMBER, AND
4 THEN THERE'S AN INTERPRETER THERE. I THINK IT'S NOT
5 THAT PERSON'S SON. I FORGET -- THE DEAF STAFF'S NAME
6 STARTS WITH A "B." THE INTERPRETER'S NAME STARTS WITH
7 AN "S." THEY CAN SIGN, BUT NOBODY ELSE THERE ON STAFF
8 CAN SIGN.

9 Q IS THERE SOMEBODY ALWAYS THERE THAT CAN
10 SIGN?

11 A YES. YEAH, ONE OF THE TWO, AND -- YES,
12 THEY CAN SIGN.

13 Q AND DOES THE HOUSE PREPARE YOUR MEALS FOR
14 YOU?

15 A BUT I WANT TO ADD THAT THERE'S ANOTHER
16 PERSON THAT COMES IN WHO CAN BARELY SIGN. IT'S LIKE
17 THEY'RE TRYING TO LEARN SIGN LANGUAGE ON THE JOB, AND I
18 GUESS EVERYONE'S SORT OF GIVING THAT PERSON TIME TO
19 LEARN, SO --

20 Q OKAY. AND DOES THE HOUSE PREPARE THE MEALS
21 FOR YOU?

22 A YES. THERE'S STAFF FOR THAT. I'M NOT
23 ALLOWED TO USE THE KITCHEN TO COOK; HOWEVER --

24 THE INTERPRETER: MAY THE INTERPRETER HAVE A
25 MOMENT TO CLARIFY?

26 THE COURT: YES.

27 THE INTERPRETER: I'M SORRY. MAY I HAVE THE
28 QUESTION ASKED AGAIN?

1 MS. O'NEILL: WHETHER THE HOUSE COOKS FOR HIM.

2 THE WITNESS: YES.

3 Q BY MS. O'NEILL: AND DO THEY PROVIDE
4 HEALTHY MEALS?

5 A YES.

6 Q YOUR FATHER TALKED A LITTLE BIT ABOUT YOUR
7 WEIGHT. HAVE YOU MET WITH A NUTRITIONIST OR A
8 DIETICIAN?

9 A YES, ONCE A MONTH.

10 Q AND YOU KNOW THE DIFFERENCE BETWEEN HEALTHY
11 EATING AND POOR EATING HABITS, DON'T YOU?

12 A OH, YES.

13 Q OKAY.

14 THE COURT: WHAT'S YOUR FAVORITE HEALTHY MEAL?

15 THE WITNESS: I ESPECIALLY LIKE THE AHI POKE.
16 TUNA FISH IS ONE OF MY FAVORITES, AND IT'S VERY HEALTHY.

17 THE COURT: AND THEN YOUR FAVORITE UNHEALTHY MEAL,
18 WHAT WOULD THAT LOOK LIKE?

19 THE WITNESS: THAT WOULD HAVE TO BE CARL'S, JR.,
20 WHICH I LOVE VERY MUCH, BUT I KNOW THAT IT'S NOT GOOD
21 FOR ME, BUT OCCASIONALLY I'LL DO THE CHICKEN SANDWICH.
22 THAT'S ABOUT AS BAD AS I GET.

23 THE COURT: OKAY. NO FRIES?

24 THE WITNESS: YEAH, BUT I SHOULDN'T. I SHOULD GET
25 THE ZUCCHINI FRIES.

26 THE COURT: WHEN YOU WORK AT AMAZON, DO YOU HAVE
27 TO BRING A LUNCH OR ANYTHING WITH YOU?

28 THE WITNESS: YES.

1 THE COURT: AND DO YOU -- IS THAT LUNCH MADE BY
2 SOMEBODY AT THE HOUSE?

3 THE WITNESS: THOSE ARE THINGS THAT I BUY FOR
4 MYSELF, LIKE CANNED PASTA THAT I LOVE, OTHER THINGS THAT
5 I HAVE THAT I BOUGHT THAT I PACK FOR MY LUNCH.

6 THE COURT: OKAY. THANK YOU.

7 GO AHEAD, MS. O'NEILL.

8 Q BY MS. O'NEILL: CAVAN, DO YOU HAVE A GYM
9 MEMBERSHIP?

10 A I WAS, BUT I HAD TO STOP BECAUSE MY JOB AT
11 AMAZON, AND NOW I HAVE BASICALLY TWO JOBS, SO NO TIME
12 FOR THE GYM. I'M TOO TIRED.

13 Q BUT BEFORE YOU STARTED WORKING FOR AMAZON,
14 DID YOU GO TO THE GYM?

15 A YES.

16 Q AND DID YOU WORK OUT ON A REGULAR BASIS?

17 A I WAS GOING FOR FOUR MONTHS. IT WAS ABOUT
18 FOUR MONTHS TOTAL BEFORE I GOT THE JOB AT AMAZON.

19 Q WITH A PERSONAL TRAINER?

20 A YES. THEY DO HAVE A TRAINER THERE FOR ME,
21 YES.

22 Q AND AFTER YOU WENT TO WORK FOR AMAZON,
23 YOU'VE ACTUALLY LOST WEIGHT SINCE THEN, HAVEN'T YOU?

24 A SLOWLY. I'M NOW AT 337, 337 POUNDS.

25 Q WORKING AT AMAZON, YOU'RE A LOT MORE
26 PHYSICALLY ACTIVE THAN YOU WERE BEFORE; IS THAT RIGHT?

27 A YES, VERY ACTIVE. I'M CONSTANTLY MOVING,
28 BENDING OVER, PICKING UP BOXES. IT'S VERY HARD ON ME

1 BECAUSE I HAVE A LOT OF WEIGHT AROUND MY MIDSECTION, BUT
2 I CAN FEEL IT. IT'S MAKING MY SHOULDERS SORE, MY ARMS
3 TIRED, BUT I'M NOT GOING TO GIVE UP. I LOVE THE JOB.
4 I'M GOING TO KEEP GOING.

5 MS. O'NEILL: I HAVE NOTHING FURTHER, YOUR HONOR.

6 THE COURT: THERE WAS SOME MENTION THAT YOU ALSO
7 WANTED TO WORK ON CARS AS A MECHANIC. IS THAT SOMETHING
8 YOU STILL WISH TO PURSUE?

9 THE WITNESS: RIGHT NOW, I'M JUST FOCUSED ON THE
10 TWO JOBS THAT I HAVE, THE AMAZON AND THE JOB PROGRAM
11 TOUR GUIDE THING; BUT I'M NOT GIVING UP ON MY MECHANIC
12 DREAMS, BUT I'M HOLDING OFF ON THAT AND FOCUSING ON WHAT
13 I HAVE IN FRONT OF ME NOW.

14 THE COURT: AND THE TOUR GUIDE JOB, WHERE IS IT
15 THAT YOU'RE GIVING TOURS?

16 A SO IT'S IN-HOUSE. THEY'RE DEVELOPMENTALLY
17 DELAYED CLIENTS, AND YOU SEE THE WOMAN BEHIND ME HERE IN
18 THE COURTROOM RIGHT NOW? SHE ACTUALLY WORKS WITH ME ON
19 THAT, SO SHE COULD PROBABLY BETTER DEFINE MY ROLE AS A
20 TOUR GUIDE FOR THESE DEVELOPMENTALLY DELAYED CLIENTS WHO
21 ARE TOURING THE FACILITY.

22 THE COURT: AND WHEN YOU SAY "THE FACILITY," ARE
23 YOU TALKING ABOUT THE HOUSE YOU LIVE IN OR SOMEPLACE
24 ELSE?

25 THE WITNESS: SO BASICALLY WHAT HAPPENS IS STAFF
26 TAKES ME IN A CAR. THEY DRIVE MYSELF AND OTHER CLIENTS.
27 WE GO OUT TO A PLACE WITH SOME OF THESE DEVELOPMENTALLY
28 DELAYED CLIENTS, AND THEN I SORT OF MONITOR THEM WHEN

1 WE'RE OUT ON OUR FIELD TRIPS. MAYBE WE'RE OUT
2 SOMEWHERE, AND I'LL EXPLAIN TO THEM IN SIGN LANGUAGE,
3 "LOOK, WE'RE AT A STORE. THESE ARE ITEMS THAT YOU BUY
4 FROM A STORE." OR IF WE'RE IN A DIFFERENT PLACE, I WILL
5 EXPLAIN TO THESE CLIENTS, LIKE MYSELF WHO ARE DEAF AND
6 DISABLED, WHERE WE ARE AND WHAT'S GOING ON, AND THAT'S
7 SOMETHING THAT I DO AS A VOLUNTEER, AND IT'S PART OF THE
8 JOB TRAINING PROGRAM WHERE I'M AT.

9 THE COURT: SO YOU'RE PAID FOR YOUR WORK AT
10 AMAZON, BUT YOUR WORK AS A TOUR GUIDE IS VOLUNTEER WORK?

11 THE WITNESS: WELL, IT'S UNDER THE TABLE. THEY
12 GIVE ME CASH FOR THAT, BUT THE AMAZON JOB GIVES ME A
13 PAYCHECK THAT IS DIRECT DEPOSITED TO MY BANK, BUT THE
14 STUFF I DO IN-HOUSE IS UNDER THE TABLE.

15 THE COURT: OKAY. ALL RIGHT. ANYTHING ELSE BASED
16 ON THE COURT'S QUESTIONS, MS. O'NEILL?

17 MS. O'NEILL: NO, YOUR HONOR.

18 THE COURT: MR. ABRAMOWITZ OR MS. DIXON, ANY
19 QUESTIONS?

20 MS. DIXON: JUST VERY BRIEFLY, YOUR HONOR.

21 THE COURT: GO AHEAD, MS. DIXON.

22

23 CROSS-EXAMINATION

24 BY MS. DIXON:

25 Q SO, CAVAN, DO YOU HAVE ANY FRIENDS AT YOUR
26 HOUSE WHERE YOU LIVE?

27 A NO. NO TIME FOR THAT, REALLY. I'M TOO
28 BUSY.

1 Q WHAT ABOUT JEANINE?

2 A OH, JEANINE? OH, YEAH, SHE'S SWEET. OH, I
3 LOVE HER. SHE'S SWEET.

4 Q DO YOU LIKE TO DO ACTIVITIES TOGETHER?

5 A OH, NO, NO. SHE'S OLDER. I MEAN, SHE'S
6 66, SO SHE DOESN'T GET AROUND MUCH. SHE STAYS AROUND
7 THE HOUSE AND DOESN'T MOVE AS MUCH AS I DO. SHE'S NOT
8 GOING OUT AS MUCH I AM. BUT SOMETIMES, BECAUSE SHE'S
9 SWEET, I'LL GO OUT TO GET HER AN ICE CREAM AND BRING IT
10 BACK FOR HER. THAT'S SOMETHING I'VE DONE FOR HER. I'M
11 ALWAYS GIVING HER LITTLE GIFTS LIKE THAT, AND SHE'S
12 ALWAYS SO EXCITED TO GET LITTLE GIFTS LIKE THAT. SO,
13 YES.

14 Q DO YOU LIKE TO PUT PUZZLES TOGETHER?

15 A OH, OH, SHE IS IN LOVE WITH BUILDING
16 PUZZLES, AND I ENJOY IT. SHE'S REALLY GOOD AT IT. I
17 MEAN, SHE CAN PUT THE WHOLE THING TOGETHER BY HERSELF,
18 TO BE HONEST, BUT I COME IN AND HELP OUT SOMETIMES.
19 SOMETIMES SHE'S DOING HER PUZZLE AND SHE GETS SO INTO
20 IT, THAT SHE FALLS ASLEEP RIGHT IN THE MIDDLE OF DOING
21 HER PUZZLE, AND THEN I'LL JUST WALK AWAY QUIETLY AND
22 LEAVE HER TO HER NAP.

23 MS. DIXON: NOTHING ELSE. THANK YOU.

24 THE COURT: MR. ABRAMOWITZ, ANYTHING?

25 MR. ABRAMOWITZ: NOTHING FROM ME, YOUR HONOR.

26 THE COURT: THANK YOU.

27 MR. ARGILA, ANY --

28 MR. ARGILA: YES. YES, I DO, YOUR HONOR.

1 THE COURT: GO AHEAD.

2 MR. ARGILA: DOES CAVAN UNDERSTAND THAT I'M
3 ADDRESSING HIM NOW?

4

5 REDIRECT EXAMINATION

6 BY MR. ARGILA:

7 Q IN THE PAST, BEFORE WE CAME HERE TO --

8 A YES, I UNDERSTAND.

9 Q -- COURT, DID YOU EVER TELL ME THAT YOU
10 WANTED TO MOVE BACK TO YOUR OWN APARTMENT, LIKE YOU HAD
11 IN THE PAST?

12 A YES, THAT'S RIGHT, AND I STILL DO WANT TO
13 BE INDEPENDENT.

14 Q IN THE PAST, BEFORE WE CAME HERE TO COURT
15 FOR TRIAL, DID YOU TELL ME THAT YOU WANTED TO MOVE BACK
16 TO YOUR FAMILY CARE, SSD, TO PROVIDE SERVICES FOR YOU?

17 MS. O'NEILL: YOUR HONOR, I'M GOING TO OBJECT ON
18 THE GROUNDS OF VAGUENESS. I DON'T KNOW WHAT "FAMILY
19 CARE" IS OR "PROVIDE SERVICES."

20 THE COURT: SO SUSTAINED AS TO THE FORM OF THE
21 QUESTION. YOU CAN ASK IT IN A DIFFERENT WAY,
22 MR. ARGILA.

23 Q BY MR. ARGILA: IN THE PAST, DID YOU TELL
24 ME THAT YOU WANTED TO GO BACK TO SSD THE SAME AS BEFORE?

25 MS. O'NEILL: SAME OBJECTION, YOUR HONOR. VAGUE.
26 AND ALSO, "THE SAME AS BEFORE," IT'S VAGUE.

27 THE COURT: OKAY. SO THE OBJECTION IS SUSTAINED.
28 LET ME SEE IF I CAN MAYBE MOVE THROUGH THIS.

1 DO YOU KNOW WHAT THE TERM "SSD" MEANS?

2 THE WITNESS: YES.

3 THE COURT: OKAY. WHAT DOES THAT MEAN?

4 THE WITNESS: I USED TO BE WITH SSD.

5 THE COURT: OKAY -- GO AHEAD.

6 THE WITNESS: AND IT'S -- SSD WAS THE BEST BECAUSE
7 THE STAFF WAS DEAF. THE STAFF KNEW SIGN LANGUAGE.

8 MR. ARGILA: SHOULD I REPEAT MY QUESTION, YOUR
9 HONOR?

10 THE COURT: NO. LET ME TRY IT THIS WAY,
11 MR. ARGILA.

12 MR. ARGILA: I'M HAVING DIFFICULTY HEARING YOU,
13 YOUR HONOR.

14 THE COURT: LET ME SEE IF I CAN GET THROUGH THE
15 QUESTION.

16 DID YOU TELL YOUR FATHER IN THE PAST THAT
17 YOU WANTED TO GO BACK TO A LIVING ENVIRONMENT WHERE
18 STAFF WAS DEAF AS WELL?

19 MR. ARGILA: THAT QUESTION IS SO COMPLICATED FOR
20 MY SON TO ANSWER, YOUR HONOR.

21 THE COURT: OKAY. LET'S SEE IF YOUR SON
22 UNDERSTANDS IT. IF HE DOESN'T UNDERSTAND IT, HE CAN
23 TELL ME.

24 THE WITNESS: YES, THAT'S RIGHT.

25 THE COURT: AND WHEN YOU SAY YOU USED TO BE WITH
26 SSD, WHERE WERE YOU LIVING AT THAT TIME?

27 THE WITNESS: THAT WAS IN WEST COVINA.

28 THE COURT: WAS THAT A HOUSE?

1 THE WITNESS: IT WAS THE SUNSET HOUSE. I USED TO
2 LIVE OVER THERE IN WEST COVINA ON SUNSET.

3 THE COURT: AND SO YOU HAD OTHER PEOPLE WHO LIVED
4 THERE THAT WERE DEAF?

5 THE WITNESS: OH, YEAH, THERE WERE OTHER RESIDENTS
6 THERE, AND IT WAS AN APARTMENT BUILDING, AND THERE WERE
7 DEAF PEOPLE IN VARIOUS APARTMENTS THROUGHOUT THE
8 BUILDING. I HAD MY OWN UNIT, AND SO THAT WAS MY
9 APARTMENT WITHIN THIS GROUP LIVING SITUATION AT THIS
10 APARTMENT BUILDING.

11 THE COURT: AND WHEN YOU LIVED IN YOUR OWN UNIT,
12 CAN I ASSUME THAT YOU HAD YOUR OWN KITCHEN SO THAT YOU
13 PREPARED YOUR OWN MEALS?

14 THE WITNESS: YES.

15 THE COURT: THANK YOU. ALL RIGHT. GO AHEAD.

16 THE WITNESS: AND I'M A GOOD COOK.

17 THE COURT: I'M SURE YOU ARE.

18 BY MR. ARGILA: YOUR HONOR, LET ME -- MY SON IS
19 UPSET WITH ME BECAUSE HE BELIEVES THAT I'M IN A STATE OF
20 CONFLICT WITH YOU.

21 THE COURT: OKAY. MR. ARGILA, PLEASE DON'T
22 EDITORIALIZE IN FRONT OF YOUR SON. I WANT TO HAVE HIS
23 ANSWERS BE --

24 THE WITNESS: DAD, I'M NOT UPSET WITH YOU. I'M
25 NOT. I JUST KNOW YOU'RE UPSET, AND I'M CONCERNED ABOUT
26 YOU. AND JUST -- AGAIN, I'M NOT UPSET WITH YOU, DAD.
27 SO I'M NOT MAD AT YOU, NOTHING LIKE THAT. I'M OKAY.

28 MR. ARGILA: SO TO CLARIFY, YOUR HONOR --

1 THE COURT: YOU'RE TO ASK QUESTIONS.

2 THE WITNESS: AND NOT ONLY THAT, I LOVE YOU.

3 THE COURT: YOU'RE TO ASK QUESTIONS. THAT'S THE
4 POINT OF THE PROCEEDING THAT WE'RE IN, MR. ARGILA. DO
5 YOU HAVE ANY MORE QUESTIONS FOR YOUR SON?

6 MR. ARGILA: YES, I DO.

7 Q BEFORE WE CAME HERE TO THE COURT, DID
8 YOU -- WE, YOU AND I, DISCUSS THAT REGIONAL CENTER WAS
9 YOUR CONSERVATOR IN PROVIDING SERVICES/CARE FOR YOU; IS
10 THAT CORRECT?

11 THE INTERPRETER: COULD YOU PLEASE REPEAT THE
12 QUESTION?

13 THE COURT: WOULD YOU LIKE TO HAVE THE QUESTION
14 READ BACK?

15 MR. ARGILA: I BELIEVE HE'S HAVING DIFFICULTY
16 UNDERSTANDING THE INTERPRETER, SO I'LL REPEAT THE
17 QUESTION.

18 Q BEFORE WE CAME TO COURT --

19 THE INTERPRETER: PLEASE REPEAT.

20 Q BY MR. ARGILA: DID YOU TELL ME THAT YOU
21 DID NOT WANT REGIONAL CENTER TO BE YOUR CONSERVATOR?

22 A YES, I TOLD YOU THAT.

23 Q DID YOU -- DID YOU TELL ME THAT YOU WANTED
24 ME TO BE YOUR CONSERVATOR?

25 A YES.

26 Q HAVE YOU CHANGED YOUR MIND?

27 A I'D RATHER BE WITH YOU. SEE, THE WHOLE
28 POINT WHY I'D RATHER HAVE YOU BE MY CONSERVATOR IS THEN

1 I CAN BE MORE INDEPENDENT. WHERE I'M LIVING NOW, I FEEL
2 VERY RESTRICTED, AND I'M NOT COMFORTABLE WITH THE
3 ROOMMATES THAT I HAVE, ET CETERA.

4 Q DO YOU WANT -- DO YOU --

5 MR. ARGILA: THESE ARE VERY DIFFICULT CONCEPTS FOR
6 MY SON TO UNDERSTAND.

7 Q DO YOU WANT TO CONTINUE THIS TRIAL NOW SO
8 THAT I CAN BECOME YOUR CONSERVATOR NOW?

9 A YES. THAT IS WHAT I WANT.

10 MR. ARGILA: I'M THROUGH -- I HAVE NO FURTHER
11 QUESTIONS FOR MY SON, YOUR HONOR, BUT I WOULD -- I WOULD
12 PERHAPS -- WITHOUT MY SON AROUND, I'D LIKE TO SEEK SOME
13 GUIDANCE FROM THE COURT.

14 THE COURT: WELL, I'M NOT SURE THAT THE COURT CAN
15 GIVE YOU ANY GUIDANCE ANY MORE THAN I ALREADY HAVE,
16 MR. ARGILA.

17 MR. ARGILA: MY -- I -- IF IT IS NOT -- IT HAS
18 NEVER, EVER BEEN MY INTENTION TO BECOME MY SON'S
19 CONSERVATOR AGAINST HIS WILL.

20 THE COURT: OKAY.

21 MR. ARGILA: AND OVER A PERIOD OF, LITERALLY,
22 YEARS, HE HAS ASKED ME TO BE HIS CONSERVATOR AND
23 RESTORE --

24 MS. DIXON: YOUR HONOR, I'M GOING TO OBJECT TO
25 THIS. WE'RE IN THE MIDDLE OF CROSS-EXAMINATION.

26 THE COURT: YEAH. MR. ARGILA, YOU'RE, AGAIN,
27 EDITORIALIZING IN A WAY THAT ALMOST SUGGESTS HOW YOU
28 WANT YOUR SON TO RESPOND.

1 MR. ARGILA: OKAY. WELL, THEN -- IF HE --

2 THE COURT: SO IF YOU DON'T HAVE ANY MORE
3 QUESTIONS FOR HIM, I'LL ASK MS. O'NEILL. DO YOU HAVE
4 ANY FURTHER INQUIRY OF YOUR CLIENT?

5 MS. O'NEILL: YES, YOUR HONOR.

6 THE COURT: THE COURT WILL BE INTERESTED TO KNOW
7 HOW THE AMAZON JOB WAS PROCURED.

8 MS. O'NEILL: OKAY.

9

10 FURTHER RECROSS-EXAMINATION

11 BY MS. O'NEILL:

12 Q CAVAN, HOW DID YOU GET THE JOB AT AMAZON?

13 A MY DAD.

14 Q HOW DID YOUR DAD GET THE JOB?

15 MR. ARGILA: OBJECTION. HE'S ANSWERED THAT
16 QUESTION, AND HE'S JUST ANSWERED IT TWICE.

17 THE COURT: NO. THE SECOND QUESTION WAS IF HE
18 KNEW HOW YOU WERE ABLE TO OBTAIN THE JOB AT AMAZON FOR
19 HIM.

20 THE WITNESS: DAD, LET ME JUST ANSWER THE
21 QUESTION. I DID SAY THAT YOU HELPED ME FIND THE JOB AT
22 AMAZON. THAT'S WHAT I SAID.

23 SO SHOULD I ANSWER THE SECOND QUESTION?

24 THE COURT: PLEASE.

25 Q BY MS. O'NEILL: YES, PLEASE.

26 A SO WHAT HAPPENED WAS MY DAD WAS THE ONE WHO
27 GAVE ME THE INFORMATION ABOUT THE JOB OPENING AT AMAZON.
28 THEN I FILLED IT OUT, THE APPLICATION, THAT IS; AND THEN

1 THEY ACCEPTED ME FOR AN INTERVIEW, AND THEN STAFF CAME
2 WITH ME TO AMAZON OUT THERE, DOWNTOWN LOS ANGELES.

3 I DID THE INTERVIEW. THEY TESTED ME. THEY
4 TOOK SOME BLOOD FOR THE DRUG TEST, AND THE ORAL SWAB,
5 AND THEN I PASSED. AND THEN THEY BROUGHT ME TO THE CITY
6 OF INDUSTRY WHERE I WENT, AND I'VE BEEN WORKING THERE
7 EVER SINCE.

8 Q SO WHEN YOU WERE LOOKING FOR THE JOB, WERE
9 YOU LOOKING ONLINE FOR JOBS?

10 A YES, ONLINE. AND I HAD BEEN LOOKING ONLINE
11 FOR A WHILE, BUT THIS AMAZON OPPORTUNITY CAME UP THROUGH
12 MY DAD, AND I WAS THRILLED BECAUSE THE PAY WAS GOOD, AND
13 I GOT THE JOB. SO, THANK YOU, DAD. AND THE FACT IS, I
14 ALWAYS THANK MY DAD WHEN HE DOES THINGS FOR ME.

15 Q AND THE AMAZON JOB WAS ONE THAT WAS POSTED
16 ONLINE; IS THAT CORRECT?

17 MR. ARGILA: YOUR HONOR, CAN I OBJECT ON THE BASIS
18 OF RELEVANCE?

19 THE COURT: YOU CAN. IS THAT YOUR OBJECTION?

20 MR. ARGILA: THAT'S MY OBJECTION, YOUR HONOR.

21 THE COURT: OVERRULED. I'M STILL TRYING TO GET
22 THE FULL CONTEXT OF HOW HE SECURED A JOB AT AMAZON. SO
23 CAVAN CAN ANSWER.

24 THE WITNESS: I GET ALL MY JOB OPPORTUNITIES
25 ONLINE, AND SO THAT'S WHERE I'VE SEEN JOB OPPORTUNITIES,
26 AS WELL AS THE AMAZON WAS ONLINE.

27 Q BY MS. O'NEILL: AND AMAZON WAS ONLINE.
28 AND WHEN YOU FILLED OUT THE APPLICATION, DID ANYONE HELP

1 YOU WITH THE APPLICATION?

2 A I DID IT MOSTLY BY MYSELF, BUT STAFF WAS
3 THERE AND DID HELP ME OUT ON OCCASION JUST TO MAKE SURE
4 IF I HAD ANY QUESTIONS, OR THEY LOOKED IT OVER TO MAKE
5 SURE IT WAS ALL GOOD BEFORE I SENT IT OFF.

6 Q AND THE STAFF THAT YOU'RE REFERRING TO IS
7 STAFF AT THE HOUSE; IS THAT CORRECT?

8 A THAT'S THE DEAF WOMAN WITH THE NAME THAT
9 STARTS WITH A "B." I FORGET HOW TO SPELL HER NAME.

10 Q AND YOU SUBMITTED THE APPLICATION, AND THEN
11 THE STAFF TOOK YOU THERE FOR THE INTERVIEW; IS THAT
12 CORRECT?

13 A YES, THAT'S EXACTLY WHAT HAPPENED WHEN THEY
14 TOOK ME TO DOWNTOWN L.A. FOR THE INTERVIEW.

15 Q OKAY. LET ME ASK YOU ABOUT SSD. WHEN YOU
16 SAID THAT "SSD WAS THE BEST," WHO IS SSD?

17 A YOU MEAN WHEN I USED TO BE WITH HIM, WHO
18 WAS THE STAFF?

19 Q NO. WHEN YOU SAY "SSD," WHO ARE YOU
20 REFERRING TO?

21 A I CAN'T REMEMBER EVERYONE'S NAME, BUT THERE
22 WAS SO MANY STAFF. I CAN'T REMEMBER THEM ALL.

23 Q DO YOU KNOW WHAT "SSD" IS?

24 A THE FIRST "S" IS SUPPORT, DEAF,
25 DISABILITY -- WAIT. ISN'T THAT RIGHT, DAD?

26 THE COURT: WELL, WE NEED YOUR ANSWER, SO IF YOU
27 THINK "D" IS DISABILITY, WE'LL TAKE THAT AS YOUR ANSWER.

28 AND THEN THE SECOND "S," DO YOU REMEMBER

1 WHAT THAT STANDS FOR?

2 THE WITNESS: ISN'T IT "SDD"?

3 THE COURT: I'M SORRY?

4 THE WITNESS: OR IS IT -- I THINK IT'S SDD.

5 THE COURT: OKAY. SO IF YOU UNDERSTAND "SDD,"
6 JUST TELL US WHAT YOU THINK "SDD" MEANS.

7 THE WITNESS: I MEAN, WHAT THEY DO IS THEY TAKE ME
8 AROUND. THEY TAKE ME OUT FOR A GOOD TIME. WE GO OUT
9 AND HAVE FUN. IF THERE ARE DEAF EVENTS, THEY'LL TAKE ME
10 TO THE DEAF EVENTS TO SOCIALIZE WITH OTHER DEAF PEOPLE.

11 OH, AND I ALSO USED TO WORK A LITTLE BIT
12 WITH SSD -- WELL, SSD WOULD TAKE ME TO MY JOB SITE AND
13 AT HOME AGAIN, AND THAT WAS GREAT. WHAT ELSE?

14 THE COURT: MS. O'NEILL, YOU WANT TO TAKE IT --

15 THE WITNESS: OH, AND WITH SSD, WE WENT OUT ON
16 FISHING TRIPS. WE WENT OUT ON A CHARTER BOAT AND WENT
17 FISHING AND JUST DID A LOT OF ACTIVITIES. YOU KNOW,
18 SSD, THEY'VE TAKEN ME TO SO MANY DIFFERENT PLACES. IT'S
19 JUST BEEN GREAT.

20 Q BY MS. O'NEILL: WHO HIRES THE STAFF AT
21 SDD?

22 THE COURT: IF YOU KNOW.

23 THE WITNESS: THAT WOULD BE HIM.

24 Q BY MS. O'NEILL: YOUR FATHER?

25 A YES.

26 Q OKAY. AND YOUR FATHER DIDN'T PROVIDE ANY
27 OF THESE SERVICES; IS THAT CORRECT?

28 A AND HE TAKES CARE OF ALL THE STAFF, THE

1 PAYROLL AND EVERYTHING FOR EVERYBODY. THAT WOULD BE
2 HIM.

3 THE INTERPRETER: I'M SORRY. WAS THERE A
4 QUESTION?

5 MS. O'NEILL: YES.

6 Q YOUR FATHER ISN'T THE ONE WHO TOOK YOU ON
7 THOSE ACTIVITIES; IS THAT RIGHT?

8 A HOW IT WOULD WORK IS I WOULD ASK MY STAFF
9 IF I CAN GO THERE, AND THEN THEY WOULD SAY YES. IT
10 WASN'T NECESSARILY DAD DRIVING, BUT ALL I HAD TO DO WAS
11 ASK THE STAFF, AND I GUESS THEY WOULD ASK HIM, AND THEN
12 HE WOULD SAY OKAY, AND THEN WE'D GO, BUT THEY WOULD BE
13 THE ONES TO TAKE ME TO THESE VARIOUS PLACES.

14 Q AND DO YOU KNOW WHO WAS PAYING THE STAFF?

15 A IT WOULD HAVE TO BE MY DAD. I THINK HE
16 PAID THEM.

17 Q DO YOU KNOW IF HE PAID THEM WITH HIS MONEY?

18 A NO, I DON'T THINK THAT WAS HIS MONEY, BUT
19 THE MONEY HE HAS GOES TO PAY ALL THE STAFF.

20 Q AND WHERE DOES HE GET THE MONEY TO PAY THE
21 STAFF?

22 A I DON'T KNOW HOW ALL THAT WORKS. I THINK
23 MAYBE SOMEBODY LIKE REGIONAL CENTER GIVES HIM THE MONEY,
24 MAYBE, AND THEN HE USES THAT MONEY TO PAY THE STAFF. I
25 DON'T KNOW.

26 Q OKAY. YOU WERE LIVING IN AN APARTMENT WITH
27 THE STAFF THAT WAS HIRED BY SDD IN WEST COVINA; IS THAT
28 CORRECT?

1 A YES.

2 Q AND THAT'S THE APARTMENT THAT YOUR FATHER
3 DESCRIBED AS CHAOTIC AND FILTHY; IS THAT CORRECT?

4 THE INTERPRETER: FOR INTERPRETER CLARIFICATION,
5 PLEASE, I'M SORRY, CAN WE JUST HAVE THE QUESTION READ
6 BACK?

7

8 (RECORD READ.)

9

10 MR. ARGILA: AND, YOUR HONOR, I HAVE TO OBJECT
11 BECAUSE MS. O'NEILL IS DESCRIBING TWO DIFFERENT
12 APARTMENTS FIVE YEARS APART.

13 THE COURT: IT'S NOT YOUR QUESTION, SO I DON'T
14 KNOW HOW YOU WOULD -- YOU CAN EXPLAIN WHAT MS. O'NEILL
15 WAS INTENDING BY HER QUESTION.

16 MR. ARGILA: OKAY.

17 THE COURT: SO IS THERE AN EVIDENTIARY OBJECTION
18 TO THE QUESTION?

19 MR. ARGILA: I WITHDRAW MY QUESTION, YOUR HONOR.
20 MY SON IS BEING CONFUSED, I GUESS, IS MY --

21 THE COURT: OKAY. SO YOU WITHDRAW THE OBJECTION.

22 DO YOU WANT TO REPEAT THE QUESTION,
23 MS. O'NEILL, OR HAVE IT READ BACK?

24 MS. O'NEILL: IF IT COULD BE READ BACK, YOUR
25 HONOR?

26 THE COURT: REPORTER, COULD YOU READ BACK THE LAST
27 QUESTION?

28

1 (RECORD READ.)

2

3 THE WITNESS: YES. AND THAT WAS A LONG TIME AGO,
4 BUT NOW I'M A DIFFERENT PERSON, AND I'M MUCH CLEANER AND
5 I WOULD TAKE CARE OF MYSELF BETTER THAN I DID THEN. AND
6 THE WHOLE POINT IS I WANT TO LIVE ON MY OWN.

7 THE INTERPRETER: AND, YOUR HONOR, MAY THE
8 INTERPRETERS HAVE A BREAK?

9 THE COURT: YES, I WAS JUST GOING TO ASK FOR THAT.

10 OKAY. SO LET'S GO AHEAD AND TAKE A BREAK
11 'TIL 11:00. HOPEFULLY, WE'LL BE ABLE TO WRAP UP FAIRLY
12 QUICKLY AFTER THE BREAK.

13 MS. DIXON: YOUR HONOR, MAY I REQUEST THAT
14 MR. ARGILA NOT SPEAK TO CAVAN DURING THE BREAK ABOUT HIS
15 TESTIMONY?

16 THE COURT: ALL RIGHT. SO, MR. ARGILA, YOU'RE
17 ADMONISHED NOT TO DISCUSS YOUR SON'S TESTIMONY WITH HIM.
18 I'M NOT GOING TO SAY YOU CAN'T HANG OUT IN THE HALLWAY
19 TOGETHER, BUT NO DISCUSSION OF THE CASE.

20 SO WE'LL BE IN RECESS UNTIL 11:00 O'CLOCK.

21

22 (A RECESS WAS TAKEN.)

23

24 THE COURT: WE'LL GO BACK ON THE RECORD ON THE
25 MATTER OF THE CONSERVATORSHIP OF CAVAN ARGILA. WE HAVE
26 PARTIES AND COUNSEL PRESENT, AS WELL AS THE
27 INTERPRETERS.

28 MS. O'NEILL, DID YOU HAVE ANY MORE

1 QUESTIONS FOR YOUR CLIENT?

2 MS. O'NEILL: YES, YOUR HONOR. JUST A COUPLE.

3 MR. ARGILA: YOUR HONOR, I DO WANT TO CLARIFY,
4 BECAUSE YOU HAD GUIDED US IN SAYING THAT WE WERE
5 RESTRICTED TO NOT BEFORE JUNE 8TH OF 2021, BUT
6 MS. O'NEILL'S QUESTIONS ARE RELATED TO SSD, WHICH
7 TERMINATED -- WAS TERMINATED IN PROVIDING SERVICES ON
8 FEBRUARY 1ST OF 2015, SO --

9 THE COURT: WELL, THE ISSUE IS YOU SORT OF OPENED
10 THE DOOR WHEN YOU STARTED WITH YOUR INITIAL QUESTION
11 ABOUT --

12 MR. ARGILA: SSD.

13 THE COURT: -- ABOUT SSD, CORRECT. SO I'M GOING
14 TO ALLOW A LITTLE BIT OF LATITUDE ON THE EXAMINATION. I
15 WAS MINDFUL THAT WE WERE PROBABLY TALKING ABOUT A POINT
16 IN TIME PRIOR TO JUNE 8TH, 2021.

17 MR. ARGILA: THANK YOU.

18 THE COURT: ALL RIGHT. GO AHEAD, MS. O'NEILL.

19 MS. O'NEILL: THANK YOU, YOUR HONOR.

20 Q AND, CAVAN, JUST TO BE CLEAR, WHEN WE WERE
21 TALKING ABOUT THE APARTMENT THAT YOU MOVED FROM, THAT
22 WAS AT THE TIME THAT DDS WAS APPOINTED AS YOUR
23 CONSERVATOR; CORRECT?

24 A YOU MEAN BACK THEN, WHY I LEFT?

25 Q AND -- I'M SORRY. I SHOULD BE A LITTLE BIT
26 MORE CLEARER. I'M TALKING ABOUT THE APARTMENT IN WEST
27 COVINA.

28 A THREE YEARS AGO OR --

1 Q YES.

2 A YES, THAT'S RIGHT. CHRISSY, I BELIEVE, WAS
3 THE ONE WHO DECIDED TO TAKE ME OUT OF THAT APARTMENT AND
4 MOVE ME, AND, YOU KNOW WHAT, I LOST ALL MY THINGS
5 BECAUSE SHE TOOK ME OUT OF THE APARTMENT WHILE ALL MY
6 STUFF WAS STILL THERE, AND IT ENDED UP GETTING LOST.

7 Q AND YOU MOVED TO A GROUP HOME IN ALTA DENA;
8 CORRECT?

9 A YES.

10 Q DID YOU UNDERSTAND THAT YOU WERE BEING
11 EVICTED FROM THAT APARTMENT?

12 A YES.

13 Q AND WHEN YOU TALK ABOUT THE SERVICES THAT
14 SDD PROVIDED, ARE YOU TALKING ABOUT A TIME PERIOD PRIOR
15 TO 2015?

16 A YES.

17 Q AND --

18 A YES, AND ALL THOSE FIELD TRIPS THAT I
19 TALKED ABOUT, ALL THOSE FUN TIMES THAT WE HAD, I STILL
20 TREASURE THOSE. THOSE WERE GOOD TIMES. AND RIGHT NOW
21 WHERE I'M LIVING, THERE'S NOTHING LIKE THAT. THERE'S NO
22 COMMUNICATION. IT'S VERY QUIET. I'M STARTING TO FEEL
23 DEPRESSED AND DOWN BEING IN THAT ENVIRONMENT WITH NO
24 COMMUNICATION.

25 Q WELL, YOU'RE NOT REALLY THERE VERY OFTEN,
26 ARE YOU? YOU'RE WORKING TWO JOBS?

27 A YEAH.

28 Q AND EVERYBODY WHO LIVES THERE IS DEAF;

1 CORRECT?

2 A YES.

3 Q SO YOU CAN COMMUNICATE DIRECTLY WITH
4 EVERYONE WHO'S LIVING THERE; CORRECT?

5 A WELL, YES, BUT LIKE YOU SAID, I DON'T HAVE
6 TIME FOR THAT. I LEAVE EARLY IN THE MORNING TO GO TO
7 WORK. I GET HOME LATE, AND I'M TIRED. I GO STRAIGHT TO
8 BED. I GUESS I DON'T HANG OUT WITH THEM VERY MUCH, JUST
9 ONCE IN A WHILE.

10 Q OKAY. LET'S TALK JUST A LITTLE BIT ABOUT
11 FUN TIMES. HAVE YOU ASKED YOUR FATHER TO TAKE YOU OUT
12 SOMEPLACE JUST TO HAVE FUN?

13 A YES, I HAVE.

14 Q AND --

15 A IN THE PAST, YES.

16 Q WELL, IN THE RECENT PAST?

17 THE COURT: LET'S SAY FROM JULY 1, 2021, UP UNTIL
18 TODAY.

19 THE WITNESS: NO. I'VE JUST BEEN ON MY OWN IN THE
20 LAST FEW YEARS. I MEAN, I JUST GO OUT WITH THE PROGRAM,
21 LIKE I SAID, SORT OF MENTORING, I GUESS, OR GUIDING THE
22 OTHER CLIENTS; BUT THEN, FINALLY, I GOT THIS AMAZON JOB,
23 AND NOW I'M OUT OF THE HOUSE MORE OFTEN.

24 Q BY MS. O'NEILL: HAVE YOU ASKED ANYBODY TO
25 TAKE YOU ON A FIELD TRIP OR TAKE YOU SOMEPLACE THAT YOU
26 THINK MIGHT BE FUN, AGAIN, THE TIME PERIOD OF JULY 2021
27 TO TODAY?

28 A NO.

1 Q AND YOU SAID THAT YOU WANTED TO HAVE YOUR
2 OWN APARTMENT?

3 A BUT, YOU KNOW, I HAVE ASKED, AND I WAS
4 TOLD, "NO." I THINK ONE DEAF EVENT, THEY TOOK ME TO
5 THIS WHOLE TIME THAT I'VE BEEN THERE. IT WAS THE DEAF
6 EXPO. THAT'S THE ONLY EVENT THEY'VE TAKEN ME TO.

7 Q OKAY. IF YOU MOVE TO AN APARTMENT, WHO
8 WOULD PAY THE RENT?

9 A I WOULD PAY THAT WITH MY SSDI.

10 Q HOW MUCH DO YOU GET IN SSDI?

11 A IT'S ABOUT 2,000. RIGHT AROUND 2,000.

12 Q AND DO YOU KNOW HOW MUCH RENT COSTS?

13 A AND THAT'S FOR LIFE. I'LL GET THAT CHECK
14 EVERY MONTH UNTIL I'M SIX FEET UNDER. BUT, YOU KNOW,
15 THERE'S ANOTHER SIDE TO THIS WHERE I GET MY AMAZON
16 MONEY, AND THEY FACTOR THAT INTO MY S.S.I. CHECK --
17 WELL, HOW DO I EXPLAIN THIS? THE S.S.I. IS DIFFERENT
18 THAN WHAT I HAVE NOW, WHICH IS SSD OR SSDI, AND I'M
19 STILL COLLECTING SSDI FOR LIFE, I GUESS, IS WHAT I'M
20 SAYING.

21 Q AND HOW MUCH DO YOU THINK THE RENT WOULD
22 BE?

23 A PROBABLY ABOUT A THOUSAND TO 1600, I WOULD
24 SAY.

25 Q NOW, WITH REFERENCE TO YOUR INDEPENDENCE,
26 AT THE HOME WHERE YOU ARE NOW, YOU CAN SIGN YOURSELF
27 OUT; IS THAT RIGHT?

28 A YES.

1 Q AND YOU CAN LEAVE AND GO TO THE STORE ON
2 YOUR OWN; IS THAT CORRECT?

3 A YOU MEAN WHERE I LIVE NOW? IS THAT WHAT
4 YOU'RE TALKING ABOUT, WHERE I LIVE NOW?

5 Q YES.

6 A OR BACK WHEN I WAS WITH SSD?

7 Q NO, NOW.

8 A NO.

9 Q YOU DON'T GO TO THE STORE ON YOUR OWN?

10 A YEAH. I CAN GO TO THE STORE AND GET
11 SOMETHING. I CAN SIGN OUT AND WALK TO THE STORE BY
12 MYSELF. I ASK THE STAFF IF THEY WILL DRIVE ME, AND THEY
13 SAY, "NO," AND SOMETIMES I JUST WANT TO GET, LIKE, A
14 CANDY BAR, AND THEY SAY, "NO." AND THEN I HAVE TO ASK
15 PERMISSION FOR THIS, THAT, AND THE OTHER, AND THAT'S
16 WHAT CAUSES ME TO FEEL UPSET. I DON'T LIKE THAT.

17 Q WELL, WHAT DO YOU HAVE TO ASK PERMISSION
18 FOR?

19 A WELL, I MEAN, I'M WORKING AT AMAZON NOW. I
20 HAVE MY OWN MONEY, SO I WANT TO GO TO THE STORE AND BUY
21 A BUNCH OF FOOD AND STOCK IT IN MY ROOM AND USE THAT FOR
22 MY LUNCH; RIGHT? AND THESE ARE THE THINGS I WANT TO DO
23 AND BUDGET MY MONEY TO BUY FOOD FOR MYSELF TO TAKE TO
24 AMAZON FOR LUNCH, AND THEY SAY, "NO."

25 AND THEN WHEN I GO TO THE MARKET, I HAVE TO
26 WALK HOME WITH BIG BAGS OF GROCERIES, AND THEY WON'T
27 GIVE ME A RIDE AND I HAVE TO WALK ALL THE WAY HOME.

28 Q HOW FAR AWAY IS THE STORE?

1 A IT'S, LIKE, A 30-MINUTE WALK. I HAVE TO
2 WALK ALL THE WAY TO TARGET, BUT I WOULD RATHER GO TO
3 WALMART, BUT TARGET IS CLOSER. I REALLY WANT TO GO TO
4 WALMART, BUT IT'S TOO FAR TO WALK, AND YOU HAVE TO
5 DRIVE, AND NO ONE WILL GIVE ME A RIDE, SO I HAVE TO WALK
6 TO TARGET.

7 Q AND LAST SUMMER, DID YOU HAVE A JOB AT
8 WALGREENS?

9 A THAT WAS A SHORT TIME, MAYBE NINE MONTHS
10 TOTAL. THEY HAD TO LET ME GO.

11 Q AND THAT JOB WAS ARRANGED --

12 A AND THEN I GOT THE AMAZON JOB, THANKS TO MY
13 DAD.

14 Q AND THE WALGREENS JOB, THAT WAS ARRANGED
15 THROUGH THE REGIONAL CENTER; IS THAT CORRECT?

16 A THAT WAS CHRISSY.

17 Q AND THAT WAS A JOB THAT PROVIDED SKILLS
18 ON --

19 A AND SHE WORKS FOR REGIONAL CENTER, YES.

20 Q IT'S A JOB THAT PROVIDED SKILLS TO TEACH
21 YOU HOW TO WORK; IS THAT RIGHT?

22 A YES, YES, THAT'S RIGHT.

23 Q AND HAVING THAT JOB EXPERIENCE --

24 A WELL, THEY WOULD TEACH ME, YOU KNOW, ALL
25 KINDS OF STUFF, LIKE, LOOKING AT THE EXPIRED DATES ON
26 THE ITEMS ON THE SHELVES, AND IF THEY WERE EXPIRED, WE'D
27 HAVE TO TAKE THEM OFF. BUT AMAZON IS TOTALLY DIFFERENT
28 WORK FLOW, AND YOU HAVE TO WORK A LOT FASTER AT AMAZON.

1 Q AND THE JOB AT WALGREENS --

2 A -- IS A VERY LAID BACK JOB AT WALGREENS
3 COMPARED TO AMAZON.

4 Q THE JOB AT WALGREENS PROVIDED A BASIS THAT
5 HELPED YOU GET THE JOB AT AMAZON, DIDN'T IT?

6 A YES.

7 MS. DIXON: NOTHING FURTHER, YOUR HONOR.

8 THE COURT: MS. DIXON?

9 MS. DIXON: YES, YOUR HONOR, JUST BRIEFLY.

10

11 FURTHER RECROSS-EXAMINATION

12 BY MS. DIXON:

13 Q SO, CAVAN, YOU SAID THAT YOU WENT TO THE
14 DEAF EXPO THIS YEAR; IS THAT RIGHT?

15 THE COURT: 2024.

16 MS. DIXON: RIGHT, 2024.

17 THE WITNESS: WELL, THE ONE THAT JUST HAPPENED, I
18 HAD TO MISS. THE REASON I HAD TO MISS THAT IS I GOT THE
19 JOB AT AMAZON JUST BEFORE THE DEAF EXPO AT 2024. SO I
20 HAD TO GO TO WORK THAT DAY, SO I MISSED THE MOST RECENT
21 ONE.

22 Q BY MS. DIXON: HAVE YOU ASKED YOUR FATHER
23 TO TAKE YOU TO MORE DEAF EVENTS?

24 A I DON'T UNDERSTAND THE QUESTION. WHEN --
25 LIKE, WHEN?

26 Q WITHIN THE LAST THREE YEARS, HAVE YOU ASKED
27 YOUR FATHER TO TAKE YOU TO MORE DEAF EVENTS?

28 A NO. NO, BECAUSE I CAN ONLY -- I HAVE TO

1 ASK PERMISSION FROM THE STAFF, SO I HAVE TO GO TO THE
2 STAFF FIRST, AND SO I HAVEN'T ASKED HIM.

3 Q DON'T YOU HAVE A FAMILY DAY EVERY SUNDAY
4 WITH YOUR FAMILY?

5 A YES, WE DO THAT EVERY SUNDAY, YES. AND HE
6 TAKES ME OUT TO LUNCH, AND THEN HE TAKES ME HOME AFTER,
7 I GET MY REST AND GET READY FOR MY AMAZON JOB THE NEXT
8 DAY.

9 THE INTERPRETER: MAY THE INTERPRETERS HAVE A
10 MOMENT TO SWITCH, PLEASE?

11 THE COURT: YES.

12 WHEN YOU'RE READY.

13 MS. DIXON: YES.

14 Q SO DID YOU SEE THAT YOUR FATHER SAID
15 YESTERDAY THAT HE WANTED YOU TO GO TO MORE DEAF EVENTS?

16 A YES. YEAH, WE TALKED ABOUT IT YESTERDAY.

17 Q HAS YOUR FATHER OFFERED TO TAKE YOU TO MORE
18 DEAF EVENTS?

19 A NO. THE STAFF DOES, AND MY BOSS. THEY'LL
20 TAKE ME TO DEAF EVENTS. I LET THEM KNOW JUST TO
21 COMMUNICATE WITH THEM.

22 Q HAVE YOU TALKED TO YOUR FATHER ABOUT WHAT
23 WOULD HAPPEN IF HE WAS YOUR CONSERVATOR?

24 A YEAH. I'LL TALK TO HIM ABOUT IT. WE WILL.

25 Q AND DID YOUR FATHER TELL YOU WHERE YOU
26 MIGHT LIVE IF HE WAS YOUR CONSERVATOR?

27 A I'M GOING TO LOOK FOR A PLACE, AN APARTMENT
28 NEAR AMAZON NEAR WHERE I WORK IN THE CITY OF INDUSTRY.

1 Q DID YOUR FATHER TELL YOU THAT HE COULD BUY
2 YOU AN APARTMENT IF HE WAS IN CHARGE?

3 A NO. I'LL PAY THAT MYSELF WITH MY SSDI AND
4 PLUS MY WORK INCOME FROM AMAZON.

5 Q DOES YOUR SSDI MONEY --

6 A I'M SMART. I CAN DO THAT.

7 Q DOES YOUR SSDI MONEY GO DOWN IF YOU HAVE A
8 JOB?

9 A NO. IT'S SEPARATE. IT STAYS THE SAME.
10 MY SSDI IS PERSONAL.

11 MS. DIXON: NOTHING FURTHER, YOUR HONOR.

12 THE COURT: ANY QUESTIONS, MR. ABRAMOWITZ?

13 MR. ABRAMOWITZ: NOTHING FROM ME, YOUR HONOR.

14 THE COURT: ALL RIGHT. ANY FURTHER INQUIRY --

15 MR. ARGILA: I'M SORRY. I'M NOT HEARING.

16 THE COURT: ANY FURTHER INQUIRY THAT YOU HAVE OF
17 YOUR SON BASED ON THE QUESTIONS ASKED BY MS. O'NEILL AND
18 MS. DIXON?

19 MR. ARGILA: YES. I HAVE SOME FURTHER QUESTIONS
20 BASED ON WHAT WAS JUST ASKED OF MY SON. AND I APOLOGIZE
21 AGAIN. I MAY HAVE TO USE AMPLIFICATION. I BELIEVE
22 THERE'S A SET AVAILABLE, BUT I'M NOT GOING TO DO THAT
23 RIGHT NOW.

24

25 FURTHER REDIRECT EXAMINATION

26 BY MR. ARGILA:

27 Q CAVAN, YOU GO OUT WITH YOUR FAMILY EVERY
28 SUNDAY; IS THAT CORRECT?

1 A YES.

2 Q AND THAT'S WITH ME, YOUR FATHER; AND YOUR
3 BROTHER, GERARDO -- NAME SIGN, "GERARDO" AND -- AND OUR
4 SUPPORT STAFF NAMED "SCOTT"?

5 A YEAH, SCOTT.

6 Q NAME SIGN, "SCOTT"; IS THAT CORRECT?

7 A YES.

8 Q WHAT KIND -- YOU DO THAT EVERY SUNDAY,
9 EVERY SUNDAY. WE NEVER MISS A SUNDAY; IS THAT CORRECT?

10 A THAT'S RIGHT, WE NEVER MISS A SUNDAY.

11 Q BUT YOU DO DIFFERENT ACTIVITIES ON
12 DIFFERENT SUNDAYS. BEFORE YOU WORKED AT AMAZON, YOU
13 WOULD DO ALL-DAY ACTIVITIES; IS THAT CORRECT?

14 A YES, THAT'S RIGHT. WE WOULD GO ON ALL-DAY
15 HIKES.

16 Q SINCE YOU STARTED WORKING AT AMAZON, WE
17 STILL GET TOGETHER FOR A FAMILY MEAL, AND THEN YOU --

18 THE COURT: BEFORE THE ANSWER GETS TOO LONG, IS
19 THAT CORRECT, THAT SINCE YOU STARTED WITH AMAZON IN
20 NOVEMBER OF LAST YEAR, YOU STILL HAVE YOUR SUNDAY MEALS
21 WITH YOUR FAMILY; IS THAT CORRECT?

22 MR. ARGILA: YOU'RE STATING THAT QUESTION --

23 THE COURT: CAVAN'S ANSWER.

24 THE WITNESS: YES, THAT'S RIGHT.

25 Q BY MR. ARGILA: AND THEN MAYBE YOU'RE
26 TIRED, AND YOU WANT TO GO HOME; IS THAT CORRECT?

27 A YES, BECAUSE I HAVE TO GET SOME REST. I
28 HAVE TO GO TO WORK AT AMAZON.

1 Q OR MAYBE YOU WILL GO SHOPPING WITH SCOTT
2 AND GERARDO?

3 A YES. YEAH, THEY HELP ME A LOT. THEY HELP
4 ME BUY THINGS AND GET THINGS AND BRING THEM BACK. THE
5 STAFF DOESN'T TEND TO DRIVE ME AROUND ON SUNDAYS. IT
6 TENDS TO BE MY DAD AND GERARDO AND SCOTT. THEY HELP ME
7 ON SUNDAYS.

8 Q DO YOU KNOW WHO SCOTT WORKS FOR?

9 A HE WORKS FOR MY DAD.

10 Q DO YOU MEAN SSD?

11 MS. O'NEILL: OBJECTION. ASKED AND ANSWERED.

12 THE COURT: SUSTAINED. NEXT QUESTION.

13 Q BY MR. ARGILA: BEFORE, MS. O'NEILL ASKED
14 YOU ABOUT BEING EVICTED FROM YOUR APARTMENT; IS THAT
15 CORRECT?

16 THE COURT: IS THE QUESTION WHETHER HE RECALLS
17 TESTIFYING TO THAT?

18 MR. ARGILA: YES, THAT'S MY QUESTION, YOUR HONOR.

19 THE INTERPRETER: I'M SORRY, YOUR HONOR. I DIDN'T
20 HEAR YOU.

21 THE COURT: DO YOU RECALL BEING ASKED BY
22 MS. O'NEILL ABOUT BEING EVICTED FROM THE APARTMENT?

23 THE WITNESS: YES.

24 THE COURT: OKAY. GO AHEAD, MR. ARGILA.

25 Q BY MR. ARGILA: AND YOU STATED THAT YOU
26 LOST ALL OF YOUR PERSONAL THINGS; IS THAT CORRECT?

27 A YES.

28 Q WHO WAS YOUR REGIONAL CENTER VENDOR AT THE

1 TIME YOU WERE EVICTED?

2 A CHRISSY.

3 Q DO YOU KNOW WHO WAS PROVIDING YOUR STAFF AT
4 THAT TIME?

5 A JAY.

6 MR. ARGILA: I'LL MOVE ON, YOUR HONOR. I'M
7 MINDFUL OF THE COURT'S TIME.

8 Q YOU TOLD MS. O'NEILL THAT YOU HAD LEARNED
9 WORK SKILLS BY WORKING AT WALGREENS BEFORE; IS THAT
10 CORRECT?

11 A YES. YEAH, I WORKED THERE BEFORE. BUT,
12 ACTUALLY, I WORKED AT WALMART. THAT'S WHERE I GOT MY
13 EXPERIENCE AND MY KNOWLEDGE FROM. THAT'S WHERE I GOT IT
14 FROM.

15 Q AND DO YOU REMEMBER HOW MANY YEARS YOU
16 WORKED AT WALMART?

17 MS. DIXON: OBJECTION, YOUR HONOR. WE'RE STARTING
18 TO GO INTO THE MOTION IN LIMINE.

19 MR. ARGILA: YOUR HONOR, THIS IS VERY RELEVANT TO
20 THE ISSUE THAT MS. O'NEILL BROUGHT UP REGARDING HIS
21 EMPLOYMENT.

22 THE COURT: IN WHAT SENSE?

23 MR. ARGILA: IN WHAT SENSE? THAT HE HAD NINE
24 YEARS OF PRIOR WORK EXPERIENCE WITH WALMART BEFORE HE
25 WAS --

26 THE WITNESS: 15 YEARS.

27 Q BY MR. ARGILA: BEFORE HE WAS EVER IN THE
28 REGIONAL CENTER PLACEMENT THAT MS. O'NEILL IS REFERRING

1 TO, HE HAD NINE YEARS. HE SAYS 15 BECAUSE HE'S
2 CONFLATING TWO JOBS, WORK EXPERIENCE WITH SSD PRIOR TO
3 FEBRUARY 1ST OF 2015.

4 THE COURT: OKAY. AGAIN, I DON'T WANT TO GO --
5 YOU OPENED THE DOOR SLIGHTLY ON THE ISSUE OF ASKING
6 ABOUT WHETHER CAVAN WANTED REGIONAL CENTER AND THEN
7 CLARIFIED DEPARTMENT OF SOCIAL -- DEPARTMENT OF
8 DEVELOPMENTAL SERVICES TO SERVE AS CONSERVATOR, AND I
9 ALLOWED A LITTLE BIT OF INQUIRY TO THINGS THAT HAPPENED
10 PRIOR TO JUNE OF 2021.

11 I MEAN, IT DOESN'T REALLY MATTER TO THE
12 COURT IN TERMS OF THE REMOVAL PETITION. THE FACT IS
13 CAVAN HAS SECURED EMPLOYMENT. HE DID INDICATE THAT YOU
14 POINTED HIM TO THE JOB POSTING BEFORE HE APPLIED, SO I
15 THINK THAT'S ALL THAT THE COURT REALLY NEEDS TO FACTOR
16 IN AT THIS POINT IN TERMS OF REMOVAL. IT'S NOT THAT
17 CAVAN IS NOT WORKING.

18 MR. ARGILA: WELL, YOUR HONOR, I BROUGHT UP THE
19 ISSUE OF PRIOR EMPLOYMENT AT WALMART BECAUSE IT WAS
20 OPENED BY MS. O'NEILL, AND WHAT I'M ATTEMPTING TO SHOW
21 IS THAT HE HAD EXTENSIVE JOB TRAINING PRIOR TO THAT --

22 THE COURT: IT'S ALL INFORMATION, I'M SURE, JUDGE
23 SMALL CONSIDERED WHEN HE ESTABLISHED THE
24 CONSERVATORSHIP.

25 MR. ARGILA: I'M SORRY. COULD YOU --

26 THE COURT: I SAID I'M SURE THAT'S ALL INFORMATION
27 THAT JUDGE SMALL HAD WHEN HE ESTABLISHED THE
28 CONSERVATORSHIP. AGAIN, WE'RE TALKING ABOUT ARE THERE

1 GROUNDS TO REMOVE THE DEPARTMENT AS THE CONSERVATOR.

2 MR. ARGILA: YES, YOUR HONOR.

3 I WON'T BE REDUNDANT, YOUR HONOR. MY SON
4 HAS ALREADY INDICATED WHAT HIS PREFERENCES ARE, SO AT
5 THIS POINT, I HAVE NO FURTHER QUESTIONS.

6 THE COURT: ALL RIGHT. ANYTHING FURTHER,
7 MS. O'NEILL?

8 MS. O'NEILL: NO, YOUR HONOR.

9 THE COURT: MS. DIXON?

10 MS. DIXON: NO, YOUR HONOR.

11 THE COURT: AND, MR. ABRAMOWITZ?

12 MR. ABRAMOWITZ: NOTHING FROM ME, YOUR HONOR.

13 THE COURT: ALL RIGHT. ANY FURTHER EVIDENCE THAT
14 YOU WANTED TO PRESENT, MR. ARGILA, AS TO YOUR PETITION
15 FOR REMOVAL?

16 MS. DIXON: I THINK WE NEED TO DO A
17 CROSS-EXAMINATION.

18 THE COURT: OH, THAT'S RIGHT. SORRY.

19 MR. ARGILA: OKAY. YES.

20 YOUR HONOR, I GUESS --

21 THE COURT: WE NEED TO CROSS-EXAM ON YOU. THAT'S
22 RIGHT. WHO IS GOING TO TAKE THE LEAD ON THAT?

23 IS THAT YOU, MS. DIXON?

24 MS. DIXON: MR. ABRAMOWITZ.

25 THE COURT: ALL RIGHT. MR. ABRAMOWITZ?

26 MR. ARGILA: OKAY, AND, YOUR HONOR, DO I ASSUME
27 THAT WE WILL BREAK AT 12:00 NOON?

28 THE COURT: YES.

1 MR. ARGILA: AND RECONVENE AT 1:30?

2 THE COURT: YES.

3 MR. ARGILA: AND YOU INDICATED YESTERDAY THAT WE
4 MIGHT HAVE A SHORT AFTERNOON.

5 THE COURT: WE MIGHT HAVE AN INTERRUPTION AT 3:00
6 BECAUSE OF ANOTHER CASE, BUT I THINK WE CAN GET
7 EVERYTHING DONE, SO LET'S GO AHEAD AND START THE
8 CROSS-EXAM.

9 MR. ARGILA, YOU WERE SWORN IN YESTERDAY.
10 YOU REMAIN UNDER OATH.

11 MR. ABRAMOWITZ, GO AHEAD.

12 MR. ABRAMOWITZ: SO, YOUR HONOR, I WANTED TO POSE
13 SOMETHING TO THE COURT, IF THE COURT'S AMENABLE. FOR A
14 COUPLE REASONS. ONE, I UNDERSTAND THAT WE MAY LOSE OUR
15 INTERPRETERS DUE TO OTHER COURTS. I'D RATHER NOT START
16 MR. ARGILA'S CROSS-EXAMINATION AND THEN LOSE THEM FOR A
17 PERIOD OF TIME, THEN MAYBE LOSE THEM FOR THE DAY. BUT
18 ANOTHER PROCEDURAL IDEA THAT I HAD WAS I BELIEVE MS.
19 DIXON AND I WERE INTENDING ON BRINGING A REQUEST FOR
20 DIRECTED VERDICT AT THE CONCLUSION OF MR. ARGILA'S
21 CASE-IN-CHIEF.

22 THE COURT: OKAY.

23 MR. ABRAMOWITZ: IF THE COURT WOULD BE INCLINED TO
24 ALLOW US TO DEFER CROSS-EXAMINATION OF MR. ARGILA TO A
25 776, EVEN THOUGH HE IS NOT ON OUR ORIGINAL WITNESS LIST,
26 TO ALLOW US TO TRY AND ARGUE THAT DIRECTED VERDICT
27 MOTION, THEN I WOULD BE INCLINED TO DEFER THE
28 CROSS-EXAMINATION UNTIL THE CONCLUSION OF THAT DIRECTED

1 VERDICT MOTION DUE TO THE INTERPRETERS' AND COURT'S
2 CALENDAR.

3 BUT IF THE COURT WOULD LIKE US TO PROCEED
4 WITH CROSS-EXAMINATION BEFORE MAKING A MOTION, I'M HAPPY
5 TO DO SO.

6 THE COURT: ALL RIGHT.

7 MR. ARGILA: YOUR HONOR, IF YOU COULD EXPLAIN TO
8 ME WHAT THAT MEANT, I'D APPRECIATE IT.

9 THE COURT: I THINK YOU MIGHT HAVE HEARD IT FROM
10 THIS ATTORNEY BEFORE, BECAUSE I SAW IT IN THE MINUTE
11 ORDER FROM THE PROCEEDINGS CONDUCTED IN FRONT OF JUDGE
12 SMALL, IS THERE'S GOING TO BE A REQUEST FOR A MOTION FOR
13 A DIRECTED JUDGMENT UNDER CODE OF CIVIL PROCEDURE
14 SECTION 631.8.

15 MR. ARGILA: AND "DIRECTED JUDGMENT" WOULD MEAN?

16 THE COURT: WOULD BE COMING FROM MR. ABRAMOWITZ
17 AND MS. DIXON. IT WOULD BE THAT YOUR PETITION FOR
18 REMOVAL SHOULD BE DENIED.

19 SO YOUR QUESTION IS WOULD YOU LOSE THE
20 OPPORTUNITY TO EXAMINE MR. ARGILA UNDER 776 IF WE HAVE
21 TO GO FORWARD WITH YOUR CASE-IN-CHIEF AGAINST THE
22 PETITION IF THE MOTION IS DENIED?

23 MR. ABRAMOWITZ: YES, YOUR HONOR, BECAUSE HE'S NOT
24 ON OUR ORIGINAL WITNESS LIST. JUST, PROCEDURALLY, DON'T
25 WANT TO LOSE THAT OPPORTUNITY.

26 THE COURT: NO, YOU WOULD NOT LOSE THAT
27 OPPORTUNITY TO CALL MR. ARGILA UNDER 776 IF YOU HAVE TO
28 MOVE TO YOUR CASE-IN-CHIEF ON THIS REMOVAL PETITION.

1 SO, THEN, MR. ARGILA, YOU HAVE NO OTHER
2 WITNESSES OR EVIDENCE THAT YOU WISH TO PRESENT AT THIS
3 TIME JUST WITH REGARDS TO THE REMOVAL PETITION; CORRECT?

4 MR. ARGILA: BEING RESTRICTED TO A PERIOD OF JUNE
5 8TH, 2021, TO THE PRESENT, THEN THE ONLY OTHER -- THE
6 ONLY OTHER INFORMATION I WOULD PROVIDE TO THE COURT IS
7 WHAT I DERIVE BY CROSS-EXAMINING THEIR WITNESSES, AND SO
8 THE EVIDENCE THAT I'M PRESENTING AND MY SON'S TESTIMONY
9 IS COMPLETED.

10 THE COURT: OKAY. AND THAT'S ALL YOU'RE GOING TO
11 PUT FORWARD WITH REGARDS TO YOUR CASE ON THIS PETITION?

12 MR. ARGILA: WELL, YOUR HONOR, THEN LET ME GO BACK
13 TO MY COMMENTS AT THE -- BECAUSE I THINK WHAT YOU'RE
14 ASKING ME --

15 THE COURT: I'M ASKING IF YOU REST IN TERMS OF --

16 MR. ARGILA: AND THE ANSWER IS AN ABSOLUTE "NO."

17 THE COURT: OKAY. THEN CALL YOUR NEXT WITNESS.
18 THEN CALL YOUR NEXT WITNESS.

19 MR. ARGILA: OKAY. MY WITNESS IS MY SON, AND THAT
20 IS COMPLETED.

21 THE COURT: OKAY.

22 MR. ARGILA: HOWEVER, THEY ARE CALLING WITNESSES
23 THAT HAVE IMPORTANT INFORMATION, AND I WOULD BE
24 CROSS-EXAMINING THOSE WITNESSES.

25 THE COURT: ARE YOU CALLING ANY OTHER WITNESSES
26 BESIDES YOURSELF AND CAVAN?

27 MR. ARGILA: OKAY. LET ME ASK MR. ABRAMOWITZ.

28 MAY I CALL CHRISSY HUILER AS A WITNESS AT

1 THIS TIME?

2 THE COURT: DID YOU HAVE HER LISTED AS ONE OF YOUR
3 WITNESSES?

4 MR. ARGILA: I DID NOT, BECAUSE SHE WAS INCLUDED
5 ON MR. ABRAMOWITZ'S WITNESS LIST.

6 THE COURT: OKAY. WELL, THAT WILL COME IF WE GET
7 TO THE DEPARTMENT HAVING TO PUT ON ITS CASE-IN-CHIEF.
8 BUT IN TERMS OF ANY EVIDENCE THAT YOU ARE OFFERING IN
9 SUPPORT OF YOUR PETITION, IT'S ONLY YOUR TESTIMONY, THE
10 EXHIBITS THAT WERE ADMITTED YESTERDAY, AND CAVAN'S
11 TESTIMONY THIS MORNING; IS THAT CORRECT?

12 MR. ARGILA: I AM -- THAT IS CORRECT, YOUR HONOR.

13 THE COURT: OKAY. THE COURT IS GOING TO DEEM THAT
14 YOU'VE RESTED IN YOUR CASE-IN-CHIEF. ALL RIGHT.

15 SO DID YOU WANT TO MAKE YOUR MOTION NOW,
16 MR. ABRAMOWITZ --

17 MS. DIXON: YOUR HONOR --

18 THE COURT: -- OR MS. DIXON?

19 MS. DIXON: YES. I CAN HANDLE THAT.

20 SO UNDER CALIFORNIA CODE OF CIVIL
21 PROCEDURE, 631.8, WE WOULD MOVE FOR A DIRECTED JUDGMENT
22 IN THE COURT TRIAL. I DON'T BELIEVE THAT MR. ARGILA HAS
23 MET THE BURDEN ESTABLISHED BY LAW TO SUPPORT GRANTING OF
24 HIS PETITION TO REMOVE --

25 THE INTERPRETER: I'M SORRY.

26 THE COURT: YEAH. LET'S TAKE IT A LITTLE SLOWER.

27 MS. DIXON: I'M SORRY. THE BURDEN HAS NOT BEEN
28 MET WHICH WOULD SUPPORT GRANTING MR. ARGILA'S PETITION

1 TO REMOVE DDS AS CAVAN'S LIMITED CONSERVATOR UNDER
2 PROBATE CODE 2650. THAT CODE SETS FORTH SPECIFIC
3 STATUTORY CRITERIA THAT ARE THE BASES FOR REMOVING A
4 CONSERVATOR.

5 THE COURT: ALL RIGHT. AND I THINK, AS MR. ARGILA
6 MENTIONED YESTERDAY, HE WAS GOING TO SEEK TO PUT
7 EVIDENCE ON IN SUPPORT -- TO MAKE A SHOWING UNDER 2650,
8 SUBSECTION (C) --

9 MR. ARGILA: (F) .

10 THE COURT: -- SUBSECTION F, AND SUBSECTION (J) .

11 MR. ARGILA: THAT IS CORRECT, YOUR HONOR.

12 MS. DIXON: CORRECT.

13 THE COURT: YOU'RE SAYING THE EVIDENCE PRESENTED
14 HAS NOT SHOWN THAT THERE'S A CAUSE FOR REMOVAL UNDER
15 THOSE THREE SECTIONS?

16 MS. DIXON: YES, YOUR HONOR. SO --

17 THE COURT: OKAY.

18 MS. DIXON: THOSE BEING FAILING TO PERFORM THE
19 DUTIES OF THE CONSERVATOR, HAVING AN ADVERSE INTEREST TO
20 CAVAN?

21 THE INTERPRETER: HAVING AN ADVERSE --

22 MS. DIXON: ADVERSE INTEREST, AND THAT REMOVAL IS
23 IN THE BEST INTEREST OF THE CONSERVATEE.

24 SO MR. ARGILA HAS ALLEGED THAT DDS HAS
25 FAILED TO MONITOR CAVAN'S HEALTH, BUT WE HAVE HEARD
26 TESTIMONY ABOUT THE DOCTOR'S VISITS THAT CAVAN GOES TO,
27 THE NUTRITIONIST, THE GYM, THE HEALTHY FOOD THAT'S
28 AVAILABLE AT HIS HOME, BUT WE'VE ALSO HEARD THAT CAVAN

1 LIKES TO EAT CARL'S, JR., AND HE LIKES TO TAKE HIS OWN
2 LUNCH TO WORK, AND HE HASN'T HAD TIME TO GO TO THE GYM
3 BECAUSE HE'S WORKING. SO --

4 THE COURT: BUT HE HAS LOST 13 POUNDS.

5 MS. DIXON: AND HE'S LOST, YEAH, I THINK PROBABLY
6 MORE THAN THAT --

7 THE COURT: OKAY.

8 MS. DIXON: -- BECAUSE OF HIS JOB.

9 IN TERMS OF DDS HAVING AN ADVERSE INTEREST
10 TO CAVAN, I DON'T BELIEVE WE'VE HEARD ANY EVIDENCE ON
11 THAT ISSUE, AND THAT DDS HAS ISOLATED HIM FROM THE DEAF
12 COMMUNITY. CAVAN LIVES IN A DEAF HOME WITH OTHER DEAF
13 RESIDENTS. HE HAS ATTENDED SOME DEAF EVENTS, BUT WE'VE
14 ALSO HEARD THAT HIS FATHER HAS NOT MADE ANY EFFORTS TO
15 TAKE CAVAN TO THOSE EVENTS HIMSELF, EVEN THOUGH THEY
16 FREQUENTLY SPEND SUNDAYS TOGETHER AND HAVE FAMILY
17 EVENTS.

18 WE KNOW THAT CAVAN IS WORKING TWO JOBS THAT
19 HE WANTS TO WORK, THAT HE SOUGHT OUT EMPLOYMENT AND NOW
20 HAS THAT. SO I THINK THAT THE GOALS THAT CAVAN HAS SET
21 FOR HIMSELF ARE BEING MET BY DDS.

22 CAVAN DID TESTIFY TODAY THAT HE WOULD LIKE
23 HIS FATHER TO BE HIS CONSERVATOR SO THAT HE CAN LIVE IN
24 HIS OWN APARTMENT. THE ISSUE OF WHAT HAPPENED WHEN
25 CAVAN LIVED IN HIS OWN APARTMENT WAS EXPLORED VERY FULLY
26 IN THE PRIOR TRIAL, AND AS WE HEARD TODAY, CAVAN WAS
27 ACTUALLY EVICTED FROM HIS LAST APARTMENT DUE TO THE --
28 THE CHAOTIC AND UNCLEAR -- WHAT'S THE WORD I'M LOOKING

1 FOR --

2 MS. O'NEILL: UNCLEANLINESS.

3 MS. DIXON: -- UNCLEANLINESS OF THE APARTMENT.

4 THE COURT: WELL, I'M NOT SURE THAT'S IN EVIDENCE.
5 WE'RE PIECING TOGETHER MR. ARGILA'S DESCRIPTION OF THE
6 APARTMENT TO WHAT EVENTUALLY HAPPENED TO CAVAN. I'M NOT
7 SURE THAT THERE WAS THE LINK MADE, THAT THAT WAS THE
8 LANDLORD'S REASON FOR THE EVICTION --

9 THE INTERPRETER: OH, THANK YOU, YOUR HONOR.

10 THE COURT: SO LET ME JUST LET THE INTERPRETERS
11 SWITCH OFF FOR A MOMENT.

12 GO AHEAD AND FINISH YOUR ARGUMENT.

13 MS. DIXON: SO IN ANY CASE, WE KNOW CAVAN HAD TO
14 BE EVICTED. HE HAD TO BE MOVED INTO A GROUP HOME AND IS
15 NOW IN ONE OF THE FIRST DEAF HOMES IN THE STATE OF
16 CALIFORNIA. WE KNOW THAT CAVAN HAS -- HE'S MAKING
17 CHOICES FOR HIMSELF. HE'D LIKE TO ATTEND MORE DEAF
18 EVENTS, BUT HE ALSO LIKES TO WORK, AND HE'S DECIDED TO
19 PRIORITIZE THAT. HE HAS HEALTHY FOOD AND EXERCISE
20 OPPORTUNITIES AVAILABLE TO HIM, BUT HE ALSO LIKES TO EAT
21 FAST FOOD, AND HE LIKES TO PACK HIS OWN LUNCH AT HIS
22 JOB. HE BUYS FOOD WITH SCOTT AND HIS FATHER, AND WE
23 DIDN'T HEAR WHAT KIND OF FOOD IT IS, BUT, PRESUMABLY, HE
24 HAS THE CHOICE -- HE HAS THE OPTION TO MAKE HEALTHY
25 CHOICES WHEN HE DOES THAT.

26 THE WITNESS: I DON'T PACK MY LUNCH EVERY DAY,
27 JUST ONCE IN A WHILE.

28 MS. DIXON: THANK YOU.

1 SO AS THE LIMITED CONSERVATOR, DDS MAKES
2 THE GOAL TO HELP OUR CONSERVATEES ACHIEVE AS MUCH
3 INDEPENDENCE AS POSSIBLE, AND THAT DOESN'T ALWAYS HAPPEN
4 ALL AT ONCE. AND WITH CAVAN, IT'S BEEN, YOU KNOW, A
5 PROCESS TO WHERE HE CAN GET TO THE POINT WHERE HE CAN
6 WORK, HE CAN BE MORE HEALTHY IN HIS DAILY LIFE, HE CAN
7 HAVE ACCESS TO DEAF EVENTS, AND GO INTO -- BE MORE
8 INVOLVED IN THE DEAF COMMUNITY. ALL OF THESE THINGS ARE
9 OPEN TO HIM, AND CAVAN HAS THE OPTION TO ASK HIS FATHER
10 AND HIS FAMILY TO HELP HIM WITH THOSE THINGS. THEY'RE
11 VERY INVOLVED IN HIS LIFE STILL. HE HAS THE OPTION TO
12 ASK HIS SERVICE COORDINATOR AND HIS HOME STAFF, BUT
13 CAVAN HAS BEEN MAKING CHOICES FOR HIMSELF IN MANY, MANY
14 AREAS OF HIS LIFE. SO I THINK THAT THERE'S INSUFFICIENT
15 EVIDENCE PRESENTED TO SHOW THAT THERE'S JUST CAUSE TO
16 REMOVE A CONSERVATOR AT THIS POINT.

17 THE COURT: ALL RIGHT. MR. ARGILA?

18 MR. ARGILA: YES, YOUR HONOR. LET -- I'M GOING TO
19 TOUCH UPON (C), (F), AND (J), AND THE VARIOUS COMMENTS
20 OF MS. DIXON REGARDING CAVAN'S EVICTION. SADLY, I HAVE
21 FAILED MY SON AS AN ATTORNEY BECAUSE I HAVE NOT ENTERED
22 THE APPROPRIATE EVIDENCE OR TESTIMONY THAT THEY'RE FULLY
23 AWARE OF, THAT THEY WERE THE ONES PROVIDING HIS SERVICES
24 AT THAT TIME. CAVAN WAS EVICTED BECAUSE OF THE FAILURE
25 OF REGIONAL CENTER SERVICES AND THEIR VENDOR.

26 THE COURT: OKAY. WELL, LET'S TALK ABOUT -- I
27 UNDERSTAND THAT WAS ON OR ABOUT THE TIME THAT THE
28 CONSERVATORSHIP WAS ESTABLISHED, SO WHERE IN THE

1 EVIDENCE -- WHAT DO YOU WANT ME TO LOOK AT UNDER 2650(C)
2 THAT THE DEPARTMENT FAILED TO PERFORM ITS DUTIES?

3 MR. ARGILA: UNDER 2650(C), I PRESENTED THE
4 EVIDENCE THAT THEY FAILED TO PROVIDE THE MEDICAL
5 CONSULTATION WITH DR. GOODARZI ON A TIMELY BASIS. THEY
6 FAILED TO ADDRESS HIS STASIS DERMATITIS ON A TIMELY
7 BASIS. THEY MAKE REFERENCE TO THE NUTRITION SERVICES
8 AND THE EXERCISE PROGRAM, BUT THOSE WERE ONLY INITIATED
9 AFTER I FORCED THEM TO DO SO AS PART OF THE IPP PROCESS.

10 SO THEY DID EVENTUALLY ACCOMPLISH A NUMBER
11 OF GOOD THINGS FOR CAVAN, INCLUDING AMAZON EMPLOYMENT,
12 BUT ONLY AFTER FAMILY INVOLVEMENT INDUCED HIM TO DO THE
13 RIGHT THING.

14 REGARDING (F), I HAVEN'T HAD AN OPPORTUNITY
15 TO DO A CLOSING ARGUMENT.

16 THE COURT: WELL, THIS IS SORT OF IT IN TERMS OF
17 THE EVIDENCE.

18 MR. ARGILA: WELL, THEN, ALLOW ME TO DO SO, YOUR
19 HONOR. THEY HAVE NOT TALKED ABOUT THE FACT THAT DDS HAS
20 A VESTED INTEREST IN MAINTAINING CAVAN IN A GROUP HOME
21 ENVIRONMENT.

22 THE COURT: WELL, THAT SECTION DOESN'T SAY "VESTED
23 INTEREST." IT SAYS "ADVERSE INTEREST."

24 MR. ARGILA: I UNDERSTAND THAT, YOUR HONOR. AS
25 PART OF F, YOUR HONOR -- OR AS PART OF C, DDS MAKES NO
26 MENTION OF THE CLASS-ACTION LAWSUIT AGAINST THEM.

27 THE COURT: THAT EVIDENCE WAS EXCLUDED. YOU
28 ATTEMPTED TO ENTER SOMETHING YESTERDAY. IT WAS

1 EXCLUDED.

2 MR. ARGILA: THE EXCLUSION OF MY EVIDENCE DOES NOT
3 PREVENT MR. ABRAMOWITZ FROM READILY ADMITTING THAT THEY
4 WERE THE TARGET DEFENDANT IN A CLASS-ACTION LAWSUIT.

5 THE COURT: WELL, IF THAT'S THE BASIS FOR
6 PROCEEDING UNDER (F), IF THAT'S ALL YOU HAVE, YOU MAY AS
7 WELL JUST MOVE ON --

8 MR. ARGILA: NOW I HAVE (J).

9 THE COURT: THEN YOU MAY AS WELL MOVE ON TO (J).

10 MR. ARGILA: OKAY. (J), "IN ANY OTHER CASE IN
11 WHICH THE COURT IN ITS DISCRETION DETERMINES THAT
12 REMOVAL IS IN THE BEST INTEREST OF THE WARD OR
13 CONSERVATEE,
14 ET CETERA."

15 CAVAN'S BEST INTERESTS HAVE ALWAYS BEEN
16 SERVED BY HIS FAMILY. WE HAVEN'T HAD ANY TESTIMONY YET
17 REGARDING QUALIFICATIONS IN THE FIELD OF DEAFNESS BY
18 REGIONAL CENTER EMPLOYEES. I WILL, OF NECESSITY, BRING
19 UP THE FACT THAT I HOLD A PH.D. IN EDUCATION WITH A
20 FOCUS ON DEAF EDUCATION.

21 THE COURT: SO LET ME ASK YOU, WHERE IN THE
22 EVIDENCE DID I HEAR ON SUNDAYS OR ANY OTHER TIME THAT
23 YOU WOULD HAVE CAVAN WITH YOU, THAT YOU WERE -- YOU,
24 YOURSELF, WERE INVOLVED IN TAKING CAVAN TO ANY EVENTS
25 THAT YOU THINK WOULD INCREASE HIS INDEPENDENCE OR
26 INCREASE HIS ABILITY TO SOCIALIZE?

27 MR. ARGILA: THAT HAPPENS, YOUR HONOR, UNDER MY
28 DIRECTION ON HIS FAMILY VISITATION DAYS BECAUSE I ASSIGN

1 STAFF TO PROVIDE THOSE OPPORTUNITIES FOR CAVAN.

2 THE COURT: ALL I HEAR IS THERE WERE HIKES, AND I
3 HAVEN'T --

4 MR. ARGILA: I'M SORRY, YOUR HONOR.

5 THE COURT: ALL I HEARD IN TERMS OF TESTIMONY IS
6 THAT YOUR OTHER SON -- WELL, CAVAN AND HIS BROTHER AND A
7 STAFF PERSON FROM YOUR AGENCY --

8 MR. ARGILA: YES. SO WHAT YOU'RE POINTING OUT,
9 YOUR HONOR, IS THAT I HAVE DONE A MISERABLE JOB OF
10 PRESENTING THIS CASE TO PROTECT MY SON.

11 THE COURT: NO. I'M --

12 MR. ARGILA: ALLOW ME TO FINISH (J) FOR A MOMENT.
13 I WANTED TO POINT OUT THAT NOT ONLY DO I HOLD A PH.D. IN
14 EDUCATION AND HAVE PUBLISHED IN THE AREA/MADE
15 CONTRIBUTIONS, I OPERATE SUPPORT SERVICES FOR THE DEAF,
16 WHICH IS THEIR ONLY DEAF REGIONAL CENTER VENDOR, AND I
17 ALSO HOLD A SECOND BACHELOR'S DEGREE IN DEAF STUDIES
18 FROM CAL STATE NORTHRIDGE.

19 THEY HAVE NO ONE ON STAFF WITH ANY
20 PROFESSIONAL QUALIFICATIONS IN THE FIELD OF DEAFNESS,
21 AND GIVEN CAVAN'S STATED PREFERENCE THAT HE RECEIVES
22 SERVICES FROM HIS FAMILY, I THINK THAT IS EXACTLY THE
23 INTENT OF 2650(J), TO HOPEFULLY CONVINCE A JUDGE THAT
24 IT'S IN THE BEST INTEREST OF CAVAN TO BE CONSERVED BY
25 HIS FAMILY, NOT TO MENTION THE FACT, YOUR HONOR -- I
26 UNDERSTAND WE'RE NOT RELITIGATING JUDGE SMALL'S
27 DECISION, BUT PREFERENCE IS ALWAYS GIVEN TO THE
28 CONSERVATEE'S FAMILY.

1 SO I'VE DONE A MISERABLE JOB IN PROTECTING
2 MY SON FROM THIS AGENCY, AND THERE'S NOTHING ELSE I CAN
3 SAY, AND THAT'S IT, YOUR HONOR. I'M DONE, I BELIEVE.
4 SO PLEASE GIVE US YOUR RULING, AND WE WILL MOVE AHEAD
5 WITH OUR LIVES.

6 THE COURT: ALL RIGHT. WELL, JUST -- CAN THE
7 INTERPRETERS HOLD FOR A LITTLE BIT PAST NOON?

8 THE INTERPRETER: YES.

9 THE COURT: OKAY. ALL RIGHT. JUST AS A POINT OF
10 REFERENCE FOR YOU, MR. ARGILA, I MEAN, IF YOU LOOK AT A
11 FORM THAT YOU ACTUALLY SIGNED, THE DUTIES OF A
12 CONSERVATOR KIND OF TALKS ABOUT WHAT THE DUTIES OF WHAT
13 A CONSERVATOR ARE. THIS IS A JUDICIAL COUNSEL FORM,
14 DC-348, AND IT TALKS ABOUT THE FACT THAT A CONSERVATOR
15 OF THE PERSON HAS TO DECIDE WITHIN LIMITS WHERE THE
16 CONSERVATEE WILL LIVE AND ARRANGE FOR THE CONSERVATEE'S
17 HEALTH CARE, MEALS, CLOTHING, PERSONAL CARE,
18 HOUSEKEEPING, TRANSPORTATION, AND RECREATION. SO I
19 HAVEN'T HEARD ANYTHING IN THE CASE THAT YOU PUT ON THAT
20 SHOWS THAT THE DEPARTMENT IS NOT -- WE JUST LOST
21 MR. ABRAMOWITZ.

22 MR. ABRAMOWITZ: I'M STILL HERE, YOUR HONOR. MY
23 CAMERA JUST FLICKED OFF FOR A MOMENT. I'M NOT GOING
24 ANYWHERE.

25 THE COURT: OKAY. THERE'S BEEN NO SHOWING IN THE
26 EVIDENCE THAT YOU PRESENTED IN YOUR CASE-IN-CHIEF THAT
27 THE DEPARTMENT HASN'T PROVIDED APPROPRIATE LIVING
28 ACCOMMODATIONS FOR CAVAN. IT WAS ARGUED, I GUESS, AND

1 INFERRED FROM THE EVIDENCE THAT THE RESIDENCE WHERE
2 CAVAN IS PRESENTLY, THE OTHER RESIDENTS ARE DEAF AS
3 WELL. HE'S GOT AN ABILITY TO COMMUNICATE WITH THEM.

4 THERE'S BEEN VARIOUS TESTIMONY AS TO THE
5 STAFF'S ABILITY TO COMMUNICATE, BUT THERE'S NOTHING TO
6 SHOW THAT THE LIVING ARRANGEMENTS ARE INAPPROPRIATE FOR
7 CAVAN. THERE'S BEEN NO SHOWING THAT HIS HEALTH CARE
8 HASN'T BEEN ADDRESSED -- NOW, YOU ADVOCATING TO HAVE
9 CERTAIN GOALS IMPLEMENTED, AGAIN, THE EVIDENCE, I THINK,
10 SHOWS THAT THOSE WERE YOUR REQUESTS.

11 THERE'S BEEN NO SHOWING THAT THERE WAS A
12 PLAN THAT WAS AGREED TO BY THE DEPARTMENT WITH REGARDS
13 TO EACH OF THOSE REQUESTS, BUT THE STATE OF THE EVIDENCE
14 NOW, HAVING HEARD FROM CAVAN, IS HE'S UP AND MOVING,
15 MORE PHYSICAL. HE, HIMSELF, IS AWARE AS TO WHAT'S A
16 HEALTHY MEAL, WHAT'S AN UNHEALTHY MEAL, AND THERE'S
17 NOTHING TO SHOW THAT THE DEPARTMENT, IN TERMS OF THEIR
18 SUPERVISION AS CONSERVATOR, IS NOT APPROPRIATELY MAKING
19 SURE THAT CAVAN'S HEALTH NEEDS ARE ADDRESSED, THAT HE'S
20 PROVIDED HEALTHY MEALS, CLOTHING, PERSONAL CARE. THERE
21 WAS NO SHOWING THAT THOSE ITEMS WEREN'T BEING ATTENDED
22 TO BY THE DEPARTMENT; HOUSEKEEPING, SAME;
23 TRANSPORTATION, THERE'S SOME VARYING DESCRIPTIONS OF
24 TRANSPORTATION.

25 CAVAN WOULD LIKE TO HAVE MORE HELP GETTING
26 HIS GROCERIES FROM HIS PREFERRED STORE, BUT, AGAIN,
27 THERE'S BEEN NO SHOWING THAT THE DEPARTMENT ISN'T
28 ENGAGING IN TRANSPORTATION OF CAVAN TO THOSE THINGS THAT

1 HE NEEDS AS NECESSITIES.

2 AND THEN RECREATION, THERE'S NOT A LOT,
3 REALLY, I WOULD SAY ON SHOWING THAT CAVAN NOW PRESENTLY
4 HAS THE ABILITY TO SOCIALIZE. IT SEEMS, TO ME, HIS
5 RECREATION AND SOCIAL LIFE IS REALLY DRIVEN BY HIS WORK
6 SCHEDULE. I CAN'T SAY THAT YOU PREPONDERATED, MEANING
7 THAT YOU MOVED ME OFF THE 50-YARD LINE EVER SO SLIGHTLY,
8 IN FAVOR OF THE FACT THAT THE PETITION FOR REMOVAL
9 SHOULD BE GRANTED.

10 MR. ARGILA: YOUR HONOR, HAVE YOU TAKEN INTO
11 CONSIDERATION CAVAN'S PREFERENCES?

12 THE COURT: I HEARD CAVAN'S PREFERENCES. I DON'T
13 FIND THAT IT WOULD BE APPROPRIATE TO EXERCISE DISCRETION
14 IN HONORING THOSE PREFERENCES AT THIS TIME. NO. 1,
15 GIVEN HOW THIS -- THE COURT'S ABILITY TO OBSERVE WHAT
16 HAPPENS IN THE COURTROOM, I'M NOT SO SURE THAT CAVAN
17 WASN'T COACHED IN A CERTAIN WAY BY YOUR EDITORIALIZING
18 AS WE WERE GOING ALONG IN TERMS OF THE HEARING. BUT,
19 ALSO, IN TERMS OF JUST OVERALL, CAVAN IS SETTLED WHERE
20 HE'S AT. HE'S WORKING. HE'S FUNCTIONING AS
21 INDEPENDENTLY AS HE CAN. I UNDERSTAND HE WOULD LIKE TO
22 GET INTO MORE INDEPENDENT LIVING, AND MAYBE THAT'S MORE
23 PROPERLY ADDRESSED BY THE COURT IN AN ORDER TO SHOW
24 CAUSE JUST TO REVIEW THE HOUSING AND SEE WHAT OTHER
25 OPTIONS ARE OUT THERE AND SEE IF CAVAN IS AT A POINT --
26 IF THE OPTION TO LIVE MORE INDEPENDENTLY IS AVAILABLE,
27 THAT HE SHOULD BE TRANSITIONED TO THAT. THAT MAY BE THE
28 APPROPRIATE WAY TO GO.

1 THE WITNESS: MY DAD NEVER COACHED ME, SO --

2 THE COURT: OKAY.

3 THE WITNESS: WELL, YOUR HONOR -- OKAY.

4 THE COURT: SO WITH REGARD TO THE PETITION FOR
5 REMOVAL THAT WAS FILED MAY 5TH, 2023, THAT PETITION IS
6 DENIED WITHOUT PREJUDICE. "WITHOUT PREJUDICE" MEANS
7 THAT ANY NEW PETITION WOULD HAVE TO RELY ON FACTS
8 ARISING BETWEEN TODAY'S DATE AND THE FILING OF THE NEW
9 PETITION, AND WE'LL PUT THAT IN THE MINUTE ORDER.

10 THE PETITION FOR APPOINTMENT OF A SUCCESSOR
11 CONSERVATOR -- THAT'S CALENDAR NO. 1004 -- THAT PETITION
12 IS, LIKEWISE, DENIED WITHOUT PREJUDICE.

13 MR. ARGILA: WILL YOU BE PROVIDING US WITH A
14 WRITTEN DECISION, YOUR HONOR?

15 THE COURT: NO. 1, I DON'T THINK WE ARE WITHIN
16 THE --

17 MR. ARGILA: I'M SORRY?

18 THE COURT: I DON'T THINK WE'RE WITHIN THE TIME
19 PERIOD, BECAUSE I DON'T THINK WE WENT MORE THAN EIGHT
20 HOURS ON THIS.

21 MR. ARGILA: I DON'T KNOW WHAT THAT MEANS.

22 THE COURT: YOUR REQUEST FOR -- I THINK YOU'RE
23 TRYING TO REQUEST A STATEMENT OF DECISION UNDER 632 OF
24 THE CODE OF CIVIL PROCEDURE, AND I THINK WE'VE BEEN IN
25 SESSION LESS THAN EIGHT HOURS. I'D HAVE TO HAVE THE
26 COURT REPORTER PULL HER TIMES UP FROM YESTERDAY AND
27 TODAY, BUT I THINK WE'VE BEEN IN SESSION LESS THAN EIGHT
28 HOURS, SO THE REQUEST FOR A WRITTEN DECISION IS DENIED.

1 AGAIN, THE COURT'S FINDING THAT THERE'S
2 JUST NOT -- YOU DIDN'T PUT ON ANY EVIDENCE TO CALL OR
3 PERSUADE THE COURT THAT EVEN UNDER 2650(J), THAT IT
4 WOULD BE IN THE BEST INTEREST TO REMOVE THE DEPARTMENT
5 AT THIS TIME.

6 NOW, TO THE DEPARTMENT -- TO MR. ABRAMOWITZ
7 AND MS. DIXON AND MS. O'NEILL, I THINK I WOULD LIKE TO
8 HEAR WHAT OTHER OPTIONS WOULD BE APPROPRIATE FOR CAVAN
9 AT THIS POINT IN TERMS OF MORE INDEPENDENT LIVING, SO MY
10 THOUGHT WAS TO SET AN OSC ON THAT. SO I DON'T KNOW IF
11 MS. DIXON AND MS. ABRAMOWITZ WANT TO ADDRESS THAT?

12 MR. ARGILA: WHAT IS AN "OSC," YOUR HONOR?

13 THE COURT: A HEARING WHERE THE COURT CAN HEAR
14 FROM THE DEPARTMENT AS TO WHETHER THERE ARE OTHER
15 OPTIONS -- MORE INDEPENDENT LIVING OPTIONS AVAILABLE TO
16 CAVAN AND WHAT THAT WOULD LOOK LIKE IN TERMS OF
17 TRANSITION AND COST.

18 MS. DIXON: ABSOLUTELY, YOUR HONOR. I THINK THAT
19 MAYBE IF WE COULD SET THAT OUT FOR 90 DAYS AND THEN GIVE
20 THE REGIONAL CENTER TIME TO LOOK INTO SOME OPTIONS AND
21 PRESENT THOSE TO THE COURT.

22 THE COURT: OKAY. SO, CAVAN, JUST SO YOU
23 UNDERSTAND, I WOULD BE SETTING A HEARING ABOUT THREE
24 MONTHS OUT TO HAVE THE DEPARTMENT REPORT BACK ON OPTIONS
25 FOR YOU TO LIVE MORE INDEPENDENTLY IN AN APARTMENT, IF
26 SOMETHING IS AVAILABLE, THAT WOULD BE SAFE FOR YOU, AND
27 IF IT WOULD BE APPROPRIATE WITH YOUR CAPABILITIES, YOUR
28 DEMONSTRATED CAPABILITIES, IN TERMS OF MAINTAINING A

1 PLACE ON YOUR OWN.

2 I KNOW YOU SAID YOU'RE A CHANGED PERSON
3 FROM THREE YEARS AGO; YOU'VE LEARNED TO WASH A DISH AND
4 SWEEP A FLOOR, I GUESS, SO I'M GOING TO SET A HEARING
5 THREE MONTHS FROM NOW, AND THE DEPARTMENT WILL BE
6 WORKING TO SEE IF THERE'S --

7 THE WITNESS: OKAY, YOUR HONOR.

8 THE COURT: -- ANOTHER PATHWAY THAT WOULD GIVE YOU
9 A LITTLE MORE INDEPENDENCE.

10 MR. ARGILA: YOUR HONOR, WILL I BE RECOGNIZED IF
11 CAVAN CHOOSES TO HAVE ME AS HIS ADVOCATE?

12 THE COURT: AT THAT HEARING?

13 MR. ARGILA: YES.

14 THE COURT: NO. YOU CAN APPEAR, BUT THIS IS A
15 COURT HEARING. THIS ISN'T AN IPP.

16 MR. ARGILA: I'M SORRY?

17 THE COURT: THIS IS A COURT HEARING.

18 MR. ARGILA: I UNDERSTAND THAT, YOUR HONOR.

19 THE COURT: IT'S BETWEEN THE COURT AND THE
20 CONSERVATOR AND THE CONSERVATEE.

21 MR. ARGILA: OKAY. AND CAVAN WILL BE NOTICED? I
22 WILL BE -- I WOULD NOT --

23 THE COURT: I'M GOING TO SET THE OSC RIGHT NOW.

24 MR. ARGILA: OKAY. SO WE'RE SETTING A DATE RIGHT
25 NOW; IS THAT CORRECT, YOUR HONOR?

26 THE COURT: YES.

27 MR. ARGILA: OKAY. MAY I REQUEST A FRIDAY?

28 MR. ABRAMOWITZ: AND THEN, YOUR HONOR, IF I MAY

1 ASK, WOULD THIS BE -- WHAT TIME IN THE MORNING FOR
2 CALENDARING PURPOSES?

3 THE COURT: WELL, I'M LOOKING AT -- I CAN'T DO THE
4 14TH. I'M NOT HERE. I CAN DO MARCH 21 IN THE MORNING,
5 8:30, 9:30.

6 MR. ARGILA: IS THAT A FRIDAY, YOUR HONOR?

7 THE COURT: 10:30. THAT'S A FRIDAY.

8 MR. ARGILA: OKAY. 3/21?

9 THE COURT: I DON'T KNOW IF THAT'S ENOUGH TIME.
10 MAYBE WE NEED TO GO INTO APRIL. I THINK YOU SAID THREE
11 MONTHS.

12 MS. DIXON: I DID, YES.

13 THE COURT: HOW ABOUT APRIL 18TH?

14 MR. ARGILA: SO I HAVE MARCH 21ST AT 8:30 A.M.

15 THE COURT: FORGET MARCH 21ST. THE DEPARTMENT WAS
16 ASKING FOR THREE MONTHS. LOOK AT APRIL 18TH. THAT'S A
17 FRIDAY.

18 MS. DIXON: YES, THAT WORKS FOR ME, YOUR HONOR.

19 THE COURT: 8:30, 9:30, OR 10:30, MR. ABRAMOWITZ?

20 MR. ABRAMOWITZ: ANY OF THOSE WORK. I DID HAVE A
21 FEW MORNING HEARINGS ON FRIDAY IN MARCH. I JUST WANTED
22 TO MAKE SURE I'M FREE.

23 THE COURT: OKAY. APRIL 18TH AT 9:30 WORK FOR
24 YOU, MR. ARGILA?

25 MR. ARGILA: YES. APRIL 18TH AT 9:30 A.M. IN THIS
26 DEPARTMENT.

27 THE COURT: ALL RIGHT. AND, MS. DIXON?

28 MS. DIXON: YES, YOUR HONOR.

1 THE COURT: AND, MS. O'NEILL?

2 MS. O'NEILL: YES, YOUR HONOR.

3 THE COURT: AND, MS. O'NEILL, YOU'LL GIVE ME A
4 REPORT WITH FEES SO I CAN GET A PAYMENT OVER TO YOU,
5 MAKE A PAYMENT ORDER?

6 MS. O'NEILL: YES, YOUR HONOR. YOU WANT IT ON
7 THAT DATE?

8 THE COURT: YES, ON THAT DATE.

9 MS. DIXON: AND, YOUR HONOR, WILL OUR INTERPRETERS
10 BE ORDERED ON THAT DATE?

11 THE COURT: WE'LL HAVE THE INTERPRETERS ORDERED.

12 SO I'M ASSUMING, CAVAN, YOU WANT TO BE HERE
13 FOR THAT HEARING?

14 THE WITNESS: YES.

15 THE COURT: OKAY. GREAT. ALL RIGHT. SO
16 EVERYONE'S EXCUSED. WE'LL RETURN THE NOTEBOOKS TO EACH
17 OF THE PARTIES.

18 ALL RIGHT. SO, MR. ARGILA, WE'RE GOING TO
19 KEEP THOSE BECAUSE ALL OF YOUR EXHIBITS WERE TABBED ONE
20 WAY OR ANOTHER, SO WE HAVE TO KEEP TRACK OF THAT.

21 MR. ARGILA: ARE WE NOW DONE, YOUR HONOR?

22 THE COURT: WE'RE DONE. THANK YOU. THANK YOU TO
23 THE INTERPRETERS FOR HOLDING OVER IN YOUR SERVICES.

24 MR. ARGILA: YOUR HONOR, I WANT TO THANK YOU FOR
25 YOUR PATIENCE AND COURTESY TODAY.

26 (WHEREUPON THE PROCEEDINGS
27 WERE ADJOURNED TO FRIDAY,
28 APRIL 18, 2024, AT 9:30 A.M.)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES
DEPARTMENT S09 HON. ANA MARIA LUNA, JUDGE

IN RE THE MATTER OF THE)
) CASE NO.
CONSERVATORSHIP OF CAVAN ARGILA.) 17STPB10142
)
-----)
) REPORTER'S
) CERTIFICATE
)
)

I, AMY E. SAYLOR, OFFICIAL REPORTER OF
THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, FOR
THE COUNTY OF LOS ANGELES, DO HEREBY CERTIFY THAT
FOREGOING PAGES, 1 THROUGH 66, INCLUSIVE, COMPRISE A
FULL, TRUE, AND CORRECT TRANSCRIPT OF THE PROCEEDINGS
TAKEN IN THE MATTER OF THE ABOVE-ENTITLED CAUSE ON
JANUARY 15, 2025.

THE REPAGINATION, DISMANTLING, UNSEALING,
OR UNBINDING OF THE ORIGINAL TRANSCRIPT OR CERTIFIED
COPY WILL RENDER THE REPORTER'S CERTIFIED TRANSCRIPT
AND CERTIFICATE NULL AND VOID.

DATED THIS 24TH DAY OF JANUARY, 2025.

Amy E. Saylor

AMY E. SAYLOR, CSR #11560
OFFICIAL REPORTER