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April 23, 2001

**RECEIVED**

**APR 25 2001**

KEVIN R. TWOHY  
(1917-1992)

WORKERS' COMPENSATION APPEALS BOARD  
31 E. Channel Street, Room 344  
Stockton, California 95202

DIVISION OF  
WORKERS COMPENSATION  
STOCKTON OFFICE

RE: THOMAS BEARD v. SAN JOAQUIN MOSQUITO ABATEMENT DISTRICT  
WCAB: STK 124216; STK 124214; STK DOI 11/19/95 Unassigned  
CLAIM: 6201500; 6201527; DOI 11/19/95 Unassigned

Gentlepersons:

Pursuant to the Rules of Practice and Procedure of the Workers' Compensation Appeals Board, enclosed for filing please find the following:

### **DEFENDANT'S DECLARATION OF READINESS TO PROCEED**

### **ORIGINAL MEDICAL REPORTS AS FOLLOWS:**

David M. Broderick, M.D., Orthopedic Re-Evaluation Report, 12/5/00

Edward L. Cahill, Primary Physician's Progress Reports (PR-2), 10/19/00, 7/25/00, 4/11/00, 1/12/00, 12/13/99, 11/5/99, 10/20/99, 9/13/99, 9/6/99, 5/26/99, 4/29/99; Progress Notes, 4/5/99, 3/31/99, 11/16/98, 9/21/98, 6/29/98, 6/1/98, 5/4/98, 4/6/98, 3/9/98, 2/9/98, 1/9/98, 10/27/97

David M. Broderick, M.D., Orthopedic Evaluation Report, 6/30/97

# WORKERS' COMPENSATION APPEALS BOARD

STATE OF CALIFORNIA

STK 124216

Case No. STK 124214

THOMAS BEARD

*Applicant*

vs.

SAN JOAQUIN MOSQUITO ABATEMENT  
DISTRICT

*Defendants*

## DECLARATION OF READINESS TO PROCEED

NOTICE: "Any objection to a Declaration of Readiness to Proceed shall be filed and served within ten (10) days if the application is filed before January 1, 1991, or six (6) days if filed on or after January 1, 1991, after service of such 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 the following efforts to resolve these issues. Petition to Reopen filed.  
No evidence of new and further disability; Petition appears barred by statute of limitations. Assistance of WCAB is necessary

Declarant requests:

- ☐ Regular Hearing ☒ Conference Pre-trial ☐ Rating Pre-trial

(SEE REVERSE SIDE FOR INSTRUCTIONS)

At the present time the principal issues are -

- ☐ Compensation Rate ☐ Rehabilitation  
☐ Temporary Disability ☐ Self-procured Treatment  
☐ Permanent Disability ☐ Future Medical Treatment  
☒ Other New and further disability pursuant to Petition to Reopen,

Employee ☐ is (or) ☐ is not presently receiving compensation payments. and Previous Stipulations  
Employee's condition following injury is permanent and stationary as shown by the report(s) of  
Doctor(s) David M. Broderick, M.D. Dated December 5, 2000  
filed and served on Filed Concurrently

I expect to present \_\_\_\_\_ witnesses, including \_\_\_\_\_ medical witnesses, and estimate the time required for the hearing will be \_\_\_\_\_ hours.

I have completed discovery and all medical reports in my possession or control have been filed and served as required by WCAB Rules of Practice and Procedure.

Adverse parties ☒ have (or) ☐ have not served me with medical reports.

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

TWOHY, DARNEILLE & FRYE

Name (Print or Type) DOUGLAS G. SPARKS

Declarant's signature

730 ALHAMBRA BOULEVARD  
SUITE 202

Address SACRAMENTO, CALIFORNIA 95816

Phone (916) 442-3686

Date April 23, 2001

## SERVICE

Type or print names and addresses of parties, including attorneys and representatives served with a copy of this Declaration:

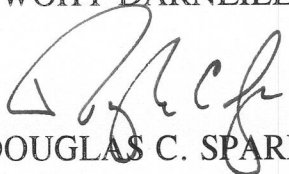
(Per Proof of Service)

Re: THOMAS BEARD v SAN JOAQUIN MOSQUITO ABATEMENT DISTRICT  
April 23, 2001  
Page 2

A copy of the above is being served on the appropriate parties in this matter (medical reports were previously served).

Very truly yours,

TWOHY DARNEILLE & FRYE



DOUGLAS C. SPARKS

DCS:bjc

Enclosures

cc: (per Proof of Service)

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WORKERS COMPENSATION  
STOCKTON OFFICE

1 RE: THOMAS BEARD v. SAN JOAQUIN MOSQUITO ABATEMENT DISTRICT  
2 WCAB: STK 124216; STK 124214; STK DOI 11/19/95 Unassigned

3 **PROOF OF SERVICE BY MAIL (C.C.P. §§ 1013(a) & 2015.5)**

4 I declare under penalty of perjury that the following is true and correct. I am  
5 a citizen of the United States, employed in the County of Sacramento, over the age of  
6 majority, and not a party to the within action. My business address is 730 Alhambra Blvd.,  
7 Suite 202, Sacramento, California 95816. On this date, I served the following:

8 **DECLARATION OF READINESS TO PROCEED**

9 **ORIGINAL MEDICAL REPORTS**

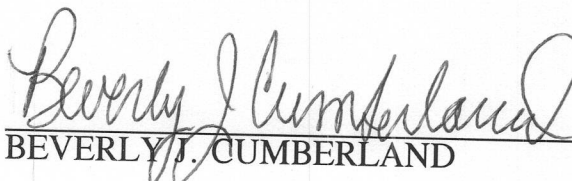
10 by placing a true copy thereof in a sealed, postage fully prepaid enveloped in the U.S. mail  
11 at Sacramento, California, addressed as follows:

12 **WORKERS' COMPENSATION APPEALS BOARD**  
13 31 E. Channel Street, Room 344  
14 Stockton, California 95202

15 **BRAGG & ASSOCIATES**  
16 Attention: Gail Matthews  
17 P.O. Box 1406  
Roseville, CA 95678-1406

18 **FARRELL, FRAULOB, BROWN & GANT**  
19 Attention: David G. W. Belden  
20 P.O. Box 160467  
Sacramento, CA 95816

21  
22 DATED: April 24, 2001

23   
24 BEVERLY J. CUMBERLAND  
25  
26  
27  
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**APR 25 2001**

**DIVISION OF  
WORKERS COMPENSATION  
STOCKTON OFFICE**