

1 **STOCKWELL, HARRIS, WOOLVERTON & MUEHL**

2 **A Professional Corporation**

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5 Attorneys for Defendant

6
7 **BEFORE THE WORKERS' COMPENSATION APPEALS BOARD**

8 **OF THE STATE OF CALIFORNIA**

9
10 Ms. Tiffany Anderson

11
12 Applicant,

13 vs.

14 San Joaquin County MVCD; AIMS
Insurance (Sacramento)

15 Defendant.

) WCAB No.: 1) ADJ7004221; 2)
) ADJ7004227; 3) ADJ7010682; 4) ADJ
) UNASSIGNED (DOI: 6/29/11)

) **OBJECTION TO DECLARATION OF
READINESS TO PROCEED**

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17
18 COMES NOW, Defendant, San Joaquin County MVCD; administered by
19 AIMS Insurance, by and through their attorney of record, Stockwell, Harris,
20 Woolverton & Muehl and hereby objects to Applicant's Declaration of Readiness
21 to Proceed based on the following:

22 By way of history, the Applicant previously filed a June 9, 2008 right knee
23 claim and a March 26, 2009 right knee claim with the same employer. These
24 claims settled before Judge Bovett on or about March 8, 2011.

25 Now, the applicant is filing a new claim of June 29, 2011 for a contusion of
26 the right knee where initially treated with Dr. Jon Eck at U.S. HealthWorks and
27 then appears to have changed to her prior treater, Dr. Gary Murata at Alpine
28 Orthopedic Medical Group.

1 In addition, the Applicant appears to have requested a Panel for the new
2 injury of June 29, 2011 in the specialty of Chiropractic (DCH). It is perplexing as
3 to why she would have selected a chiropractor for her new claim of June 29, 2011
4 in the specialty of chiropractic as the undersigned is unaware of any treatment by a
5 chiropractor. It appears that she has been treated either by an occupational
6 medical doctor or an orthopedic knee surgeon.

7 There was a prior orthopedic QME, Dr. Tabaddor, regarding the two prior
8 injuries of June 19, 2009 and March 26, 2009, both involving her right knee noted
9 above.

10 The undersigned has set a re-examination with the prior Panel QME, Dr.
11 Tabaddor, on November 1, 2011 as he seems the best doctor to address
12 Applicant's request for temporary disability. (See attached Notice of Panel QME
13 Re-Evaluation).

14 As a side note, Dr. Eck indicated that the Applicant, following her new
15 claim of June 29, 2011, could return back to full duty with no limitations or
16 restrictions on July 18, 2011.

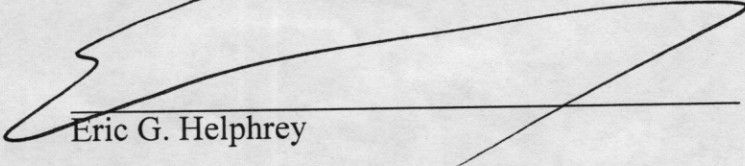
17 If this matter is set despite Defendant's objection, Defendant requests a
18 Status Conference or Expedited Hearing after December 1, 2011 in order to allow
19 receipt of the Panel QME report from Dr. Tabaddor.

20 I declare under penalty of perjury the foregoing information is true and
21 correct to the best of my knowledge.

22 Dated: September 12, 2011

23 Respectfully submitted,

24 **STOCKWELL, HARRIS, WOOLVERTON & MUEHL**
25 A Professional Corporation

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27 _____
28 Eric G. Helphrey

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