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February 1, 2011

Eric G. Helphrey, Esq.
Stockwell, Harris, Woolverton & Muehl
1545 River Park Drive, Suite 330
Sacramento, CA 95815-4616

Re: Tiffany K. Anderson vs San Joaquin County.- Mosquito and Vector Control District
DOI: 06/19/2008 03/26/2009
EAMS No: ADJ7004221 7010682
Claim No: VE0700184 VE0700184

Dear Mr. Helphrey:

The basis for Ms. Anderson asking that the Stipulation be set aside is two fold. Her first concern is the temporary disability rate she was paid. I am enclosing the 2008 and 2009 wage statements. It would appear that Ms. Anderson was not paid the correct rate of temporary disability. If you use 2009 rate for the second injury, the rates should have been \$647. 58 .

Apparently they were paying her at the \$612.23 rate. I believe that was the 2008 rate.

The second concern raised by Ms. Anderson, was the fact that the employer could have accommodated her. In fact it would appear they did accommodate her before.

When Doctor Tabbador, declared her permanent and stationary, she was told to return to work, by the employer and then received a second call from the employer, saying no you have to wait until we receive a revised report from Doctor Tabbador. This situation left her in limbo. Since the employer is not part of State Disability, the Applicant, would have been without funds had the Administer not paid her Temporary Disability until August 13,2010.

Apparently, the employer claimed credit for the period of time they paid her temporary disability from the time Doctor Tabbador had found her permanent and stationary, until August 13,2010. Since the Administrator ,apparently paid the temporary disability , subsequent to receiving the report from Doctor Tabbador, it would appear that the applicant should not be charged with the, "alleged credit."

I hope we can resolve this problem, before the hearing on March 11,2011, in front of Judge Bovette.

retired

Very truly yours,

By Ron Stein
Ronald M. Stein