

STATE OF CALIFORNIA
WORKERS' COMPENSATION APPEALS BOARD

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JAN 23 2008

Donald Meidinger,

vs.
San Joaquin County MVCD; AIMS Insurance
(Sacramento),

Applicant

Defendants

Case No. 1) STK 207071

DIVISION OF
WORKERS COMPENSATION
STOCKTON, CALIF.

**DECLARATION OF READINESS
TO PROCEED**

NOTICE: Any objection to the proceedings requested by a Declaration of Readiness to Proceed shall be filed and served within ten (10) days after service of the Declaration (Rule 10416)

The Employee or Applicant
 Defendant
 Lien Claimant

requests that this case be set for hearing at STOCKTON
(Place)

and Declarant states under penalty of perjury that he or she is presently ready to proceed to hearing on the issues below and has made Deposition of Applicant and employer witnesses; Motions to Quash; WCAB assistance the following efforts to resolve these issues: is requested.

Declarant requests: Mandatory Settlement Conference Status Conference Rating MSC* Priority Conference (L.C. §5502(c))

At the present time, the principal issues are:

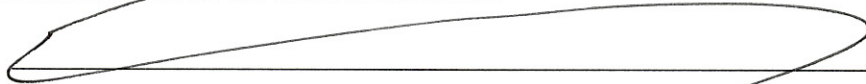
Compensation Rate Rehabilitation
 Temporary Disability Self-procured Treatment
 Permanent disability Future Medical Treatment
 Other Deposition of Applicant and employer witnesses; Motions to Quash

Declarant relies on the report(s) of Doctor(s) n/a dated n/a

Unless a status or priority conference is requested, I have completed discovery on the issues listed above, and all medical reports in my possession or control have been filed and served as required by WCAB Rules of Practice and Procedure.

Copies of this Declaration have been served this date as shown below.

Declarant's Signature



STOCKWELL, HARRIS, WIDOM, WOOLVERTON & MUEHL
A Professional Corporation

Name and Law Firm (Print or Type) By: Eric G. Helphrey

Address 1545 River Park Drive, Suite 330
Sacramento, CA 95815

Phone (916) 924-1862

Date January 16, 2008

SERVICE

Names and addresses of parties, including law firms and representatives, and lien claimants served with a copy of this Declaration.

SEE ATTACHED PROOF OF SERVICE

*For a Rating MSC, all ratable medical reports, including treating physician, QME and AME reports, must be filed with this Declaration of Readiness, unless they have previously been filed. A Rating MSC will be set only where the issues are limited to permanent disability and the need for future medical treatment.

1 **STOCKWELL, HARRIS, WIDOM, WOOLVERTON & MUEHL**
2 **A Professional Corporation**
3 1545 River Park Drive, Suite 330
4 Sacramento, California 95815-4616
(916) 924-1862
(916) 924-3541 Fax

5 Attorneys for Defendant

6
7 BEFORE THE WORKERS' COMPENSATION APPEALS BOARD
8 OF THE STATE OF CALIFORNIA
9

10 Mr. Donald Meidinger) WCAB No.: 1) STK 207071
11)
12 Applicant,) **MOTION TO QUASH DEPOSITIONS**
13 vs.) **OF EMPLOYER WITNESSES**
14) **ROBERT DURHAM AND JANINE**
15 San Joaquin County MVCD; AIMS) **FINLEY**
16 Insurance (Sacramento))
Defendant.)
_____)

17
18 COMES NOW, Defendant, San Joaquin County MVCD, administered by
19 AIMS Insurance, by and through their attorneys of record, Stockwell, Harris,
20 Widom, Woolverton & Muehl, and hereby files their Motion to Quash Depositions
21 of Employer Witnesses Robert Durham and Janine Finley for the foregoing
22 reasons:

23 First, the deposition of Janine Finley was apparently intended to simply
24 harass Ms. Finley and the defendant. The undersigned understands that Ms.
25 Finley is not a percipient witness nor has any relevant information regarding
26 Applicant's claimed industrial heart injury.

27 Secondly, Defendant has spent a great amount of time attempting to
28 coordinate the depositions with Applicant's representative. These depositions
were previously set and agreed upon by Applicant's representative. However,

1 Applicant's representative unilaterally changed the arrangement, creating a burden
2 to both the witnesses as well as Defendant's counsel.

3 Now, Applicant's representative without coordinating through Defense
4 counsel has set the depositions on notice. The depositions present a calendar
5 conflict.

6 WHEREFORE, Defendant respectfully requests that the WCAB issue an
7 Order Quashing the deposition notices of Robert Durham and Janine Finley.

8 Concurrent with this Motion, Defendant will file for a Status Conference
9 before the Stockton WCAB.

10 Dated: January 16, 2008 Respectfully submitted,

11 **STOCKWELL, HARRIS, WIDOM, WOOLVERTON & MUEHL**
12 **A Professional Corporation**

13 
14 _____
15 Eric G. Helpfrey
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