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November 21, 2001

TRIAL  
12-05-01  
405  
DIVISION OF  
WORKERS COMPENSATION  
STOCKTON OFFICE

NOV 26 2001

The Honorable David Bovett  
Workers Compensation Judge  
Workers Compensation Appeals Board  
31 East Channel Street, #344  
Stockton, CA 95202-2314

RE: **Thomas Beard vs San Joaquin Mosquito & Vector**  
**WCAB Nos: STK 0124214, STK 0124216**

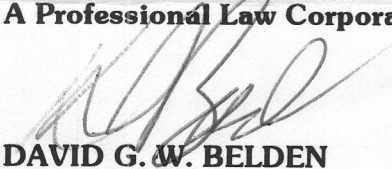
Dear Judge Bovett:

On 8/9/01, your order was made closing discovery except that depositions of Dr. Cahill and Dr. Broderick were allowed. Circumstances have changed so that it is necessary for applicant to return to his QME. At his 11/19/01 deposition, Dr. Cahill withdrew his opinion on causation of right knee disability and need for treatment, preferring to defer to a QME. This comes as a surprise to applicant. Dr. Cahill has referred in reports from April 1997 to August 2001 to the right knee problem being related to favoring the left knee which has been found to industrially injured.

Until the deposition, applicant intended to rely on the opinions of Dr. Cahill. Now applicant intends to return to Dr. Kornblatt, M.D., who evaluated him previously as a QME in this case. It is, therefore, requested that the 8/9/01 order closing discovery be vacated.

Very truly yours,

**FARRELL, FRAULOB & BROWN**  
**A Professional Law Corporation**

  
**DAVID G. W. BELDEN**  
**Attorney at Law**

DGB/jrf

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