

DECLARATION OF REBECCA DUNKLEBERGER

I, REBECCA DUNKLEBERGER, declare and state as follows:

1. I am over the age of eighteen and competent to make this declaration. All statements set forth in this declaration are based on my personal knowledge and good faith belief.
2. I was employed by Sodexo at Marine Corps Recruit Depot (MCRD) San Diego mess hall 569 (MH 569) from June 4, 2016 through November 23, 2017.
3. I was initially hired as a baker, and then became a Cook I after less than one year of employment.
4. MH 569 was understaffed and poorly equipped to handle the production demands associated with feeding so many recruits on a daily basis.
5. MH 569 designates their cooks as either Cook Is or Cook IIs, and although I was originally hired as a Cook I, I frequently performed the duties of Cook IIs, including on Saturdays during hamburger preparation.
6. I usually worked the morning shift from 2 a.m. to 10:30 a.m., where I prepared both breakfast and lunch for the recruits at MH 569.
7. Saturdays were the only days during which we prepared hamburgers to serve to the recruits.
8. We started with boxes of frozen patties, which were stored in the freezer. An employee would take the boxes out of the freezer the night before and leave them in the cooler. When it was time to prepare the burgers, these boxes were brought out and left on carts next to the grills.
9. The patties were separated by plastic sheets in the boxes. We removed the plastic and stacked the patties in the boxes before we began cooking them.
10. We would turn the electric grills on high to heat them up before cooking the patties. There was no temperature gauge indicating the grill surface temperature. I have never seen anyone test the grill surface temperature, nor am I otherwise aware of anyone ever doing so.
11. There were four grills used in the galley. During my time at MH 569, these four grills did not all function properly. For instance, approximately half of the grill surface on one of the four grills—Line 2 I believe—did not get hot. Another grill tilted backwards so that burger patties cooked in puddles of grease, which caused those patties to cook differently than those cooking on other places on that grill. These and other factors with the functionality of the

grills limited the usable surface area for properly cooking burgers, which placed further demands on the pace at which we needed cook the thousands of patties necessary for a Saturday lunch service.

12. When I worked on the Line 2 grill, I was slower to produce burgers because of the broken half of the grill. We were often on a tight timeline to feed the recruits quickly and I would be reprimanded by management for taking too long. There was also pressure from the Drill Instructors to serve recruits quickly.
13. I cooked the patties in batches, trying to utilize all available grill space in order to maximize production. I believe that the grill space accommodated approximately 24-30 patties. I placed the patties on the grill by hand, one at a time, and made several rows.
14. Immediately after I had filled the grill surface with patties—which usually took about 2 minutes—I would begin flipping the burgers in the same order that I initially placed them. Once I had flipped the last burger, I would begin removing the burgers from the grill in the same order that I had placed them and flipped them.
15. In placing raw patties on the grills, I observed there was considerable variability in the extent to which the patties had thawed.
16. I was not trained by Sodexo how to prepare hamburgers, and I did not personally observe any cook receiving formal instruction or training on how to do so. I was never instructed how long hamburger patties were to be left on the grill, and I did not personally observe any cooks receiving formal instruction or training on that issue. I am not aware of any timing devices used at MH 569 to assist in cooking hamburger patties.
17. The patties were not thick enough for cooks to be able to insert the thermometers, so in order to gauge the temperature of the burgers I would stack the first three burgers from the batch on my spatula and insert the metal stem thermometer down through the middle of the stack. I did this once for every batch of patties I cooked. I was instructed by the chief cook to only take one temperature per batch to save time. I would then record this temperature in the HACCP log, which was kept by the grill.
18. I never observed any other employees checking the temperatures of their hamburger patties. I was never instructed by Sodexo on how to cook a patty; I prepared them the way I saw other cooks doing it. I was also never instructed on how to use a thermometer to take the temperature of the patties.

19. There was no way for me to time how long the patties were cooked; there were no clocks visible if I was standing by the grills, nor were there any timers, so I estimated.
20. I cannot specifically recall how many boxes of hamburger patties I cooked on Saturday mornings, but I estimate that it was between one and two dozen boxes. Likewise, I cannot state with certainty how many patties I would cook on a single day, but it was many hundreds if not a thousand.
21. When I took the patties off the grill, I put them in the hot box. The patties would then be assembled on the buns then reheated in the ovens for around 15 minutes.
22. After the assembled burgers were removed from the ovens, they were put back into the hotbox and held until it was time to serve them on the line.
23. I never saw anyone check the temperature of the patties when they came out of the oven.
24. Burger patties that were cooked on any given line did not necessarily return to that line. For instance, burgers cooked on Line 2's grill would go into the oven but, once the burgers came out of the oven, they would be taken to whichever line needed burgers. Put simply, burgers made on Line 2's grill could end up being served at, for example, Lines 3 and 4.
25. The process for cooking the patties was poorly defined. I knew only that I was expected to get hundreds of patties cooked; my method of accomplishing my job was left to me. I recall that, on at least one occasion, management told us to put the frozen, raw patties directly into the oven and not cook them on the grill at all. Occasionally, we would not utilize the oven at all in the process, and take the patties directly from the grill to the hamburger assembly line. We routinely had to modify the patty cooking process because we were pressed for time or the equipment, like the grills, was not working properly. The goal was simply to get the food on the service line.
26. In general, more attention was paid to the food preparation for the Drill Instructors. For example, their grill was smaller and always working, as was their hot box. Drill Instructors could voice complaints about food served in MH 569; recruits could not.
27. Because they did not take the temperature of the patties on the grill, most employees did not record their temperatures in the HACCP logs in real time. I am unaware of any employee taking temperatures of all hamburger patties they cooked to ensure meeting the minimum temperature requirement. Given the volume of hamburger patties that had to be

cooked on Saturdays in MH 569, that would have been impossible. On at least one occasion, I was told to “fill out” the HACCP log at another grill even though I had not been using it, meaning I needed to make up the temperatures to put in the log. When I protested, the manager said that I needed to do what I was told.

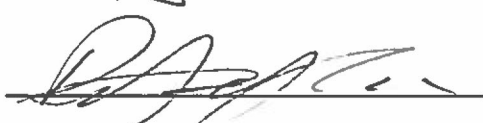
28. It was the chief cook’s job to make sure HACCP logs were being maintained appropriately. While I was working, I saw the chief cook “filling out” a HACCP log with hamburger patty temperatures just so that the log would be filled out. The chief cook had not prepared those hamburger patties, and therefore could not have had personal knowledge of the temperatures that she was recording. Management would check to make sure the HACCP logs had been filled in, not for accuracy.

29. I complained to management several times about things not being done properly at MH 569, such as forging the HACCP logs and the inconsistencies in the patty cooking process, but nothing was ever done to address my concerns. I submitted at least one complaint in writing to Sodexo.

30. During the time I was employed at Sodexo, we were never told that we needed to change the way we did things at MH 569. I was never instructed to alter the way I prepared frozen hamburger patties on the grills in MH 569. I was never informed about the results of any audits that were conducted at MH 569, and I did not know about the *E. coli* outbreak associated with food served in MH 569 in October and November of 2017 until after I was no longer working there.

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

DATED at Lakeside California on this 16 day of January, 2019.


Rebecca Dunkleberger