

Shelley Turk  
May 02, 2017

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1		Page 1
2	IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS AUSTIN DIVISION	
3	ALBERT J. TURK, M.D. and )	
4	SHELLEY TURK, R.N., )	
5	Plaintiffs, )	
6	vs. )	Civil Action No.
7		6:15-cv-00231-RP
8	SOMMERVELL COUNTY HOSPITAL )	
9	DISTRICT and RAY REYNOLDS, )	
10	INDIVIDUALLY AND IN HIS )	
11	CAPACITY AS CHIEF EXECUTIVE )	
12	OFFICER OF GLEN ROSE MEDICA )	
13	CENTER-SOMERVELL COUNTY )	
14	HOSPITAL DISTRICT, )	
15	Defendants, )	
16	ORAL AND VIDEOTAPED DEPOSITION SHELLEY TURK, RN May 2, 2017	
17	ORAL AND VIDEOTAPED DEPOSITION OF SHELLEY TURK,	
18	RN, produced as a witness at the instance of the	
19	Defendants and duly sworn, was taken in the	
20	above-styled and numbered cause on the 2nd day of	
21	May, 2017, from 10:13 a.m. to 5:32 p.m., before	
22	Mekailah L. McChriston, Certified Shorthand Reporter	
23	in and for the State of Texas, reported by	
24	computerized stenotype machine at the offices of THE	
25	SCHULMAN LAW FIRM, P.C., 6440 N. Central Expressway,	
	Suite 210, Dallas, Texas, pursuant to the Federal	
	Rules of Civil Procedure and the provisions stated	
	on the record or attached hereto.	

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30 to 33

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<p>1 Whether you have 20 patients or two, there's two 2 nurses in the ER. So I was like, that is unsafe. So 3 we need all these people cross-trained so if anything 4 ever comes into the ER, we can call on the backup and 5 the patients will have more likely a greater chance of 6 surviving. It was a patient safety concern of mine. 7 And it's my belief, and it is my belief do this day, 8 that every nurse in the hospital needs to be 9 cross-trained in a small hospital.</p> <p>10 Q. Okay. So the concern that you were 11 discussing on April 7th 2014, was making sure that 12 Robert Richards and Laura Hodnett were cross-trained 13 so if you needed more help in the ER, they would be 14 available to help?</p> <p>15 A. You simplified it, but I want them to be 16 competent. I want them to be able to critically 17 think, and when they get to the ER and see three 18 monitors where patients are unstable, that they go, 19 oh, we need to help those, and not go grab a flu in 20 the waiting room. I want them to be able to 21 critically think without me going over there and 22 saying: You need to help the one over there that has 23 an irregular heart rate. You need to help the one 24 there. I don't want to have to say that. I want them 25 to be competent in their abilities, and they obviously</p>	<p>1 but we didn't want to staff it all the time with four 2 nurses.</p> <p>3 So I said: I am basically on-call 4 24 hours a day. They call me all the time. I've been 5 called at 2:00 in the morning. And one of the 6 suggestions -- and I'm pretty sure it was Michael 7 Honea that said: Why don't y'all be on-call? 8 And Laura Hodnett and Rob Richards did 9 not want to do that. As a matter of fact, they're of 10 the mind that when you become in a management 11 position, you're to oversee the people. You're not 12 actually supposed to get in there and help them, that 13 you help them by encouraging them to do a better job, 14 but you're not actually supposed to get your hands 15 dirty, and I objected.</p> <p>16 Q. And when you say a manager should not be 17 required to do patient care, what you're referring to 18 is that they believe that they were supposed to 19 encourage subordinates, but not get their hands dirty 20 or do the patient care, as you kind of described it, 21 actually meet with the patients, correct?</p> <p>22 A. That's what they stated.</p> <p>23 Q. What was Robert Richards's position?</p> <p>24 A. He was med-surge director.</p> <p>25 Q. What was Laura Hodnett's position?</p>
<p>1 weren't.</p> <p>2 Q. Okay.</p> <p>3 A. Both of them came from a larger hospital and 4 interviewed and said that they could do everything. I 5 was in on those interviews where they were comfortable 6 with codes. They were comfortable with whatever hit 7 the door.</p> <p>8 Q. And the last sentence, you state, here, 9 April 7th 2014, they also have stated in nurse leader 10 meetings and in morning huddles that they're not 11 interested in being on-call and the managers should 12 not be required to do patient care. Do you see that?</p> <p>13 A. Yes, ma'am, I do.</p> <p>14 Q. Okay. And so that's a statement that you 15 said Robert Richards and Laura Hodnett made?</p> <p>16 A. Yes, ma'am.</p> <p>17 Q. And by saying they're not interested in 18 being on-call, was that they were saying they are not 19 interested in being on-call at the ER?</p> <p>20 A. Again, we were trying to figure out -- 21 because at this time, the hospital was -- we were 22 short funds. We were like basically going paycheck to 23 paycheck. I mean, we were really, really tight on 24 money. So we were trying to figure out ways that if 25 something happened in the ER, that we could have help,</p>	<p>1 A. She was -- she was the surgery director, but 2 I think -- I can't remember exactly the timing, but I 3 think she was the acting CNO at that time or close to 4 it.</p> <p>5 Q. Were you their supervisor?</p> <p>6 A. No, ma'am.</p> <p>7 Q. Were you-all peers?</p> <p>8 A. We were all managers.</p> <p>9 Q. Would you say you were all at the same 10 level?</p> <p>11 A. Yes.</p> <p>12 Q. Could you -- did you have the authority to 13 discipline Robert Richards or Laura Hodnett?</p> <p>14 A. No.</p> <p>15 Q. There was someone else that you mentioned. 16 Was it Michael...</p> <p>17 A. Honea.</p> <p>18 Q. How do you spell Honea, if you know?</p> <p>19 A. I don't. H-o-n-e-a -- or a-e -- o-a -- 20 MR. REYNOLDS: R-a.</p> <p>21 Q. (BY MR. SCHULMAN) What was Michael Honea's 22 position?</p> <p>23 A. At that time, he was the CFO.</p> <p>24 Q. And after your e-mail sent out on April 7th 25 2014 -- this first paragraph of Exhibit 2 -- did you</p>

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<p>1 talk to them. Don't talk to any board member.</p> <p>2 Q. (BY MS. GLARRATINI) Okay. So let's talk</p> <p>3 about this meeting that you had in Ray's office with</p> <p>4 Ladonna Green and Ray Reynolds.</p> <p>5 During that meeting, did they tell you</p> <p>6 they were angry at you?</p> <p>7 A. Yes.</p> <p>8 Q. What specifically did they say with regard</p> <p>9 to they were angry with you?</p> <p>10 A. I don't remember exact words. Ray said:</p> <p>11 You're causing a lot of problems. You're stirring up</p> <p>12 some stuff. Quit. There's another incident that's</p> <p>13 not here, that happened, like, on the 28th. Because I</p> <p>14 was called to Ray's office, and he actually stomped</p> <p>15 out at some point and had to come back and apologize</p> <p>16 to me because he yelled at me. And that was</p> <p>17 concerning the e-mails and to stop talking to</p> <p>18 Chip Harrison and stop talking.</p> <p>19 So that happened and I was -- so it's</p> <p>20 not here. I don't know where -- but there was another</p> <p>21 incident that -- and he yelled at me, and then he</p> <p>22 called me back and apologized, and then this happened.</p> <p>23 So this happened after the newspaper published some of</p> <p>24 my e-mails. This is what irritated Ray. So that's</p> <p>25 what this is coming from.</p>	<p>1 A. Around there. I'm not -- don't keep me to</p> <p>2 dates because I'm not quite sure.</p> <p>3 Q. Sure. And I'll just say on or May 28th --</p> <p>4 A. Okay.</p> <p>5 Q. -- you had a meeting with Ray Reynolds,</p> <p>6 correct?</p> <p>7 A. 28th or something.</p> <p>8 Q. And then the Salon blog posted a letter that</p> <p>9 Dr. Turk had sent to the board also around that time.</p> <p>10 Is that right?</p> <p>11 A. After the open records request -- whoever</p> <p>12 did it. I don't know who did it. This salon got some</p> <p>13 of my e-mails and the letter from Jay. So she posted</p> <p>14 that or -- yes, whoever posted it.</p> <p>15 Q. And did you ask W. Harper to post some of</p> <p>16 your e-mails or the letter from Dr. Turk?</p> <p>17 A. I did not know W. Harper at that time. I</p> <p>18 met W. Harper after.</p> <p>19 Q. So no, you did not ask her to do that?</p> <p>20 A. I did not ask her to do that.</p> <p>21 Q. Were you aware that she had posted some of</p> <p>22 your e-mails and Dr. Turk's letter to the board?</p> <p>23 A. I was informed by Ladonna Green and</p> <p>24 Michael Honea. I can't remember if it was that time</p> <p>25 or the next time she posted something Chip Harrison</p>
<p>Page 79</p> <p>1 Q. What newspaper are you talking about?</p> <p>2 A. The media, the...</p> <p>3 Q. You mean Ms. Harper's blog?</p> <p>4 A. Salon.glenrose.net.</p> <p>5 Q. So after -- so there was some of your --</p> <p>6 there was something posted on the blog as well?</p> <p>7 A. So when -- when Chip Harrison asked us for</p> <p>8 documentation, we turned over whatever we turned over.</p> <p>9 I'm not sure how he got the letter from Jay. I mean,</p> <p>10 how that letter -- how that got in there. I don't</p> <p>11 remember. But a letter that Jay wrote to Ray and/or</p> <p>12 the medical staff, that was in the stuff that was</p> <p>13 given to Chip.</p> <p>14 Q. Okay. So --</p> <p>15 A. That was posted on the Salon, and then I got</p> <p>16 called to Ray's office.</p> <p>17 Q. Okay. Just to make sure I'm tracking, so</p> <p>18 there's the -- May 24th, the ER's busy. You talked to</p> <p>19 Michael Honea --</p> <p>20 A. Yes.</p> <p>21 Q. -- and then Chip Harrison, all on or around</p> <p>22 that date, May 24th 2014, correct?</p> <p>23 A. Yes, I think so.</p> <p>24 Q. And then there's a meeting you had with</p> <p>25 Ray Reynolds on May 28th, correct?</p>	<p>Page 81</p> <p>1 actually called me. I was made aware of it.</p> <p>2 Q. Okay. When did Ladonna Green and Michael</p> <p>3 Honea make you aware that some of your e-mails had</p> <p>4 been posted on the Salon blog?</p> <p>5 A. On or around May 28th, after it was -- I was</p> <p>6 yelled at, and after I was told stop emailing because</p> <p>7 now they have to turn it over and stop fighting for</p> <p>8 patients.</p> <p>9 Q. And what did Ladonna Green and Michael Honea</p> <p>10 tell you on or around May 28th about your e-mails?</p> <p>11 A. To stop it, that you're causing problems and</p> <p>12 that the hospital board is not good, that I'm causing</p> <p>13 more harm. And I said: I'm taking care of my</p> <p>14 patients to the best of my ability, and I've tried</p> <p>15 internal measures. It's not working. Y'all aren't</p> <p>16 getting anything done, so now I have to go to your</p> <p>17 boss, because that's the chain of command.</p> <p>18 Q. I just want to make sure I'm following you.</p> <p>19 So let's start with Ladonna Green. So where did you</p> <p>20 talk to Ladonna Green about your e-mails being on the</p> <p>21 Salon --</p> <p>22 A. She and -- I'm sorry I interrupted you.</p> <p>23 Q. Go ahead.</p> <p>24 A. Michael Honea and her came to me.</p> <p>25 Q. On or around May 28th 2014?</p>

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1 A. I -- no. I don't think so.  
 2 Q. Did you think that was an appropriate thing  
 3 to say about Ms. Van Zandt?  
 4 MR. SCHULMAN: Object to the form of  
 5 the question.  
 6 A. At the time, I probably was frustrated that  
 7 she's incompetent, and so that was probably the nicest  
 8 thing I could say about her at the time when she's  
 9 hurting patients and hiding documents, falsifying root  
 10 cause analysis. There was lots of stuff that was  
 11 happening that -- that I -- that was frustrating to a  
 12 lot of people. Looking back, I probably shouldn't  
 13 have said it, but...  
 14 Q. (BY MS. GIARRATANI) Do you think it's  
 15 appropriate, if you were frustrated about Ms. Kelly  
 16 Van Zandt, to describe her pants and her labia?  
 17 A. No. I think that it's inappropriate for her  
 18 to do that. We actually -- Ladonna and I sat for  
 19 hours trying to rewrite the dress code so that she  
 20 would get the hint to stop hearing her clothes that  
 21 tight and how inappropriate it was, and she didn't get  
 22 the hint. And I actually addressed her herself, so  
 23 I'm...  
 24 Q. Well, I'm talking about you, Ms. Turk. Do  
 25 you think it was appropriate for you, even if you were

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1 frustrated or you believed she didn't follow dress  
 2 code, to talk about how her pants split her labia, as  
 3 a person in management at the hospital?  
 4 A. I think that the entire camel toe thing,  
 5 they're fussing about it because I was bringing up  
 6 safety concerns. So if they -- if Ray Reynolds  
 7 thought it was inappropriate for me to say camel toe,  
 8 and if Ladonna Green that it was inappropriate for me  
 9 to say camel toe, she should have addressed it two  
 10 years before that. And Ladonna shouldn't have texted  
 11 me pictures of camel toes, and Becky Wittselt  
 12 shouldn't have participated in that. So I think that  
 13 if it was offensive, Kelly Van Zandt should have said  
 14 so to me when I said, you have a camel toe.  
 15 Q. Do you think it's inoffensive to say that  
 16 someone has a camel toe?  
 17 A. Well, she did it every day, so I'm assuming  
 18 that she wasn't offended by it.  
 19 Q. Did she ever call herself a camel toe?  
 20 A. No. She did call herself a ho, but not a  
 21 camel toe.  
 22 Q. Would you be offended if someone said that  
 23 you had a camel toe?  
 24 A. No, I would change it. I would address it.  
 25 I would say thank you so much, just like when someone

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1 has their pants unzipped. I would say, oh, my gosh,  
 2 thank you. I'll go fix that. So I'm assuming she  
 3 wasn't offended by her own camel toe or she would  
 4 stop.  
 5 Q. So you don't think it's an offensive term to  
 6 say that someone has a camel toe?  
 7 A. Yes, I think it's an offensive term. I also  
 8 think it's an offensive term to call someone a ho, but  
 9 she did that, too. So she was on a different --  
 10 evidently she didn't think it was offensive.  
 11 Q. Did you ever call Ms. Van Zandt a ho?  
 12 A. No, she did.  
 13 Q. Do you think it's appropriate for management  
 14 to use an offensive term in the workplace?  
 15 MR. SCHULMAN: Object to the form of  
 16 the question.  
 17 A. I think lots of stuff in the workplace is  
 18 inappropriate like allowing patients to die, allowing  
 19 them to cover up documents. I think lots of stuff is  
 20 inappropriate in the workplace. And I think that the  
 21 ER is a little bit rough. And I think we probably say  
 22 stuff in anger and when bats have happened to kind of  
 23 vent. I don't think that's why they fired me.  
 24 MS. GIARRATANI: I'm going to object as  
 25 nonresponsive because that wasn't my question.

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1 A. Then object. It's the truth.  
 2 Q. Well, that wasn't my question, Ms. Turk.  
 3 A. Okay.  
 4 Q. My question was: Do you think it's  
 5 appropriate for individuals in management at the  
 6 hospital to use an offensive term?  
 7 A. No. I don't think it's appropriate for  
 8 anybody to use an offensive term. But I think it was  
 9 accepted, because it had been used by multiple people  
 10 for over a three-year period.  
 11 Q. Did you ever hear Ray Reynolds call Ms. Van  
 12 Zandt a camel toe?  
 13 A. No.  
 14 Q. Did you ever hear Chip Harrison call Ms. Van  
 15 Zandt a camel toe?  
 16 A. No.  
 17 Q. Did you ever hear Donna Miller call Ms. Van  
 18 Zandt a camel toe?  
 19 A. No. Ray did laugh at it.  
 20 Q. Okay. Ms. Turk, I'm going to show you some  
 21 documents that are copies of text messages.  
 22 (Exhibit 9 marked)  
 23 Q. (BY MS. GIARRATANI) Did you send text  
 24 messages to Ladonna Green with camel toe in it?  
 25 A. We both did. We both sent them back and

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<p style="text-align: right;">Page 162</p> <p>1 forth.</p> <p>2 Q. And when you were doing that, you were</p> <p>3 referring to Ms. Van Zandt?</p> <p>4 A. Not all the time.</p> <p>5 Q. Were you calling other people camel toes,</p> <p>6 too?</p> <p>7 A. No. There was a joke that we -- that once</p> <p>8 we saw, like, other people referring to it, we would</p> <p>9 send text messages back and forth.</p> <p>10 Q. Other people referring to camel toe?</p> <p>11 A. Yeah. Other people -- if I got a text</p> <p>12 message from someone saying, I thought of you when I</p> <p>13 saw this and forward to me, I would forward it on to</p> <p>14 her or she would forward something on to me and</p> <p>15 Becky Whittsit and Joey and -- this has been altered,</p> <p>16 but yeah, I did send her those pictures.</p> <p>17 Q. What's been altered?</p> <p>18 A. These texts. Because there was actual text</p> <p>19 back and forth about these that she's deleted. That's</p> <p>20 kind of funny.</p> <p>21 Q. So Exhibit 9 are text messages between you</p> <p>22 and Ladonna Green?</p> <p>23 A. I have no idea.</p> <p>24 Q. You just said it's been altered and there</p> <p>25 was text back and forth between you and Ms. Green.</p>	<p style="text-align: right;">Page 164</p> <p>1 deposition.</p> <p>2 MR. SCHULMAN: Thank you.</p> <p>3 MS. GIARRATANI: You're welcome.</p> <p>4 Q. (BY MS. GIARRATANI) This appears to be text</p> <p>5 messages between you, Shay Jones, Veronica,</p> <p>6 Kitty Burns and Ladonna Green. Is that right?</p> <p>7 A. No, ma'am.</p> <p>8 Q. Okay. Tell me what it is, Exhibit 10.</p> <p>9 A. It appears to be text message between</p> <p>10 myself, Donna, Shay Jones, Veronica and Kitty.</p> <p>11 Q. What's Veronica's last name?</p> <p>12 A. I don't know. It starts with an S -- or</p> <p>13 Ramos -- no. I don't know.</p> <p>14 DR. TURK: Serrano.</p> <p>15 Q. (BY MS. GIARRATANI) Serrano, is that</p> <p>16 correct.</p> <p>17 A. (Moving head up and down.)</p> <p>18 Q. Yes?</p> <p>19 A. Yes. Sorry.</p> <p>20 Q. And what was Veronica Serrano's position?</p> <p>21 A. At the time, she worked at the clinic.</p> <p>22 Q. What was Shay Jones' position?</p> <p>23 A. She worked at the clinic.</p> <p>24 Q. This also says Donna. That's Donna who?</p> <p>25 A. Anderson.</p>
<p style="text-align: right;">Page 163</p> <p>1 A. No, this has been altered because I --</p> <p>2 I mean, I'm assuming you got this off of</p> <p>3 Ladonna Green's phone. You're saying this is from</p> <p>4 Ladonna Green's phone. "Yes, pain management in</p> <p>5 Weatherford. I'm with Ryan." That's her husband. So</p> <p>6 this one is from Ladonna. I can't tell you if every</p> <p>7 one of these is from Ladonna, because it's not</p> <p>8 labeled.</p> <p>9 Q. Okay. And so your testimony is you and</p> <p>10 Ms. Green would text back and forth pictures of camel</p> <p>11 toes or jokes about camel toe?</p> <p>12 A. Yes.</p> <p>13 Q. And you were doing that as a joke in</p> <p>14 reference to Ms. Van Zandt?</p> <p>15 A. Some of them were. Some of them were just</p> <p>16 text that we -- someone had forwarded to us.</p> <p>17 Q. So sometimes other people would forward you</p> <p>18 text with camel toe?</p> <p>19 A. And making -- yes.</p> <p>20 Q. Making fun of Ms. Van Zandt, and then you</p> <p>21 would pass it on?</p> <p>22 A. Pass it, correct.</p> <p>23 (Exhibit 10 marked)</p> <p>24 Q. (BY MS. GIARRATANI) Ms. Turk, I'm going to</p> <p>25 show you what's been marked as Exhibit 10 to your</p>	<p style="text-align: right;">Page 165</p> <p>1 Q. What does she do?</p> <p>2 A. She's a nurse.</p> <p>3 Q. And here, you put a picture of a camel and</p> <p>4 you say it's hump day?</p> <p>5 A. No. The picture says it's hump day.</p> <p>6 Q. You included a text message to Shay Jones,</p> <p>7 Veronica Serrano, Kitty Burns and Donna Anderson of a</p> <p>8 camel, and the picture also says it's hump day?</p> <p>9 A. That's correct.</p> <p>10 Q. And that was in reference to Kelly Van</p> <p>11 Zandt?</p> <p>12 A. No, ma'am.</p> <p>13 Q. Who were you saying it was hump day to?</p> <p>14 A. It's Wednesday. It's hump day.</p> <p>15 Q. And then on the second page, Turk 628, under</p> <p>16 your name, Shelley Turk, it says: Every day is hump</p> <p>17 day if you're a camel toe?</p> <p>18 A. That's right.</p> <p>19 Q. And there, were you talking about Kelly Van</p> <p>20 Zandt?</p> <p>21 A. No.</p> <p>22 Q. Who else were you calling a camel toe?</p> <p>23 A. It's a joke. I wasn't calling anybody a</p> <p>24 camel toe. I wasn't referring to anybody in</p> <p>25 particular.</p>

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<p style="text-align: right;">Page 178</p> <p>1 A. She had heard that I called Kelly Van Zandt 2 a camel toe and an idiot.</p> <p>3 Q. Have you ever called Kelly Van Zandt an 4 idiot?</p> <p>5 A. Sometime in the past, I'm sure I said that 6 on multiple occasions.</p> <p>7 Q. Did you say it on June 24th 2015?</p> <p>8 A. No, ma'am.</p> <p>9 Q. Who did you call Kelly Van Zandt an idiot 10 to?</p> <p>11 A. I didn't call her an idiot. I just said I 12 didn't do that on that day.</p> <p>13 Q. You said you didn't do it on June 24th 2015, 14 but you said you had called her an idiot on multiple 15 occasions.</p> <p>16 A. I don't know. I mean, I'm sure I was 17 talking to Ladonna Green or Jacky Wilcoxin or -- 18 saying that was not a -- that was not a smart move or 19 that was an idiotic move or that was an idiotic thing 20 to say.</p> <p>21 Q. Do you think it's appropriate to call a 22 coworker an idiot?</p> <p>23 A. If they're an idiot, I think it's 24 appropriate. I don't have a problem with that.</p> <p>25 Q. Who else have you called an idiot at the</p>	<p style="text-align: right;">Page 180</p> <p>1 A. Donna Miller called me to her office and 2 Ladonna Green and her were in there. They asked me 3 right off the bat if I was aware of a post that was on 4 the blog, that was a time line of events that I had 5 sent my lawyer. And they said: Did you know that 6 that was on there? And I said: Yes, I did. And 7 Donna Miller and Ladonna Green said that that's 8 damaging the hospital's reputation, that I need to 9 call and have that remove. And I said: No, ma'am, I 10 will not call and have that removed.</p> <p>11 And they, again, expressed how damaging 12 that was to the hospital. And I told them the 13 hospital have done the damage to themselves. That 14 wasn't damaging them. What they did was damaging 15 them. And then she said that -- that's when she said 16 that she had heard that I called Kelly Van Zandt a 17 camel toe. And I said, that's not -- I did not do 18 that.</p> <p>19 And she asked me what I did. And I 20 said that I called -- I walked -- we were in the 21 hallway, in the huddle, and Susan Price was being very 22 loud and -- you have to know Susan Price. She could 23 be pretty obnoxious. Her voice is kind of ringing. 24 And she was wanting to sing someone a happy birthday. 25 And everybody else already said no. No, we don't want</p>
<p style="text-align: right;">Page 179</p> <p>1 hospital?</p> <p>2 A. To their face?</p> <p>3 Q. Just period.</p> <p>4 MR. SCHUMAN: Object to the form of 5 the question.</p> <p>6 A. I don't know. I don't recall. Susan Price, 7 I'm sure I called her -- I did call her an idiot. I 8 don't remember who else.</p> <p>9 Q. (BY MS. GIARRATANI) Do you know if anyone 10 at the hospital has called you an idiot?</p> <p>11 A. I'm sure if I was an idiot, they probably 12 called me one. If I did something stupid, if I did 13 something that was not smart, it was -- I'm sure that 14 they've said, hey, that was not a -- that was a 15 idiotic move or whatever. I'm sure that...</p> <p>16 Q. Have you heard someone call you an idiot at 17 the hospital?</p> <p>18 A. No. You asked me, and I said I'm sure that 19 happened.</p> <p>20 Q. Okay. So Ms. Green, you said, called you to 21 her office and told you that your employment was being 22 ended?</p> <p>23 A. No...</p> <p>24 Q. Okay. Tell me how it happened that your 25 employment was ended?</p>	<p style="text-align: right;">Page 181</p> <p>1 to do it. Ray had said no, we're not singing happy 2 birthday, and so did Michael. And someone else said 3 no, stop. And she started singing and being really 4 loud.</p> <p>5 So I walked into the medical records 6 room and just, under my breath, was like: Gosh, she's 7 such a loud mouth idiot. How could you work with her? 8 So I said that to Ladonna Green and Donna Miller, who 9 was sitting there. And she said: Well, we have to 10 agree with you on that one. She is an idiot. And I 11 said: But I did not call -- it was never mentioned.</p> <p>12 Q. Who said: We have to agree with you?</p> <p>13 A. Both of them, and they both laughed.</p> <p>14 Q. Did they both say the exact same thing, "We 15 have to agree with you, she is an idiot," one after 16 the other?</p> <p>17 A. No. Ladonna -- Donna Miller said: We have 18 to agree with you that she is an idiot. And 19 Ladonna Green said: Yeah, she's a problem.</p> <p>20 Q. And that was on June 24th 2015?</p> <p>21 A. That that's what I said or that's...</p> <p>22 Q. That that's what you said, or was that 23 another day?</p> <p>24 A. You're going to have to repeat that.</p> <p>25 Q. Okay. I'm trying to figure out when this</p>

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182 to 185

Page 182	Page 184
1 conversation happened when you're --	1 MS. GIARRATANI: You're welcome.
2 A. Between Donna Miller and -- the day they	2 Q. (BY MS. GIARRATANI) Is Exhibit 14 your
3 fired me.	3 notice of termination?
4 Q. So it happened on...	4 A. Yes.
5 A. The 26th.	5 Q. And were you given this document on
6 Q. Okay. On the 26th.	6 June 26th 2015?
7 I think we're getting -- we're not	7 A. Yes.
8 tracking on the conversations we're talking about.	8 Q. Do you know who stated that you called
9 So you walk in, and you say Susan Price	9 Kelly Van Zandt a camel toe and an idiot?
10 was laughing, and you say they agree with you. Did	10 A. I mean, if they're telling me the truth, it
11 that happen on June 24th 2015?	11 was Liz Morgan and Canda Harrod.
12 A. The day that -- no. Okay. Listen.	12 Q. What's Canda Harrod's position?
13 Q. Okay.	13 A. I don't know what she was.
14 A. The day they fired me, she asked me to	14 Q. You said that you stopped calling Kelly Van
15 remove -- have their stuff removed off the blog. And	15 Zandt a camel toe --
16 I said no, I will not have that stuff removed off the	16 A. I stopped referring to it as a description
17 blog. I am not calling her and telling her that she	17 of her.
18 has to remove something off her blog. I don't know	18 Q. -- after the Board of Nurses complaint.
19 her. I'm not calling. That's her right. This is a	19 So approximately what time was that?
20 public hospital. She can have it there.	20 A. I got my notice around January -- first part
21 And then they proceeded to tell me how	21 of January 2015.
22 damaging that was to the hospital. And I said: I	22 Q. Why did you decide to stop describing
23 understand what you're saying, but the hospital did	23 Ms. Van Zandt as having a camel toe at that time?
24 this to themselves. That paper is not doing it. You	24 A. Because my lawyer said he nice, he
25 damaged. Those are true documents. All those	25 professional until this is all over.
Page 183	Page 185
1 documents she published did happen, so -- hold on.	1 Q. Did you think it was being professional
2 Then she proceeded to say: Well,	2 before to call -- to refer to Ms. Van Zandt as having
3 here's why I called you in here. We are firing you	3 a camel toe?
4 because you called Kelly Van Zandt a camel toe and an	4 A. No. I don't think it was professional.
5 idiot two days ago. Did you do that?	5 MR. SCHULMAN: I'm not in a big hurry,
6 I said: No, I did not do that. I have	6 but at some point, can we have a little break?
7 not called her a camel toe. I have not referenced her	7 MS. GIARRATANI: Let's do it now.
8 in that description as a camel toe since I was	8 MR. SCHULMAN: Now is good.
9 reported to the Board of Nursing. I stopped. I've	9 THE VIDEOGRAPHER: Going off record at
10 been very professional trying to be calm.	10 4:20.
11 And they said: So what did you say?	11 (Recess from 4:20 to 4:31)
12 We have a couple of witnesses. I was like: Well,	12 THE VIDEOGRAPHER: We're back on record
13 they're misinformed, or they're looking for something	13 at 4:31.
14 because that's not what I said.	14 Q. (BY MS. GIARRATANI) Okay. We're back on
15 And that's when I told them about	15 the record after a short break. Ms. Turk, you
16 Susan Price, that that's what happened. And they	16 understand you're still under oath, correct?
17 said: We agree. She's an idiot. And then	17 A. Yes, ma'am.
18 Ladonna Green said: Yes, she's a problem.	18 Q. Okay.
19 Q. So that happened in the termination meeting?	19 MR. SCHULMAN: J-C-A-H-O.
20 A. That's right.	20 Q. (BY MS. GIARRATANI) I'm going to show you
21 Q. Okay. Thank you.	21 the complaint filed in this case, because I have
22 (Exhibit 14 marked)	22 some questions to ask you about it. We're going to
23 Q. (BY MS. GIARRATANI) Let me give you	23 just make it Exhibit 15.
24 Exhibit 14.	24 (Exhibit 15 marked)
25 MR. SCHULMAN: Thank you.	25 Q. (BY MS. GIARRATANI) If you could go to

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1 I, SHELLEY TURK, RN, have read the foregoing  
2 deposition and hereby affix my signature that same  
3 is true and correct, except as noted above.

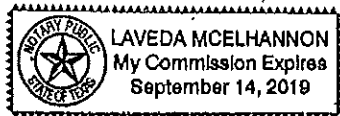
4  
5 Shelley Turk RN  
6 SHELLEY TURK, RN

7 THE STATE OF Texas )  
8 COUNTY OF Somervell )

9  
10 Before me, Shelley Turk, on  
11 this day personally appeared SHELLEY TURK, RN, known  
12 to me or proved to me on the oath of  
13 \_\_\_\_\_ or through

14 Tx DL (description of identity  
15 card or other document) to be the person whose name  
16 is subscribed to the foregoing instrument and  
17 acknowledged to me that he/she executed the same for  
18 the purpose and consideration therein expressed.

19 Given under my hand and seal of office on this  
20 12 day of June, 2017.



21  
22 Laveda McElhannon  
23 NOTARY PUBLIC IN AND FOR  
24 THE STATE OF Texas

25 My Commission Expires: 9-14-19

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May 02, 2017

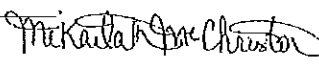
222 to 225

<p style="text-align: right;">Page 222</p> <p>1 little break, guys.</p> <p>2 THE VIDEOGRAPHER: Going off record at</p> <p>3 5:28.</p> <p>4 (Recess from 5:28 to 5:32)</p> <p>5 THE VIDEOGRAPHER: We're back on record</p> <p>6 at 5:32.</p> <p>7 MR. SCHULMAN: We will reserve our</p> <p>8 questions until the time of trial.</p> <p>9 MS. GIARRATANI: Okay.</p> <p>10 THE VIDEOGRAPHER: Going off record at</p> <p>11 5:32.</p> <p>12 (Proceedings concluded at 5:32 p.m.)</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 224</p> <p>1 I, SHELLEY TURK, RN, have read the foregoing</p> <p>2 deposition and hereby affix my signature that same</p> <p>3 is true and correct, except as noted above.</p> <p>4</p> <p>5</p> <p>6 _____</p> <p>7 THE STATE OF _____)</p> <p>8 COUNTY OF _____)</p> <p>9</p> <p>10 Before me, _____, on</p> <p>11 this day personally appeared SHELLEY TURK, RN, known</p> <p>12 to me or proved to me on the oath of</p> <p>13 _____ or through</p> <p>14 _____ (description of identity</p> <p>15 card or other document) to be the person whose name</p> <p>16 is subscribed to the foregoing instrument and</p> <p>17 acknowledged to me that he/she executed the same for</p> <p>18 the purpose and consideration therein expressed.</p> <p>19 Given under my hand and seal of office on this</p> <p>20 day of _____, _____.</p> <p>21</p> <p>22 _____</p> <p>23 NOTARY PUBLIC IN AND FOR</p> <p>24 THE STATE OF _____</p> <p>25 My Commission Expires: _____</p>																																																																																								
<p style="text-align: right;">Page 223</p> <p>1 CHANGES AND SIGNATURE</p> <p>2 WITNESS NAME: SHELLEY TURK, RN DATE: MAY 2, 2017</p> <p>3</p> <table border="1"> <thead> <tr> <th>4 PAGE</th> <th>LINE</th> <th>CHANGE</th> <th>REASON</th> </tr> </thead> <tbody> <tr><td>5</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>6</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>7</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>8</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>9</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>10</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>11</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>12</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>13</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>14</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>15</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>16</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>17</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>18</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>19</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>20</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>21</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>22</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>23</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>24</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>25</td><td>_____</td><td>_____</td><td>_____</td></tr> </tbody> </table>	4 PAGE	LINE	CHANGE	REASON	5	_____	_____	_____	6	_____	_____	_____	7	_____	_____	_____	8	_____	_____	_____	9	_____	_____	_____	10	_____	_____	_____	11	_____	_____	_____	12	_____	_____	_____	13	_____	_____	_____	14	_____	_____	_____	15	_____	_____	_____	16	_____	_____	_____	17	_____	_____	_____	18	_____	_____	_____	19	_____	_____	_____	20	_____	_____	_____	21	_____	_____	_____	22	_____	_____	_____	23	_____	_____	_____	24	_____	_____	_____	25	_____	_____	_____	<p style="text-align: right;">Page 225</p> <p>1 IN THE UNITED STATES DISTRICT COURT</p> <p>2 FOR THE WESTERN DISTRICT OF TEXAS</p> <p>3 AUSTIN DIVISION</p> <p>4 ALBERT J. TURK, M.D. and )</p> <p>5 SHELLEY TURK, R.N., )</p> <p>6 Plaintiffs, )</p> <p>7 vs. ) Civil Action No.</p> <p>8 ) 6:15-cv-00231-RP</p> <p>9 )</p> <p>10 )</p> <p>11 )</p> <p>12 )</p> <p>13 )</p> <p>14 )</p> <p>15 )</p> <p>16 )</p> <p>17 )</p> <p>18 )</p> <p>19 )</p> <p>20 )</p> <p>21 )</p> <p>22 )</p> <p>23 )</p> <p>24 )</p> <p>25 )</p> <p>11 Defendants, )</p> <p>12 REPORTER'S CERTIFICATE</p> <p>13 ORAL AND VIDEOTAPED DEPOSITION OF SHELLEY TURK, RN</p> <p>14 MAY 2, 2017</p> <p>15 I, McKailah L. McChriston, Certified Shorthand</p> <p>16 Reporter in and for the State of Texas, hereby</p> <p>17 certify that the foregoing deposition is a full,</p> <p>18 true and correct transcript;</p> <p>19 That the foregoing deposition of SHELLEY TURK,</p> <p>20 RN, the Witness, hereinbefore named was at the time</p> <p>21 named, taken by me in stenograph on MAY 2, 2017,</p> <p>22 that said Witness having been by me first duly</p> <p>23 cautioned and sworn to tell the truth, the whole</p> <p>24 truth, and nothing but the truth, and the same were</p> <p>25 thereafter reduced to typewriting by me or under my</p>
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May 02, 2017

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<p>1 direction.</p> <p>2 ( ) That upon request by the Witness and/or</p> <p>3 counsel, the Witness shall have thirty (30) days for</p> <p>4 review and signature of the original transcript and</p> <p>5 if any corrections returned are attached hereto.</p> <p>6 ( ) That the signed transcript ( ) was ( ) was</p> <p>7 not received from the Witness within 30 days.</p> <p>8 That the amount of time used by each party at</p> <p>9 the deposition is as follows:</p> <p>10 Ms. Shafeeqa Qasrattani - 05:32</p> <p>11 Mr. John Schulman - 00:00</p> <p>12 I further certify that I am neither counsel</p> <p>13 for, related to, nor employed by any of the parties</p> <p>14 in the action in which this proceeding was taken, an</p> <p>15 further that I am not financially or otherwise</p> <p>16 interested in the outcome of the action.</p> <p>17 WITNESS MY HAND, this the ____ day of</p> <p>18 _____</p> <p>19 </p> <p>20 _____</p> <p>21 MEKAILAH MCCHRISTON, Texas CSR 9087</p> <p>22 Expiration Date: 12/31/2018</p> <p>23 U.S. Legal Support</p> <p>24 Firm Registration No. 343</p> <p>25 5910 North Central Expressway</p> <p>Suite 100</p> <p>Dallas, TX 75206</p> <p>469.619.4574 (Telephone)</p> <p>214.741.6824 (Facsimile)</p>	<p style="text-align: right;">Page 226</p>
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