



DEPARTMENT OF ADMINISTRATION
HEARINGS DIVISION
APPEALS OFFICE

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February 5, 2004

Javier Arguello, Esq.
SANTORO DRIGGS WALCH
KEARNEY JOHNSON & THOMPSON
400 South Fourth Street
Third Floor
Las Vegas NV 89101

Re: Atilano Baez
LAS 2002-C-1447-MM / LAS 2002-C-2009-MM

Dear Mr. Arguello:

Based upon a review of the documentary evidence and testimony herein, I am requesting that you prepare a Decision and Order for my signature that AFFIRMS the decision of the Hearing Officer dated December 6, 2001 and the Administrator's determination dated February 20, 2002. The medical reporting of Drs. Chue, Schiffini, Duke and Schwartzman establish that the scope of the September 11, 2000 industrial injury should be limited to the right knee. The Claimant's right knee has been adequately treated and evaluated. He is currently at maximum medical improvement and there are no medical opinions supporting a referral for a permanent partial disability evaluation. Claim closure and denial of an additional orthopedic referral was appropriate.

Please prepare a Decision and Order consistent with the above and your argument, and provide a copy to all parties pursuant to NAC 616C.306. I will look for the proposed Decision and Order no later than February 17, 2004.

Very truly yours,

A handwritten signature in black ink, appearing to read "Michelle L. Morgando".

MICHELLE L. MORGANDO, ESQ.
MLM:dg

cc: Atilano Baez
Alpine Steel (Attn: Randy Bulloch)