

1. Q: Good morning, sir. Please come forward, stand right here, and state your name for the record.
2. A: My name is Michael Lindberg¹, pleased to meet you.
3. Q: Mr. Lindberg, were you ever an employee of the defendant²? When did you terminate your employment with Ocean View Landscaping³?
4. A: I'm sorry, I don't understand the question.
5. Q: **Let's back up a bit**⁴. Do you recognize the man in the grey⁵ shirt sitting at the defense table?
6. A: Yes, that used to be my boss⁶ the one I used to work for before.
7. Q: When you say former⁷, **is it because you quit, or...?**
8. A: Yes, I walked out on him⁸ when made me work⁹ overtime for the third time without paying me. He would make many promises but never delivered.
9. Q: Let the record¹⁰ reflect that the plaintiff¹¹ is referring to the defendant.
Ok, so when did you quit¹²?
- 10.A: Uhm¹³... I would say about three months ago.
- 11.Q: So, were you ever denied¹⁴ overtime pay? If so, how many times?
- 12.A: Well, I think the first time was the job we did¹⁵ over at Palo Alto, then the Cypress Landings subdivision¹⁶, after that it was the incident that happened at the soccer field¹⁷

13.Q: Let me interrupt you for a second¹⁸. Are you aware of the motion in limine that was filed¹⁹ in regards to your testimony in the matter of the people²⁰ of California V. Ocean View Landscaping, a separate case?

14.A:... I'm not really sure what that means²¹.

15.Q: Okay, so... you met with your counsel²², Mrs. Weeks before today, right?

16.A: Yes, we met on Friday²³ and she told me today was going to be an important day for me, and that I had to make sure I understood everything clearly so I could give accurate testimony²⁴.

17.Q: All right. Please tell the Court²⁵ and the jury what was discussed²⁶ during that meeting. Was there anything you were instructed not to talk about?

18.A: Oh! Yes, now I remember. A lady attorney²⁷ told me that I could not say anything about the field because that was a different kettle of fish²⁸.

19.Q: Okay, good. So **let's** continue. **You're alleging**²⁹ that on at least two separate occasions **you worked more than forty hours in a week and didn't** receive overtime³⁰ pay?

20.A: No, the guy³¹ **didn't pay us anything whatsoever**³² for those jobs. He kept on telling us that the check was in the mail³³, but the darn³⁴ check never arrived.

21.Q: Really? And were there any other serious violations³⁵ of labor statutes³⁶ that you experienced?

22.A: **Well, I don't know.** I know nothing about the law³⁷. But what I do know is that he would make us³⁸ put gas in the company truck, which was actually his, but we were the ones that ended up paying³⁹ for it.

23.Q: **Now, let's talk about the incident**⁴⁰ at Cypress Landings. Is that when you decided to walk out⁴¹?

24.A: Of course, I remember it as if it was yesterday. He apologized to us⁴² for what had happened before, and he swore up and down that he was going to pay us In cash⁴³ as soon as we got done; **which he didn't**⁴⁴.

25.Q: What excuse did he give you for not paying you? What caused you⁴⁵ to abandon the worksite⁴⁶?

26.A: As soon as we got done with the gig⁴⁷ he came up with the same stupid story⁴⁸ about having already sent⁴⁹ a check. Right then and there I decided that I was not going to put up with his crap⁵⁰ anymore.

27.Q: So then what did you do? What, if anything⁵¹, did you say to him?

28.A: Well, since he had not paid us at all for the job at Palo Alto or for the other matter⁵², uh-

29.Q: Let me remind you that the motion⁵³ filed by the defense precludes you⁵⁴ from saying anything about another case here today.

30.A: I know. But that had already happened⁵⁵ before. He would not pay when the jobs were done. Therefore⁵⁶ when I came to demand payment for those jobs three months ago and he started giving me the same song and dance and the same excuses, I realized⁵⁷ that nothing was going to change.

31.Q: And what did you tell him at that time⁵⁸?

32.A: Well, I was pretty pissed off⁵⁹. **I tried to keep my cool, because I didn't** want to make matters worse⁶⁰. But, what I did tell him was the he and his job could go straight to hell⁶¹.

33.Q: What else happened at the time? Was there any physical altercation⁶² between yourself⁶³ and the defendant?

34.A: No, not at all⁶⁴. I said I was angry, I did get up in his face⁶⁵ and I yelled at him, but, I never got close to touching him; never⁶⁶.

35.Q: So you just told him off⁶⁷ **and left, that's it?**

36.A: Exactly. And, on top of that⁶⁸, I had to walk like thirteen⁶⁹ blocks and call my son in law⁷⁰ **to pick me up since I didn't have a ride.**

37.Q: Did you, or any of you relatives⁷¹ have any other contact with the defendant⁷² after that day?

38.A: Not really. He called me the next day, I am assuming to talk me into⁷³ going back⁷⁴ to work but I was not interested anymore.

39.Q: What, specifically⁷⁵, did he say during that phone call?

40.A: Nothing. **I didn't even**⁷⁶ answer the call. I wanted nothing to do with him, period.

41.Q: Okay⁷⁷, **let's go back to your meeting**⁷⁸ with Mrs. Weeks. When was this?

42.A: I think it was Tuesday no, I'm sorry⁷⁹, it was on Wednesday of the week before last⁸⁰.

43.Q: At that time, did you get a chance to review the file brief that has been submitted⁸¹ on your behalf? Do you agree with what is outlined⁸² there?

44.A: Uhm, I read a bunch⁸³ of papers there, **but I honestly don't remember** everything. All I'm asking for is to be paid⁸⁴ what is fair for my work, right?⁸⁵ and to be reimbursed⁸⁶ the expenses I had to incur.

45.Q: I understand. Is there anything else **you'd like**⁸⁷ to add?

46.A: **Let's see...** I **don't know if this is relevant**, but he not only refused to pay us, he would also constantly put us down⁸⁸, especially me and my cousin. He treated us as if we were dumb⁸⁹ **and we didn't like that at all.**

47.Q: Thank you. No further questions at this time, Your Honor⁹⁰.