

1 Sara A. Skolnik (SBN: 267324)
2 **STOCKWELL, HARRIS, WOOLVERTON & MUEHL**
3 **A Professional Corporation**
4 1545 River Park Drive, Suite 330
5 Sacramento, California 95815-4616
6 (916) 924-1862
7 (916) 924-3541 Fax
8 Attorneys for Defendant

9
10 BEFORE THE WORKERS' COMPENSATION APPEALS BOARD
11 OF THE STATE OF CALIFORNIA
12

13 Tiffany Anderson,) WCAB No.: 1) ADJ7004221; 2) ADJ7004227;
14) 3) ADJ7010682; 4) ADJ7976768; 5)
15 Applicant,) ADJ9066508
16 vs.)
17) **PETITION TO DISMISS CASE**
18 San Joaquin County MVCD; AIMS Insurance)
19 (Sacramento),)
20)
21 Defendant.)

22 COMES NOW, defendant, San Joaquin County MVCD; AIMS Insurance, by and
23 through their attorney of record, Stockwell, Harris, Woolverton & Muehl, and files this
24 Petition to Dismiss the applicant's case. In support of this Petition defendant offers the
25 following:

26 1. The applicant was scheduled to be re-evaluated by Dr. Tabaddor for a
27 Petition to Reopen on October 13, 2014.

28 2. At an Information and Assistance Conference on October 3, 2014, the
applicant agreed that she would attend the re-evaluation.

3. The applicant failed to attend an informal conference set with Judge
McGill for October 7, 2014.

1 4. On October 13, 2014, Dr. Tabaddor's office advised that the applicant
2 appeared for the evaluation but refused to be evaluated and left the appointment.

3 5. Defendant rescheduled the evaluation to January 5, 2015 and petitioned
4 for an Order Compelling. The Order was granted on January 5, 2015.
5

6 6. The applicant obtained an Order staying the proceedings for unrelated
7 reasons so this appointment did not go forward.

8 7. Defendant rescheduled the evaluation for September 21, 2015 and
9 petitioned for an Order Compelling.
10

11 8. The Order Compelling issued on July 21, 2015 and defendant served the
12 applicant with same on July 27, 2015.

13 9. On September 21, 2015, the applicant e-mailed the defense attorney. Also
14 on the e-mail was an employer representative whom the applicant has been told
15 numerous times not to copy with her correspondence as the client is represented. In this
16 e-mail, the applicant claimed that Dr. Tabaddor did not need her present and would not
17 do his job and that the defendant was withholding relevant records. The applicant
18 demanded that the appointment be rescheduled. She further requested that Dr. Tabaddor
19 appear at the courthouse for her to answer his questions and that she did not feel safe
20 going back to his Stockton office.
21
22

23 10. In addition to the above issues with respect to an evaluation with Dr.
24 Tabaddor, the applicant also attempted to have this case set for trial on a moot issue.
25 Namely, she asked to have a panel QME in internal medicine replaced due to an alleged
26 conflict of interest. Despite Defendant agreeing to her request, she attempted to have the
27 case set for trial for the sole purpose of harassing the defendant by listing one of its
28

1 attorneys as a trial witness. The defendant had to file a Petition to Stay the proceedings
2 and make a special appearance in order to have the trial cancelled. All of this is reflected
3 in the Minutes of Hearing dated 7/16/15.
4

5 In light of the above, the applicant has violated an Order issued by the Judge, of
6 which she was well aware. Her actions prevent her case from moving forward and are
7 clearly frivolous and solely intended to cause unnecessary delay. In addition, the
8 defendant has had to pay for multiple no-show and/or late cancellation fees associated
9 with these evaluations.
10

11 Although it is not the case that the cases have not been activated for one year,
12 Defendant requests dismissal based on the fact that the applicant appears to be pursuing
13 her cases only to the extent that they can burden the Defendant with frivolous litigation,
14 and without any real intention of cooperating with the proceedings.
15

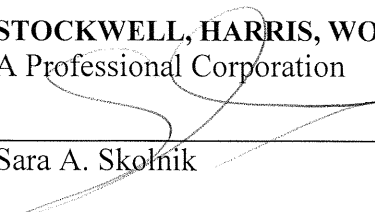
16 Defendant hereby petitions the WCAB for dismissal of applicant's claims on the
17 basis of lack of cooperation and abuse of the discovery process. Defendant requests that
18 any pending petition to reopen be dismissed, and that ADJ9066508 be dismissed in its
19 entirety.
20

21 I declare under penalty of perjury that the foregoing is true and correct to the best
22 of my knowledge.
23

24 Dated: October 7, 2015

Respectfully submitted,

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

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28 _____
Sara A. Skolnik

1 cc: Please see Proof of Service/Verification

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Uniform Assigned Name: STOCKWELL HARRIS SACRAMENTO
EAMS Administrator Name: KALIE WIKEL
EAMS Administrator's Phone: (916) 924-1862
EAMS Administrator's Email: Kalie_Wikel@shwm.com

**RE: ANDERSON, TIFFANY VS. SAN JOAQUIN COUNTY
MOSQUITO & VECTOR CONTROL**

WCAB NO.: 1) ADJ7004221; 2) ADJ7004227; 3)
ADJ7010682; 4) ADJ7976768; 5) ADJ9066508
CLAIM NO.: VE0700184
OUR FILE NO.: 300141-040

VERIFICATION

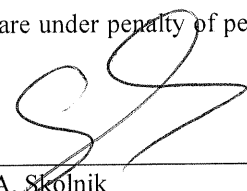
STATE OF CALIFORNIA, COUNTY OF SACRAMENTO

I have read the foregoing **PETITION TO DISMISS CASE** and know its contents.

☒ I am one of the attorneys for a party to this action. I am informed and believe and on that ground
allege that the matters stated in the foregoing document are true.

Executed on October 7, 2015, at Sacramento, California.

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



Sara A. Skolnik

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF SACRAMENTO

I am in the County of Sacramento, State of California. I am over the age of 18 years and not a party to
the within action. My business address is 1545 River Park Drive, Suite 330, Sacramento, California 95815-4616.

On October 7, 2015, I served the foregoing document described as: **PETITION TO DISMISS CASE**
on all interested parties in this action by placing a true copy thereof enclosed in a sealed envelope with postage
thereon fully prepaid in the United States mailed at Sacramento, California, addressed as follows:

WORKERS' COMPENSATION APPEALS BOARD (STOCKTON)
31 E. CHANNEL STREET, ROOM 344
STOCKTON, CA 95202

Uniform Assigned Name: STOCKWELL HARRIS SACRAMENTO
EAMS Administrator Name: KALIE WIKEL
EAMS Administrator's Phone: (916) 924-1862
EAMS Administrator's Email: Kalie_Wikel@shwm.com

MS. TIFFANY ANDERSON
2120 W. PINE ST.
LODI, CA 95242

Ms. Nancy Urton
AIMS Insurance
P.O. Box 269120
Sacramento, CA 95826-9120

ARS LEGAL WHITTIER
13925 WHITTIER BLVD
WHITTIER CA 90605

CHRISTOPHER ELEY STOCKTON
343 E MAIN ST STE 710
STOCKTON CA 95202

I certify, under penalty of perjury, that the foregoing is true and correct.

Executed on October 7, 2015, at Sacramento, California.

By: Heidi Valentine
Heidi Valentine