

ATILANO BAEZ M

WORKER'S COMPENSATION CASE VIOLATION TO THE CIVIL RIGHTS AND SUMMARY

PROLOGO

- 1. IN THIS SUMMARY YOU COULD SEE HOW THE AGENCIES OF INDUSTRIAL INSURANCE REGULATION IIR, GAVE SUPPORT TO S & C CLAIM INSURANCE , AND ALPINE STELL COMPANY**
- 2. HOW THE JUDGES TOOK MORE THAN SEVENTY DAYS TO GAVE THEIR DECISION AND ORDER AND DID NOT ACCEPTED VERY IMPORTANT PROOFS OF MY CLAIM.**
- 3. HOW THE LAWYERS OF NAIW. NEVADA ATTORNEY FOR INJURED WORKERS MADE AN AGREEMENT WITH S & C CLAIM INSURANCE, AND ALPINE STELL COMPANY TO DO NOT DO OPOSED TO THE CONTRARY.**
- 4. HOW THE DOCTORS WERE PRESSURED SO THAT THEIR OPINIONS WOULD GO TOWARD MY FAVOR BUT TO THIERS.**

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Request of support in my case of violation of my rights on a Worker's Compensation Case; AND VIOLATION TO THE CIVILS RIGHTS

To whom it may concern:

Exhibit **Summary**

1. Record of my case, it can observe in the contained letters in the exhibit 1, like the facts were given of as I said good-bye being even low prescription medicates and restrictions of light work and the accusations presented to different institutions, - letter dated March 20, 2001; letter dated January 18, 2001 and letter dated January 22, 2001.
2. Decision of the first court, where is explained that I had to receive the benefits of TTD and the violation of the employer according to the restrictions prescribed by the Doctor.
3. **Letter dated February 2, 2001 of the lawyer Daniel L. Schwartz A. Work compensation from the Nevada State**, referring to the investigation that the agency was doing of my claim and causing knowing about nonconformity with the investigation that was being done to its client ALPINE STEEL and accusing the researcher Mrs. Luisa Carpanelli of having certain ---- against its client, and being referred to that she did not had authority for to be investigating her client.
4. **Letter dated March 12, 2001**, of the auditor and researcher Ms.Luisa CarPELLI, she mentioned in her report that founded many contradictions in the allegations that Atilano Baez there be reused to work low restrictions, **also founded that my rights were violated and requests that my rights be re established according to right.** But that was refused **petition of the lawyer Daniel Schwartz.**
5. Petition of the Lawyer Daniel Schwartz dated March 23, 2001 asking that my rights be not re established, alleging that Mrs. Carpenelli you have do not legitimize you authority for her position, I requested that: a) retract her letter and b) formally investigate you her actions; this letter was delivered to Roger Brener, Administrator by hand delivery.
6. **Letter dated April 17, 2001** of answer therefore the determination letter of march 12, 2001 is rescinded the notice of correction issued that determination

is dismissed with not plan of corrective action required, **so much the cut and the IIR failed against me.**

7. Letter dated July 20, 2001, Rhonda L. Maces Audit Investigator explaining that in May 4, 2001, **my lawyer Gerard Z. Constantian, Esq. of NAIW** and Javier A. Arguello, Esq. of Gugino & Schwartz agreed on changing the appeal from May 7, 2001 to June 27, 2001, **your attorney agreed not to file go opposition on the motion for stay as long as the hearing would be heard on June 27, 2001.**
8. Letter dated October 27, 2004 of Industrial Insurance Regulation Section in response to my request of my file.
9. All the documents that Industrial Insurance Regulation Section sent me, I sent them to the office of the **Senator Harry Reid**, seeking its aid and the command to the offices of the Governor of Nevada with a request that a revision to my claim letters dated was done 1/14/05 and 9/26/05.
10. On November 16, 2005 I sent the documents that Industrial Insurance Regulation Section sent me to the **assemblies Sheila Leslie** who up today did not respond me. I also sent copy of the same documents in May 17, 2006 to the office of Sydne H. Wickliffe Nevada Director of Business and Industrial requiring an investigation of my case. I have received any answer.
11. I submitted a motion for reconsideracion in my case, which was denied on January 24, 2002, enclosed is a letter founded of S & C Claims Services, Inc. in which Jill Schreiner, Operation Manager indicates to Darlene and Randy of Alpine Steel the following thing: "Mr. Baez there you are chosen to refuse modified duty. Dr. Grondel is treating Mr. Baez for to fractured tepid and on September 22, 2000 took him off work. Therefore, by law, we will have to pie compensation from 9/22 forward until Mr. Baez is given some type of release. **Melissa will talk to Dr. Grondel and push** for to work release with restrictions of some type. Thereafter, if Mr. Baez refuses to perform modified duty, his compensation will be you suspend" This was the form in which the Dr. Grondel was pressured and **the Judge Nancy K. Richins** did not admit this letter as evidence for my case, **and also took 70 days to give her decision.** I filed in the Court of District on February 19, 2002.
12. On February 12, 2002 I filed in the Court of District along with the decision and order of the **Appeals Officer Paul Lychuk, Esq. decision that took her 78 days;** this is also filed in the Court of the District. I never had a response of this two files from the District Court.
13. I Filed to complaint at the District Court Clark County, Nevada indicating that S&C Claims Services, Inc. was going to speak with the Dr. Grondel to

pressure him to do what they wanted, and even today **I have not received a single notification from the Court of the District.**

14. Letters of S&C Claims Services, Inc. where is shown clearly as themselves pressure to Dr. Grondel and the instructions that are given to the doctors so that do the decisions that favors them, the letter dated October 3, 2001, from **Melissa C. Blythe, Mr. Claims Examined where she said: "I am Denying your request for another medical opinion and your request for to permanent partial disability evaluation. This is based on the fact that Dr. Chu and Dr. Schinifi both stated you were at maximum medical improvement and there was not permanent impairment. August 29, 2001 the Dr. Joseph J. Schifini, M.D. says; "Therefore, I would recommend performing to functional capacity evaluation and closing his claim related to his right knee."**
15. Letters of as the lawyers of NAIW of the State of Nevada conducted my defense, letter of accusation dated September 3, 2003 against the lawyer of NAIW, **Amy M. Earnest** to the different offices of like the lawyer management my case and as I show brazenly that sided with the other part. And letter dated September 12, 2003 of the refusal of the Deputy Gary T. Watson that was given me another lawyer from NAIW.
16. Letter dated February 5, 2004 affirms that the Judge Michelle Morgan says that she founded evidence for a PPD. When the doctors already had been recommended the PPD.
17. Summary of the multiples opinions of various doctors that have seen me.
18. Letter from Maureen E. Mackey, M.D. dated March 23, 2004, where she said: "A neurosurgical consultation by **Dr. Jeff Grondel on September 11, 2000 indicates that the patient was at MMI, that he had permanent restrictions**, and he noted that there were a lot of knee problems and back problems, but he could not treat the patient since it was not accepted by SHS. At this point, it seems to me that this patient's back is a casualty of a dislocation of the knee, that he really did have quite a bit of problem with the knee, and continues to do so, but he has radiculopathy and probable herniated disc at 5-1, has a lot of lumbar spasm, and requires pain medication. At this point, I do not think he is employable. He does not speak English. He walks with a cane, walker or crutches. He can not work as an iron worker, and has no transferable skills. I think he is permanently disabled at this point." **Copy of the DMV Application for disabled persons license plates and/or placards, dated 04/20/04.**
19. Letter dated 08/31/2004 from **Dong S. Cho, M.D.** who said: "I examined his back and the patient has significant muscle spasm in the lumbosacral area with complete loss of lumbosacral lordotic curvature and tenderness. The patient denied any numbness or tingling in the toes even though he has a lot of

ongoing pain syndrome in the right knee, particularly in the medial side extending to the tibia below. The patient cannot walk without a walker more than 20 feet. The patient seems to have ongoing chronic myofascial syndrome secondary to traumatic back injury as well as the knee problem in addition to arthritic changes. **The patient was seen by numerous physicians for thorough evaluation and so far the general consensus is that he cannot do any productive work because of severe pain and impaired gait.**

20. Letter dated 1/25/06 and 03/01/06 from **Thomas I. Vater, D.O./rc**, Las Vegas Neurosurgery, Orthopedics & Rehabilitation, LLP, where he said: "He has had progressive back problems since his industrial injury where he had this right knee injury. He has had a continuous limp since that injury, therefore, it is with a reasonable degree of certainty that the back problem he suffers from today is a product of his initial injury. At this time, I feel that this patient needs to be considered for possible reopening of the case so that his back problem can be treated. We will see him back once he has resolved his Workman's Compensation status."
21. Letter dated **August 17, 2006, from Maureen E. Mackey, M.D.**, where she said: "He continues to have knee problems, but now the big issue is the back. I saw him August 8, 2006. He was a lot paraspinal muscle spasm. He continues to have the S1 radiculopathy. He has new finding on the MRI. EXAM: Exam as of August 8, 2006 revealed pain levels 8-9, located in the back and down primarily the right leg and into the foot. **DIAGNOSIS: Herniated lumbar disc**, new aggravation of preexistent back disease documented on previous exam prior to closure of his claim. I strongly recommend for the purpose of re-evaluating his low back.