

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <b>Bonnie M. Simonek, Esq. SBN. 202761</b> <b>625 Broadway, Suite 909</b> <b>San Diego, CA 92101</b>  TELEPHONE NO.: (619) 237-5399 FAX NO. (Optional): (619) 237-5534 E-MAIL ADDRESS (Optional): <b>Bonnie@SimonekLaw.com</b> ATTORNEY FOR (Name): <b>Dianne York-Goldman</b>	FOR COURT USE ONLY  <div style="text-align: center;"> <b>FILED</b>  <small>Clerk of the Superior Court</small>  <b>AUG 27 '08</b> </div>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME: <b>Family Law Court</b>	
PLAINTIFF/PETITIONER: <b>DIANNE YORK-GOLDMAN</b> DEFENDANT/RESPONDENT: <b>MITCHEL PAUL GOLDMAN</b>	
<b>DECLARATION</b>	CASE NUMBER: <div style="text-align: center;"><b>DN149413</b></div>

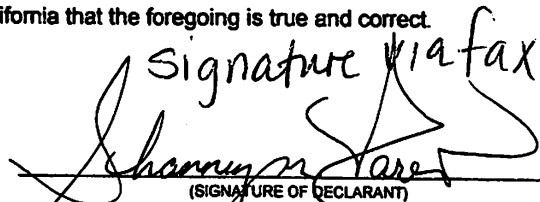
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: August 20, 2008

Shannyn Pareo

(TYPE OR PRINT NAME)

*Signature via fax*



(SIGNATURE OF DECLARANT)

- Attorney for   
  Plaintiff   
  Petitioner   
  Defendant  
 Respondent   
 Other (Specify):



shannyn pareo &lt;shannynp@gmail.com&gt;

**(no subject)**

2 messages

shannyn pareo &lt;shannynp@gmail.com&gt;

Tue, Aug 19, 2008 at 11:00 PM

To: shannynp@gmail.com

To whom it may concern:

It has come to my attention that the intentions of my resigning from La Jolla Spa MD have been falsely portrayed to the court by Richard Annis and Dan Close. I have been shocked and very upset by the extensive measures that were taken in order to mislead the court as well as my peers.

Mr. Close and Mr. Annis expressed to the court that the reason I left Spa MD was because of Dianne York-Goldman. This is not the truth.

Every day I would go in to do my job, more of my privileges on the computer would be taken away. I was prevented from doing my job. In addition, my time was spent dealing with this court case versus focusing on my work. I believe it was completely unprofessional of Mr. Annis to require members of the staff represent Dianne and Dr. Goldman versus dealing with them himself. It pitted the staff against one another. Slanderous accusations were made against me and other members of the staff. The environment at Spa MD became very unprofessional, unproductive and stressful.

When I gave my notice to Mr. Close and Mr. Annis they specifically told me not to mention it to Dianne. They said that they would tell her at a time that would be more appropriate so she wouldn't take hard, as she might at work. What they didn't tell her is that they were going to tell her in court in front of a judge and then accuse her of being the reason I was under so much stress. I never told Mr. Close or Mr. Annis that Dianne was the reason I was under stress. I did tell them that the lies against me and that becoming the focus of attack was what had made me stressed. I am very upset that Mr. Close and Mr. Annis would speak so falsely on my behalf without having me there to or having written anything to back what they were saying. When I heard of what happened, I felt like this was an ambush against Dianne.

When I left Spa MD Mr. Close and Mr. Annis put in writing that they would get me one month of insurance, pay the bill for the past dental work that Spa MD had me get, arrange for me to receive the dental work that Spa MD put in my contract in order for me to move to La Jolla and accept this job (Veneers for my upper front teeth), and lastly arrange to finish the tattoo removal that Dr. Goldman insisted I get on my ankle. Mr. Close nor Mr. Annis have not followed through in ANY of these arrangements they made. It is now over two weeks since I have left. I sent an

e-mail to Mr. Close and Mr. Annis the next week to get closure on these items. Mr. Annis wrote back to tell me Mr. Close was on vacation and that he would answer these questions upon his return. Mr. Close never acknowledged my letter. I repeatedly called to speak with him and he would not take the call. Finally on August 19th, Dan took the call, however he denied receiving the e-mail from me. He literally told me I was not important and that "more important people than you (me) have been waiting longer I have". I told him that by law I needed to be provided insurance information. Mr. Close told me that Stasea (HR) was on vacation and I would now need for her to return before he could do anything. I told him by then that the insurance Spa MD agreed to provide for me would no longer be valid because this month would be over. Mr. Close laughed at me and said "it's that time of year". I asked him if I literally had to go to the Department of Labor or to the Judge presiding over this case...Mr. Close said "do whatever you want, I have to go now, and other people need to speak to me". I am appalled that this is the person who has been chose to run this company. During our telephone conversation Mr. Close told me he had no idea how to handle the tattoo or the dental work and that he would have to check with Dr. Goldman as to what he should do. Mr. Close changed his story THREE times on the phone with me as to how he would handle the tattoo removal. First, he completely forgot that he said he would get back to me on what to do. Then he said "well just make an appointment with which ever doctor was doing it for me before"...but none of those doctors are there anymore. I asked him to put in writing that I would not be charged for the treatments. Mr. Close said he didn't know who would pay...he just didn't know what to do, and was audibly irritated that he even had to speak to me. Apparently, Mr. Close and Mr. Annis thought they could just tell me anything and then I would just go away.

Mr. Close again lied to me when I called him regarding the issue of Cyndy Kirwan and Laura Mednorwicz saying that I was fired and no longer allowed on the property. Mr. Close LITERALLY laughed and said "I cannot stop people from talking". I asked him how, as the standing CEO of a company, he did not have control over his officers? He told me that he would be having an all hands meeting the next day and clarify to the staff that I left at my own will, and I would in fact be allowed on the property. I spoke to Mr. Close a few days later and he again expressed to me that he let everyone know this information at the meeting. After this, I had spoken to MANY members of the Spa MD staff. Every one of them said this was not true. Dan did not clarify anything.

I am very tired of being lied to by this new regime. I am tired of this regime lying about my intentions.

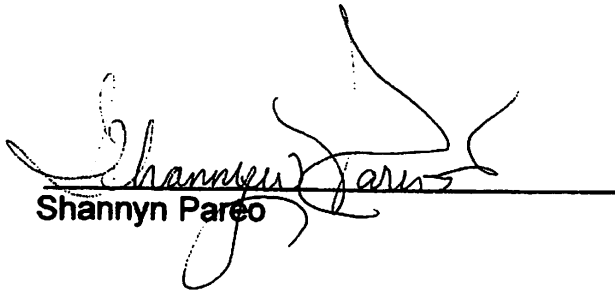
Since I have left, many of the Spa MD staff have called me and let me know that anyone who was on good terms with Dianne has been terminated. This includes commissioned employees...people who are only getting paid if they are bringing in money...

Another employee at Spa MD said Dan and Richard are SO biased that they think Dr. Goldman is paying them under the table.

Many times I have mentioned the harassment from the HR representative and lack of confidentiality. Still today, Spa MD staff is calling me complaining that they will walk upstairs and hear Stasea loudly talking about them and their confidential information. It seems as though Spa MD thinks they are above the law when it comes to these issues. However, anyone

who has mentioned it or challenged them has been fired or has had so much pressure put on them that they quit. I would have thought that with Mr. Close and Mr. Annis on board things could have changed. But nothing has changed. Mr. Close and Mr. Annis forward every one of my e-mails to Cyndy Kirwan and Lillian Wills in order to get their input before they respond.

Rather than having a neutral party to go to, I have been forced to deal with the people who were harassing me in the first place. Justice is not being served. I am surprised this court is tolerating this behavior. There are several members of the staff who want to come forward and give their declarations to this but cannot until they find another job. No one feels safe to express their true opinions for fear of being fired.



Shannyn Pareo



shannyn pareo <shannynp@gmail.com>

# Wrapping things up at Spa MD

7 messages

shannyn pareo <shannynp@gmail.com>  
To: closeedr@msn.com, rjannis@pacbell.net

Mon, Aug 4, 2008 at 7:10 PM

Hi Dan and Richard!

I hope all is going well for the both of you at La Jolla Spa MD. I know you have a lot to deal with there, and I am probably not your top priority, so I apologize for bothering you with this topic yet again. I am, however, hoping to tie up the loose ends I have there so I can move on.

Specifically:

- How are you wanting to move forward with the issue of tatoo removal
- How are you planning on dealing with the issue of the dental work
- I have yet to receive any information from Stasea with regards to COBRA Insurance or the Colonial supplemental insurance and how I can continue these services during my probationary period with my new job
- I have yet to receive any proof of COBRA insurance that was provided by Spa MD

While I know you have most likely already taken care of these issues, I am hoping to receive something in writing, so I too, can turn the page and move on.

Just to give you an update...I love my new job... I am very grateful to you both for the conversations we've had and all your understanding and support.

Thank you again!

Shannyn Pareo  
818.679.1659

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Richard Annis <rjannis@pacbell.net>  
To: shannyn pareo <shannynp@gmail.com>, closeedr@msn.com  
Cc: Cynthia Kirwan <ckirwan@spa-md.com>, Lillian Wills <LWills@spa-md.com>

Mon, Aug 4, 2008 at 7:31 PM

Hi Shannyn,  
Dan is on vacation and will handle this matter when he returns next week. Give him a few days to catch up. As for the insurance issue, I will pass it on to Lillian and Stasea.

Glad all is well with your new job.

Richard

[Quoted text hidden]

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Lillian Wills <LWills@spa-md.com>  
To: shannyn pareo <shannynp@gmail.com>  
Cc: Cynthia Kirwan <ckirwan@spa-md.com>, Richard Annis <rjannis@pacbell.net>, closeedr@msn.com

Mon, Aug 4, 2008 at 7:38 PM

Dear Shannyn,

I will follow up with Stasea in regards to your COBRA and the other matter will be addressed by Mr. Close.

On another note, I received an AMEX statement from Costco with your name and charges for gas that were done recently. There is a \$1,271.84 balance on this card that currently has no record of business expense. I will forward this statement to your home address. If these are business related expenses, you will need to justify this with receipts in order to be reimbursed. You should remove LJSMD from this card as soon as possible.

Thank you,

LILLIAN G. WILLS | Chief Financial Officer |

Dermatology Cosmetic Laser Assoc. of La Jolla, Inc. |

Cosmetic Vein Surgical Center of La Jolla, Inc. | 7630 Fay Avenue La Jolla, CA 92037 | Office: 858.459.7011 ext. 106 | Fax: 858.459.4894

[wills@spa-md.com](mailto:wills@spa-md.com) | <http://www.spa-md.com> |

**From:** Richard Annis [<mailto:rjannis@pacbell.net>]  
**Sent:** Monday, August 04, 2008 7:32 PM  
**To:** shannyn pareo; [closeedr@msn.com](mailto:closeedr@msn.com)  
**Cc:** Cynthia Kirwan; Lillian Wills  
**Subject:** Re: Wrapping things up at Spa MD

[Quoted text hidden]

**shannynp@gmail.com** <[shannynp@gmail.com](mailto:shannynp@gmail.com)>

Mon, Aug 4, 2008 at 7:47 PM

Reply-To: [shannynp@gmail.com](mailto:shannynp@gmail.com)

To: Lillian Wills <[LWills@spa-md.com](mailto:LWills@spa-md.com)>

Cc: Cyndy Kirwan <[ckirwan@spa-md.com](mailto:ckirwan@spa-md.com)>, Richard Annis <[rjannis@pacbell.net](mailto:rjannis@pacbell.net)>, [closeedr@msn.com](mailto:closeedr@msn.com)

Hi Lillian,

Thank you for looking into that for me.

The amex bill is mine. I have updated the information last week.

Thank you!

Shannyn

Sent via BlackBerry by AT&T

**From:** "Lillian Wills" <LWills@spa-md.com>  
**Date:** Mon, 4 Aug 2008 19:38:47 -0700  
**To:** shannyn pareo <shannynp@gmail.com>  
**CC:** Cynthia Kirwan <ckirwan@spa-md.com>; Richard Annis <rjannis@pacbell.net>; <closeedr@msn.com>  
**Subject:** RE: Wrapping things up at Spa MD

[Quoted text hidden]

**shannyn pareo** <shannynp@gmail.com>  
To: closeedr@msn.com, D York <dygyork@yahoo.com>, rjannis@pacbell.net

Tue, Aug 19, 2008 at 11:29 AM

Dear Dan,

This is a copy of the e-mail I sent to you on August 4th that you deny ever receiving.

Per our phone conversation, you told me to "just call and make an appointment for tattoo removal...it will be taken care of". Yet, in the next statement you admit you really do not know how "it will be taken care of". You say you are now "running Spa MD" yet, you cannot make any decisions without asking how Dr. Goldman would like to handle the situation.

I am now told that the dental work will need to wait until a cosmetic dentist is moved in downstairs. This story has been going on over two years. My agreement was to have my teeth done while I was working at Spa MD. It has been a year and a half. I am still receiving dental bills for the work that Spa MD sent me to have done. I gave you a copy of the bill...you said you would "take care of it", however, this has not been handled either.

I have not been provided any insurance per our signed agreement. I was first told "to wait until you came back from vacation" by Richard Annis and now I am told to "wait for Stasea to return from vacation" by you. By the time all everyone gets back from vacation, the month you should have provided insurance for will have been gone.

Dan, you have laughed at this situation, minimized it, and told me on the phone today that other people are more important than me. You told me today you have no idea how to handle this situation and to just send you an e-mail. Then you told me you had other people you needed to speak to and had to hang up.

I do not appreciate your lack of regard. I would appreciate an answer by the end of day today on my following questions. With someone of your experience, I would not think I would have to "wait for Stasea to return" in order to get these questions answered.

Best,

Shannyn Pareo  
818.679.1659

----- Forwarded message -----

**From:** shannyn pareo <shannynp@gmail.com>  
**Date:** Mon, Aug 4, 2008 at 7:10 PM  
**Subject:** Wrapping things up at Spa MD  
**To:** closeedr@msn.com, rjannis@pacbell.net

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