

Fe. 11.
March 20, 2001

Nevada Department of Administration Hearing Division
555 E. Washington Ave., Ste. 3300
Las Vegas NV. 89101

Dear Sir/ Madam,

The happenings that are mentioned in the following are how they occurred in the case of the accident that I suffered at my work on September 11, 2000. And by the way the fracturing of a leg is a pain I never would have expected.

The accident occurred at 1:00P.M., about twenty minutes later I was placed in a truck and taken to the hospital where I was checked and it was decided I needed to see a specialist needed. I was given some crutches and my son took me from the hospital to see Dr. Grondel, who is located at 100N. Green Valley Parkway, Ste. 310, Henderson, NV 89014. When we finally arrived to the reception room it was already pass 3:00 P.M., they told us that they could not assist us because neither my son nor I spoke English that we should return the following day with someone to interpret. And up to that point no one had given me anything to calm my pain.

The following day, September 12th at 12:00 P.M. Dr. Grondel attended me and prescribed medication for the pain and spoke to me about the injuries to my leg and told me to rest for the next 5 days from the 12th to the 17th of September. And that on Monday the 18th present myself to work and do light-duty sitting.

That day I presented myself to work but Mr. Randy told me he had no work for me to go home and return tomorrow.

The next day, the 19th, I presented myself to work in the office and did work for some 4 hours sitting but the rest of the day I worked standing up.

The following day, the 20th of September, I presented myself to Randy and he said let me see if I have something for you. A couple of minutes later I was called that there was work in the shop welding on a table. After about four of hours of work the pain was very strong and I checked my leg, which was inflammated exactly where the fracture was. I called the doctor and explained what was going on and he gave me an appointment for the 22nd.

On the 21st, I did not present myself to work but I called the office and spoke with Marilyn explaining to her why I was missing work. I told her that the pain in leg was too strong and that I did not feel well enough to work that day.

On the 22nd at 7:00A.M., I went to the office to pick up my check, Mr. Mike Mills opened the door and told me in an aggressive manner to go to work. When I explained

that I was not working today because I had an appointment with the doctor. He responded in a hitting tone to leave the office because all I did there was cause problems. Already in another occasion he told me we were a bunch of Mexican dogs that had to leave the office coming towards me as if to hit me. All this occurred inside the office.

That day I went to the doctor at noon and told the doctor why my whole leg hurt and that the pain was very strong. He took some x-rays, which by the way he never showed me. He told me to be off from work from September 22 until October 8th. To return on the 9th with the medical restriction that I should be sitting which the company did not respect after the 15th of October. I kept trying to inform the doctor's office about it and they said they had sent the information to Alpine Steel. I continued doing normal work; they did not respect the restrictions of the doctor. I felt it was affecting me because the pain was constant and each day it was stronger.

The day of 1/4/01 at 8:00A.M., we did a job, Mr. Alfonso Huerta and I, moving some angles 3x6x1/4 about 20 feet long with a weight of about 150 pounds which produced a very strong pain in my injured leg. I felt my leg throbbing, till this day I continue to feel it.

What occurred afterward is explained in the letter which I attached that has the date of the 22nd of January 2001.

On 1/5/01, I went to the doctor and explained all this to him. I asked him to explain why the pain ran all the way up my back. He said that he would first operate the knee to try to repair the injury it had in the interior to see if the constant pain would get better and that later he would look deeper into my other complaints.

On 2/9/01, I had my first check-up from Dr. Grondel after the operation. I asked the doctor why I felt my knee numb. He said that with time it would go away. But until today I don't feel better.

He told me I could return to work doing light duty. I told him where to if he knew I had been fired from work. (The letter of 1/22/01 is attached explains specifically what occurred) I reminded him that previously, in more than one occasion I had mentioned to him that they (Alpine Steel) were not respecting my restrictions that he had placed. I told him I considered from the deeds that had caused more damage to my leg and that maybe also caused for the pain to reach my back. He told me any more because what you are saying and what Alpine Steel is saying that it is not true that they have always respected my restrictions permitting you to work all the time sitting down.

Afterward he took some x-rays. And said that he would contact the insurance to ask for permission to do some more examines. 20 days later, they told me by telephone that they did not give them authorization because it had not been reported on time. From the operation I had 1/25/01, only had a check-up from the doctor on 2/9/01. The next check-up wasn't until March 23rd.

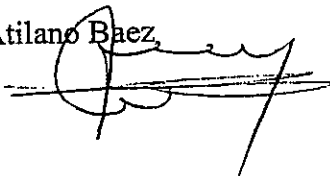
The state of my leg is that the pain is even stronger. I constantly have to be taking pain-relievers. The pain reaches my back. In spite of the pain-reliever, it sometimes is unbearable. The sole of my foot becomes cold. On occasions I feel my leg numb up from my knee to my ankle.

The case being that after the operation I am not feeling better, moreover, it seems that pains seemed to increase.

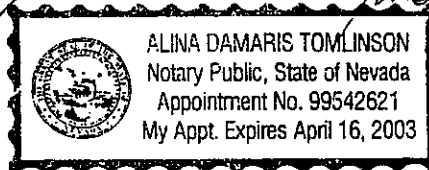
I wish that Dr. Grondel would give me an explanation of what is going on and to do it in writing. Am I going to be all right and able to do my work the same as before the accident? After the operation they told me that I should use the crutches and I am still using them until this day because I do feel firm on my leg.

Sincerely,

Atilano Baez



CC: Alpine Steel
Dr. Grondel
Division of Industrial Realties



Las Vegas, 18 de enero de 2001.

SEÑORES
BUILDERS INSURANCE CO. INC.

Estimados señores:

Por medio de la presente nota le quiero hacer saber lo siguiente:
El día 4 de enero a las 7:00 a.m.. El SR. JOSE CASTILLO quien es Manager me dio una orden verbal, diciendome: Te vas a trabajar al campo con Erick a tirar laminas. Yo le respondi de la siguiente forma: No puedo ejecutar su orden pues no puedo hacer ese trabajo porque hay que subir escaleres y yo no puedo por mi accidente en la pierna. El me respondió Entonces quedate en el Shop.

Despues del incidente a las 9:00a.m. el Sr. Randy me dijo de manera agresiva sino haces el trabajo te vas a tu casa. No acate la orden debida que tengo una prescripcion medica en la cual dice solo puedo ejecutar trabajo sentado, y tampoco no me dejo hacerselo saber.

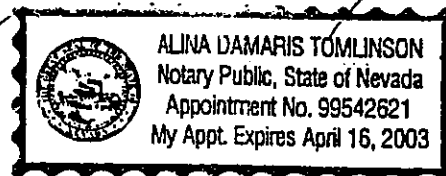
Despues de 10 minutos, llego el Sr. Jorge Castillo diciendome: Dice el Sr. Randy (dueno de la Cia) que si usted no va a trabajar, recoja sus dos cheques, cosa que no hice por temor a represiones.

Al dia siguiente me mandaron a decir que si queria regresar a trabajar solo seria en el campo. Yo no regrese por tan solo una razon y es que desde el dia 15 de oct. no se me permitio de ninguna manera trabajar sentado aun estando en el taller. y puedo dar fe de esto mediante testigos gracias.

Atentamente.


ATILANO BAEZ MEJIA

c.c. :ALPINE STEEL
copia: PRESCRIPCION MEDICA



Subscribed and Sworn
In front of me
this 18th day of
January, 2001

S & C INC.
JAN 19 2001

LAS VEGAS, NEVADA JANUARY 22, 2001

S & C CLAIMS SERVICES INC.
3380 WEST SH
LAS VEGAS, NEVADA 89102

TO WHOM IT MAY CONCERN:

I, ATILANO BAEZ MEJIA, WITH THIS LETTER I WOULD LIKE TO INFORM YOU THAT. THE COMPANY ALPINE STEEL, IN WHICH I WAS WORKING FOR, FIRED ME BECAUSE I REFUSED TO DO A JOB THAT VIOLATED A MEDICAL ORDER. DUE TO THIS ACTION IT AFFECTED MY FAMILY, BECAUSE I AM THE ONLY ONE THAT WORKS. CONTINUING THE ACTIONS FOLLOWED IN THIS ORDER.

THE DAY JANUARY 4, 2001 AT 7:00a.m. , JOSE CASTILLO, MANGER GAVE ME A VERBAL ORDER TELLING ME , "YOU ARE GOING TO WORK IN THE FIELD WITH ERICK THROWING THE DECKING." I RESPONDED IN THE FOLLOWING MANNER; "I COULD NOT DO THIS WORK, DUE THAT IN THIS JOB I HAVE TO CLIMB LATTERS BECAUSE OF THE ACCIDENT THAT I HAD, IN WHICH I HURT MY LEG. HE RESPONDED "STAY IN THE SHOP." AFTER A HOUR AND A HALF, MR. JORGE CASTILLO, ASSITANT MANGER SAID, "PREPAIR YOUR TOOLS YOU ARE GOING TO THE FEILD. I RESPON "YOUR FATHER SAID TO STAY IN THE SHOP. HE SAID, "I DID NOT KNOW." I GAVE MY REASONS WHY I COULD NOT GO TO THE FIELD, BUT JORGE CASTILLO, STILL INSISTED. I RESPONDED, " I KNOW HOW YOU GUYS WORK YOU WANT TO FRUSTRATE ME SO I COULD LEAVE OR FOR YOU TO FIRE ME.

S & C INC.

JAN 24 2001

AFTER ALL THIS AT 9:20a.m. RANDY, THE OWNER, CAME TO WERE I WAS BUYING MY BREAKFAST AND SAID IN A RUDE WAY, "IF YOU ARE NOT GOING TO DO THE JOB, THEN YOU COULD GO HOME, RIGHT NOW." HE DID NOT EVEN LET ME GIVE HIM A EXPLIANTION, HE TURN AND WALKED AWAY.

TEN MINUTES AFTER, JORGE CASTILLO, SAID, "MR. RANDY SAID IF YOU ARE NOT GOING TO WORK IN THE FIELD; GO AND PICK UP YOUR TWO CHECK." I DID NOT DO THIS BECAUSE THE SITUATION WAS TO INTENSE.

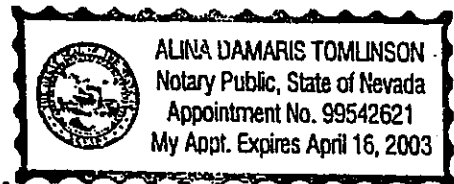
THE NEXT DAY THEY SENDED ME THE MESSAGE SAYING THAT IF I WANT TO GO BACK TO WORK IT WILL HAVE TO BE IN THE FIELD. I DID NOT GO BACK TO WORK FOR ONLY ONE REASON, BECAUSE SINCE OCTOBER 15,2000, THEY DID NOT GIVE ME WORK SITTING DOWN LIKE THE DOCTOR ORDER. THE WORK THAT I WAS DOING IN THE SHOP WAS MOVING PIECES AROUND MANUALLY AT WEIGHT 400lbs. AND THIS IS WHAT HAPPEN AND IF YOU WOULD LIKE I HAVE SOME WITNESSES THAT COULD TESTIFY THAT WHAT I AM SAYING IS TRUE.

THANY YOU IN ADVANCE FOR THE ATTENTION TO THIS LETTER AND IF YOU HAVE ANY QUESTION PLEASE FEEL FREE TO CALL ME AT

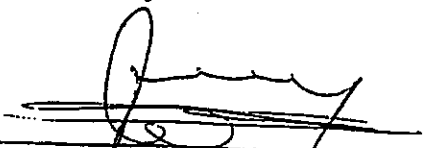
(702)639-6968.

Subscribed and Sworn
In front of me
this 24th day of
January, 2001

c.c: ALPINE STEEL
COPY: MEDICAL PRESCRIPTION
COPY: DIVISION OF INDUSTRIL
RELATIONS
COPY: EQUAL RIGHT COMMISION



SINCERELY,


ATILANO BAEZ MEJIA


NOTARY PUBLIC

S & C INC.

LAS VEGAS, NEVADA APRIL 4th. 2002

STATE OF NEVADA
INDUSTRIAL INSURANCE REGULATION
SECTION
1301 N. GREEN VALLEY PARKWAY
SUITE No.200
HENDERSON, NEVADA 89104

I, ATILANO BAEZ WITH THIS LETTER I WOULD LIKE TO INFORM YOU
THAT THIS IS MY SECOND TIME THAT I AM WRITTING YOU A LETTER
THE FIRST ONE WAS ON 02/05/2002 WITH NOT ANSWER AND NOW THIS ONE.

I HAVE REQUESTED A JUDICIAL REVIEW ON MY KNEE'S COMPENSATION
CLAIM; THEREFORE, I NEED COPIES OF MY CLAIM/ COMPLAINT WITH
THE I I R S.

I NEED COPIES OF THE INVESTIGATION CONDUCTED BY LUISA CARPENELLI
AND RHONDA MACIAS. I WILL TO PAY FOR THE COPIES PROVIDE.

THANK YOU IN ADVANCE FOR THE ATTENTION TO THIS LETTER AND I
NEED AS SOON AS POSSIBLE ANY ANSWER ABOUT MY CASE AND PLEASE
EXPLAIN ME WHY I DID NOT HAVE ANY SOLVE TO THIS MATTER.

IF MORE INFORMATION IS REQUIRED DO NOT HESITATE TO CONTACT ME
AT: 1512 NORTH 21st. ST. #7, LAS VEGAS, NEVADA 89101.

Subscribed and Sworn

In front of me

this 4th day of

April, 2002

Alina D. Tomlinson
NOTARY PUBLIC

RESPECTFULLY,

Atilano Baez
ATILANO BAEZ

C.C. TO WHOM CORRESPOND.

