

ALASKA WORKERS' COMPENSATION BOARD



P.O. Box 115512

Juneau, Alaska 99811-5512

IMHOTEP M. NARCISSE,)
)
Employee,)
Petitioner,)
)
v.) FINAL DECISION AND ORDER
) ON RECONSIDERATION &
) MODIFICATION
TRIDENT SEAFOODS CORPORATION,)
) AWCB Case No. 201212049
Employer,)
and) AWCB Decision No. 16-0083
)
LIBERTY INSURANCE CORPORATION,) Filed with AWCB Anchorage, Alaska
) On September 14, 2016
Insurer,)
Respondents.)
)

Imhotep M. Narcisse's (Petitioner) undated petition filed on September 6, 2016, was heard on the written record on September 12, 2016, in Anchorage, Alaska, a date selected on September 12, 2016. Attorney Thomas Geisness represents Petitioner, who filed his own petition. Attorney Jeffrey Holloway represents Trident Seafoods Corporation and its insurer (Respondents). Petitioner seeks reconsideration or modification of *Narcisse v. Trident Seafoods*, AWCB Decision No. 16-0070 (August 18, 2016) (*Narcisse I*). The record closed at the hearing's conclusion on September 13, 2016, after the *Narcisse I* panel deliberated.

ISSUES

Petitioner contends his left shoulder was a "reported injury" and contends *Narcisse I* failed to review all relevant medical records. Petitioner contends *Narcisse I* should, therefore, be reconsidered.

The time has not yet expired for Respondent's answer, so its position on Petitioner's request for reconsideration is not known. This decision presumes Respondent opposes the petition.

1) Should *Narcisse I* be reconsidered?

Petitioner contends his left shoulder was a "reported injury" and contends *Narcisse I* failed to review all relevant medical records. Petitioner contends *Narcisse I* should, therefore, be modified.

The time has not yet expired for Respondent's answer so its position on Petitioner's request for modification is not known. This decision presumes Respondent opposes the petition.

2) Should *Narcisse I* be modified?

FINDINGS OF FACT

The following facts and factual conclusions are established by a preponderance of the evidence:

- 1) On August 8, 2012, Petitioner had neck pain while working for Respondent as a processor in Kodiak, Alaska. Petitioner claims he developed pain from working while keeping his head and neck bent forward. (Report of Occupational Injury or Illness, undated).
- 2) On October 15, 2012, Petitioner, while in jail, began receiving medical care for a September 2012 "neck and back" injury. (Department of Corrections records, October 15, 2012).
- 3) On October 23, 2012, Petitioner told medical providers he had a work injury to his "neck and back." He was put on disability "on or about Sept. 25th" but was arrested on September 27, and was not able to begin treatment. Petitioner remained incarcerated for over a year and regularly sought medical treatment from the Department of Corrections. (*Id.*).
- 4) On January 28, 2013, Petitioner for the first time said his "whole body" was in pain from "assault and work-related injuries" to his "neck, *shoulders* and back." (*Id.*; emphasis added).
- 5) On December 2, 2013, Petitioner filed a claim for benefits for his neck, shoulders and back. (Workers' Compensation Claim, November 26, 2013).
- 6) On February 11, 2014, Yung Chen, M.D., saw Petitioner for "neck pain, back pain, and shoulder pain after a work-related injury since 2012," but did not offer any opinion regarding causation for his recommended referral and treatment. (Chen report, February 11, 2014).

7) On February 21, 2014, Joseph Lynch, M.D., saw Petitioner for an employer's medical evaluation (EME). Dr. Lynch opined prolonged postural positions described by Petitioner were not a substantial factor in any diagnosed medical "condition." In Dr. Lynch's opinion, Petitioner needed no further medical care for his work injury, as he could identify no work-related condition arising from the injury. Dr. Lynch approved Petitioner to return to work as a Crab Meat Processor and found no objective reason why he could not return to employment. (Lynch EME report, February 21, 2014).

8) On October 2, 2015, Thomas Gritzka, M.D., evaluated Petitioner for a second independent medical evaluation (SIME). In his opinion, the substantial cause of Petitioner's disability and need for medical treatment from August 8, 2012 until December 8, 2012, were his work activities while working for Respondent. This activity, in Dr. Gritzka's opinion, aggravated Petitioner's preexistent, mild cervical degenerative spondylosis. However, Petitioner's work with Respondent was not consistent with an aggravation of a pre-existing right shoulder condition or a new left shoulder condition. Dr. Gritzka also opined Petitioner's brief work with Respondent probably did not affect his low back pain. Petitioner's temporarily exacerbated pre-existing neck condition resolved by December 8, 2012, and he could return to work and needed no further treatment for the work injury. (Gritzka reports, October 2, 2015; October 19, 2015).

9) On June 28, 2016, Dr. Lynch concluded the work injury was the substantial cause of Petitioner's symptoms, disability and need for treatment to only his neck up to November 19, 2012. (Lynch deposition at 34). In Dr. Lynch's opinion, Petitioner's shoulder and low back issues are not work-related. Any recommended medical treatment would not be causally connected to Petitioner's work injury. (*Id.* at 37).

10) On July 13, 2016, Petitioner's attorney stated Petitioner intended to use medical records previously filed and had no additional evidence for hearing. (Hearing Evidence, July 13, 2016).

11) At hearing on July 19, 2016, Petitioner testified he told North Pacific Medical Clinic his neck and left shoulder were bothering him. Physicians at Harborview Medical Center provided a left shoulder injection, which improved Petitioner's symptoms. Petitioner's neck remained unchanged. He did not mention his back at hearing. Petitioner conceded he did not list his left shoulder on his August 2012 injury report and said his left shoulder started hurting around September 24, 2012. Petitioner admitted he was assaulted by a prison inmate in December 2012, and suffered several broken ribs and a broken nose. Petitioner denied any increase in his neck or

left shoulder symptoms following the prison assault. Petitioner was not sure why Respondent did not have all his relevant medical records. Petitioner said he showed relevant medical records, which he carried in his backpack, to Dr. Gritzka and every other physician. Petitioner was under the impression when he signed medical record releases Respondent would obtain and file his medical records. He did not reference a specific record supporting his case. (*Id.*).

12) In his closing argument, petitioner offered to gather and provide missing medical records. (Petitioner's closing argument).

13) Respondent objected to Petitioner's offer and further said it never accepted Petitioner's shoulder as a compensable injury. (Respondent's closing argument).

14) An oral order denied Petitioner's offer to supplement the hearing record. (Record).

15) On August 18, 2016, *Narcisse I* was served on Petitioner and his attorney at their addresses of record. (*Narcisse I* at 32).

16) Fifteen days from August 18, 2016, plus an additional three days because *Narcisse I* was served by mail was September 5, 2016, which was a state holiday, making September 6, 2016, the deadline for a party to timely file a petition for reconsideration. (Official notice).

17) On September 6, 2016, Petitioner timely filed his undated petition for reconsideration. (Petition, undated; ICERS electronic database event, September 6, 2016).

18) Because the petition's service certificate states Petitioner served a true and correct copy on the "insurer" and "employer" on the date listed, and no date is listed, it is unknown whether Petitioner served his petition on the parties. The petition does not state he served it on Respondent's attorney. (*Id.*).

19) Petitioner requested "reconsideration or modification," stating: "(1) left shoulder was a reported injury (2) failure to review all relevant medical records as well as continuing medical records. Only get treatment through welfare and takes long time." Petitioner provided no argument, analysis, or statutory or decisional law to support his petition. (Petition, undated).

20) Attached to the petition was a May 13, 2016 medical report from William Anderson, M.D., at Swedish Spine, Sports & Musculoskeletal Medicine. According to the report, Petitioner's chief complaint was "neck pain, back pain and left shoulder pain following an on-the-job injury dated August 8, 2012." This was a "follow-up" visit. Petitioner reported chronic neck and back pain since August 2012, while working at a seafood processing plant where he developed lower back pain "almost immediately after starting the job about a month prior." According to

Petitioner's history, "there was no specific injury event." On or about August 8, 2012, Petitioner said he developed neck pain while repetitively bending, and developed left shoulder pain "around that time." Petitioner told Dr. Anderson he was incarcerated in 2012 and involved in an altercation where he sustained rib fractures. "He reports no change in his neck or back pain related to this incident." As for Petitioner's left shoulder, an ultrasound showed mild acromioclavicular arthrosis without synovitis, mild supraspinatus tendinopathy, left partial-thickness articular supraspinatus degenerative fraying and subacromial subdeltoid bursopathy. At Petitioner's last visit, Dr. Anderson noted "his pain and overall level of disability seemed out of proportion to his objective imaging and physical examination findings." According to the report, Petitioner did not tell Dr. Anderson about any prior work injuries. Dr. Anderson reviewed Dr. Lynch's February 21, 2014 EME report, Dr. Gritzka's October 2, 2015 SIME report and physical therapy and functional capacity evaluation records. He diagnosed: (1) chronic neck pain; (2) chronic lower back pain; (3) mild multilevel cervical disc degeneration of uncertain clinical significance; (4) mild L4-5 facet arthropathy of uncertain clinical significance; (5) chronic left shoulder pain, well-controlled following ultrasound-guided injection; and (6) left supraspinatus tendinopathy and subacromial bursopathy. Dr. Anderson recommended physical therapy for Petitioner's neck and shoulder and referral to "pain services" for evaluation. He again found Petitioner's "pain and level of disability seem out of proportion to his objective imaging and physical examination findings." Dr. Anderson had a "lengthy discussion" with Petitioner and opined his neck pain began from repetitive stress secondary to prolonged, awkward positioning while working for Respondent. However, Dr. Anderson said Petitioner developed a chronic pain syndrome related to this, and Dr. Anderson "would have expected straightforward myofascial pain to have resolved by now after cessation of the offending activity." Petitioner's cervical and lumbar spine imaging studies did not reveal findings caused by any injury or occupational exposure. Dr. Anderson opined Petitioner's back pain began from repetitive stress due to bending and lifting while working for Respondent. Nevertheless, Petitioner had significant worsening in his low back pain after he stopped working. He estimated Petitioner's current low back pain was 25 percent due to occupational exposure. Dr. Anderson further stated, "It is also my opinion that his left shoulder pain began as a result of repetitive stress due to prolonged awkward positioning while working at a seafood processing plant." He further stated, "None of his current symptoms are related to injuries suffered during the

altercation while he was incarcerated in late 2012.” Dr. Anderson recommended additional treatment for Petitioner’s neck, back and left shoulder “in connection” with his workers’ compensation claim. (Dr. Anderson report, May 13, 2016).

21) Dr. Anderson’s May 13, 2016 report was not filed with the board until September 6, 2016. (Agency record; observations).

PRINCIPLES OF LAW

The board may base its decision not only on direct testimony, medical findings, and other tangible evidence, but also on the board’s “experience, judgment, observations, unique or peculiar facts of the case, and inferences drawn from all of the above.” *Fairbanks North Star Borough v. Rogers & Babler*, 747 P.2d 528, 533-34 (Alaska 1987).

AS 23.30.120. Presumptions. (a) In a proceeding for the enforcement of a claim for compensation under this chapter it is presumed, in the absence of substantial evidence to the contrary, that

(1) the claim comes within the provisions of this chapter. . . .

Under AS 23.30.120(a)(1), benefits sought by an injured worker are presumed to be compensable and the presumption is applicable to any claim for compensation under the Act. *Meek v. Unocal Corp.*, 914 P.2d 1276 (Alaska 1996). The presumption covers continuing medical care. *Municipality of Anchorage v. Carter*, 818 P.2d 661 (Alaska 1991). The presumption’s application involves a three-step analysis. To attach the presumption, an injured worker must first establish a “preliminary link” between his injury and the employment. *Tolbert v. Alascom, Inc.*, 973 P.2d 603 (Alaska 1999). Once the presumption is attached, the employer must rebut the raised presumption with “substantial evidence.” *Huit v. Ashwater Burns, Inc.*, 372 P.3d 904 (Alaska 2016). The employer’s evidence is not yet weighed against the employee’s evidence and credibility is not yet examined. *Veco, Inc. v. Wolfer*, 693 P.2d 865 (Alaska 1985).

If the employer’s evidence is sufficient to rebut the presumption, it drops out and the employee must prove his case by a preponderance of the evidence. *Runstrom v. Alaska Native Medical Center*, AWCAC Decision No. 150 (March 25, 2011) (reversed on other grounds, *Huit v. Ashwater Burns, Inc.*, 372 P.3d 904 (Alaska 2016)). This means the employee must “induce a

belief’ in the fact-finders’ minds that the facts being asserted are probably true. *Saxton v. Harris*, 395 P.2d 71, 72 (Alaska 1964). In the third step, evidence is weighed, inferences are drawn and credibility is considered.

AS 23.30.122. Credibility of witnesses. The board has the sole power to determine the credibility of a witness. A finding by the board concerning the weight to be accorded a witness’s testimony, including medical testimony and reports, is conclusive even if the evidence is conflicting or susceptible to contrary conclusions. . . .

The board’s credibility findings and weight accorded evidence are “binding for any review of the Board’s factual findings.” *Smith v. CSK Auto, Inc.*, 204 P.3d 1001, 1008 (Alaska 2009).

AS 23.30.130. Modification of awards. (a) Upon its own initiative . . . on the ground of a change in conditions . . . or because of a mistake in its determination of a fact, the board may, before one year after the date of the last payment of compensation benefits under AS 23.30.180, 23.30.185, 23.30.190, 23.30.200, or 23.30.215, whether or not a compensation order has been issued, or before one year after the rejection of a claim, review a compensation case under the procedure prescribed in respect of claims in AS 23.30.110. Under AS 23.30.110 the board may issue a new compensation order which terminates, continues, reinstates, increases, or decreases the compensation, or award compensation. . . .

The Alaska Supreme Court discussed AS 23.30.130(a) in *Interior Paint Company v. Rodgers*, 522 P.2d 164, 168 (Alaska 1974) stating, “The plain import of this amendment [adding ‘mistake in a determination of fact’ as a ground for review] was to vest a deputy commissioner with broad discretion to correct mistakes of fact whether demonstrated by wholly new evidence, cumulative evidence, or merely further reflection on the evidence initially submitted.” Examination of all previous evidence is not mandatory whenever there is an allegation of mistake in determination of fact under AS 23.30.130(a), which confers upon the board continuing jurisdiction over workers’ compensation matters for up to one year. *George Easley Co. v. Lindekugel*, 117 P.3d 734 (Alaska 2005). By comparison, a petition for reconsideration has a 15 day time limit for the request and the board’s power to reconsider “expires 30 days after the decision has been mailed . . . and if the board takes no action on a petition, it is considered denied.” (*Id.* at n. 36).

AS 44.62.540. Reconsideration. (a) The agency may order a reconsideration of all or part of the case on its own motion or on petition of a party. To be considered by the agency, a petition for reconsideration must be filed with the

agency within 15 days after delivery or mailing of the decision. The power to order a reconsideration expires 30 days after the delivery or mailing of a decision to the respondent. If no action is taken on a petition within the time allowed for ordering reconsideration, the petition is considered denied. . . .

8 AAC 45.060. Service. . . .

. . . .

(b) . . . If a right may be exercised or an act is to be done, three days must be added to the prescribed period when a document is served by mail.

8 AAC 45.063. Computation of time. (a) In computing any time period prescribed by the Act or this chapter, the day of the act, event, or default after which the designated period of time begins to run is not to be included. The last day of the period is included, unless it is a Saturday, Sunday or a legal holiday, in which case the period runs until the end of the next day which is neither a Saturday, Sunday nor a holiday. . . .

8 AAC 45.120. Evidence. . . .

. . . .

(f) Any document . . . that is served upon the parties, accompanied by proof of service, and that is in the board's possession 20 or more days before the hearing, will, in the board's discretion, be relied upon by the board in reaching a decision unless a written request for an opportunity to cross-examine the document's author is filed with the board and served upon all parties at least 10 days before the hearing. . . .

8 AAC 45.150. Rehearings and modification of board orders. (a) The board will, in its discretion, grant a rehearing to consider modification of an award only upon the grounds stated in AS 23.30.130.

(b) A party may request a rehearing or modification of a board order by filing a petition for a rehearing or modification and serving the petition on all parties in accordance with 8 AAC 45.060.

(c) A petition for a rehearing or modification based upon change of conditions must set out specifically and in detail the history of the claim from the date of the injury to the date of filing of the petition and the nature of the change of conditions. The petition must be accompanied by all relevant medical reports, signed by the preparing physicians, and must include a summary of the effects which a finding of the alleged change of conditions would have upon the existing board order or award.

(d) A petition for a rehearing or modification based on an alleged mistake of fact by the board must set out specifically and in detail

(1) the facts upon which the original award was based;

(2) the facts alleged to be erroneous, the evidence in support of the allegations of mistake, and, if a party has newly discovered evidence, an affidavit from the party or the party's representative stating the reason why, with due diligence, the newly discovered evidence supporting the allegation could not have been discovered and produced at the time of the hearing; and

(3) the effect that a finding of the alleged mistake would have upon the existing board order or award.

(e) A bare allegation of change of conditions or mistake of fact without specification of details sufficient to permit the board to identify the facts challenged will not support a request for a rehearing or a modification.

(f) In reviewing a petition for a rehearing or modification the board will give due consideration to any argument and evidence presented in the petition. The board, in its discretion, will decide whether to examine previously submitted evidence.

ANALYSIS

1) Should *Narcisse I* be reconsidered?

Petitioner timely requested reconsideration. AS 44.62.540; 8 AAC 45.060(b); 8 AAC 45.063(a). Reconsideration may occur if a legal error has been made. *Lindekugel*. However, it is difficult to discern from his petition what legal error Petitioner thinks occurred in *Narcisse I*. Petitioner's reference to his left shoulder being a "reported injury," implies an alleged factual error, rather than an alleged legal mistake. Petitioner also alleges *Narcisse I* failed to review "all related medical records as well as continuing records." This decision will assume Petitioner meant the latter was the alleged legal error subject to reconsideration. *Rogers & Babler*.

The fact-finders may, in their discretion and with limited exceptions, consider and rely upon any document filed and served at least 20 days prior to a hearing. 8 AAC 45.120(f). Petitioner wants reconsideration, alleging *Narcisse I* failed to consider all relevant medical reports, and especially Dr. Anderson's May 13, 2016 report attached to his petition. But Dr. Anderson's May 13, 2016 report was not in Petitioner's agency record until he filed it on September 6, 2016, nearly two

months after the hearing record closed. Petitioner's merits hearing occurred on July 19, 2016, over two months after Dr. Anderson's May 13, 2016 report was created. Petitioner gave no explanation for why he or his attorney could not have obtained Dr. Anderson's May 13, 2016 report in time to file and serve it at least 20 days prior to the July 19, 2016 hearing.

Similarly, Petitioner does not explain why he failed to list Dr. Anderson as a witness and call him to testify at hearing or obtain his deposition. Further, on July 15, 2016, Petitioner's attorney filed a document entitled "Hearing Evidence," on which Petitioner affirmatively stated he had no new evidence to present at the hearing on July 19, 2016, and would be using the medical records already submitted as evidence. Since Dr. Anderson's May 13, 2016 report had never been filed as evidence prior to September 6, 2016, *Narcisse I* made no legal error in failing to consider this document, as it was not properly presented as evidence for consideration.

Petitioner's Department of Corrections records, while mentioning his work injury and eventually even referencing his left shoulder do not support his position. A Department of Corrections provider twice said Petitioner's pain and disability outweighed his objective findings. Though Petitioner's medical care while incarcerated began around October 15, 2012, and he sought medical care regularly while in jail, he initially mentioned only his "neck and back" and did not mention his left shoulder until January 28, 2013. Thus, if his Department of Corrections medical records are what Petitioner referred to in his petition as his "continuing medical records," they were reviewed, they do not support his position and they do not change the result in *Narcisse I*. Therefore, Petitioner's request for *Narcisse I* to be reconsidered will be denied.

2)Should *Narcisse I* be modified?

Parties have up to one year following a decision to request modification based on a factual error. AS 23.30.130; *Lindekugel*; *Rodgers*. Thus, Petitioner's undated petition filed on September 6, 2016, was timely. However, it is again difficult to discern what factual error Petitioner alleges occurred in *Narcisse I*. The panel's alleged failure to review relevant medical records alleges a legal error, already resolved above. The only remaining allegation in the petition is "left shoulder was a reported injury." If by "reported injury," Petitioner means he included this body part on his written injury notice, this allegation is incorrect, as Petitioner admitted in his hearing

testimony on July 19, 2016. Petitioner testified he did not include his left shoulder on his injury report. If, on the other hand, Petitioner means he reported his shoulder injury to his physicians, this fact was not disputed, though the timing was questionable. But *Narcisse I* was not decided on evidence Petitioner never reporting a left shoulder injury to his medical providers. Rather, *Narcisse I* was decided adverse to Petitioner based upon his failure to attach the presumption of compensability and, alternately, assuming he could raise the presumption, based on his failure to ultimately prove his claim by a preponderance of the evidence. AS 23.30.120(1); *Meek*; *Carter*; *Tolbert*; *Huit*; *Wolfer*; *Runstrom*; *Saxton*. Respondent's medical evidence simply outweighed Petitioner's. AS 23.30.122; *Smith*.

In filing his petition, Petitioner also failed to comply with the regulation addressing petitions for modification. He failed to set forth with particularity the facts upon which the original denial in *Narcisse I* was based, what factual error he alleged in *Narcisse I*, and what affect the alleged mistake would have on the result. In short, Petitioner simply offered a vague and "bare allegation" stating *Narcisse I* made one or more factual errors. 8 AAC 45.150(a)-(f). A review of the previously submitted evidence does not disclose any factual error or any evidence sufficient to modify *Narcisse I*. *Rodgers*. Even if Dr. Anderson's untimely obtained and filed May 13, 2016 medical report could be considered, it would not outweigh the evidence provided by Drs. Lynch and Gritzka, both of whom had an opportunity to review Petitioner's medical records in their entirety. AS 23.30.122; *Smith*. Given this decision's result, the fact Petitioner also may not have properly served Respondents or their lawyer with his petition is immaterial. Petitioner's request to have *Narcisse I* modified will be denied.

CONCLUSIONS OF LAW

- 1) *Narcisse I* will not be reconsidered.
- 2) *Narcisse I* will not be modified.

ORDER

- 1) Petitioner's September 6, 2016 petition to have *Narcisse I* reconsidered is denied.
- 2) Petitioner September 6, 2016 petition to have *Narcisse I* modified is denied.

Dated in Anchorage, Alaska on September 14, 2016.

ALASKA WORKERS' COMPENSATION BOARD

_____/s/_____
William Soule, Designated Chair

_____/s/_____
Linda Hutchings, Member

_____/s/_____
Patricia Vollendorf, Member

APPEAL PROCEDURES

This compensation order is a final decision. It becomes effective when filed in the office of the board unless proceedings to appeal it are instituted. Effective November 7, 2005 proceedings to appeal must be instituted in the Alaska Workers' Compensation Appeals Commission within 30 days of the filing of this decision and be brought by a party in interest against the boards and all other parties to the proceedings before the board. If a request for reconsideration of this final decision is timely filed with the board, any proceedings to appeal must be instituted within 30 days after the reconsideration decision is mailed to the parties or within 30 days after the date the reconsideration request is considered denied due to the absence of any action on the reconsideration request, whichever is earlier. AS 23.30.127.

An appeal may be initiated by filing with the office of the Appeals Commission: 1) a signed notice of appeal specifying the board order appealed from and 2) a statement of the grounds upon which the appeal is taken. A cross-appeal may be initiated by filing with the office of the Appeals Commission a signed notice of cross-appeal within 30 days after the board decision is filed or within 15 days after service of a notice of appeal, whichever is later. The notice of cross-appeal shall specify the board order appealed from and the ground upon which the cross-appeal is taken. AS 23.30.128.

RECONSIDERATION

A party may ask the board to reconsider this decision by filing a petition for reconsideration under AS 44.62.540 and in accord with 8 AAC 45.050. The petition requesting reconsideration must be filed with the board within 15 days after delivery or mailing of this decision.

MODIFICATION

Within one year after the rejection of a claim, or within one year after the last payment of benefits under AS 23.30.180, 23.30.185, 23.30.190, 23.30.200, or 23.30.215, a party may ask the board to modify this decision under AS 23.30.130 by filing a petition in accord with 8 AAC 45.150 and 8 AAC 45.050.

CERTIFICATION

I hereby certify the foregoing is a full, true and correct copy of the Final Decision and Order on Reconsideration & Modification in the matter of Imhotep M. Narcisse, Petitioner / claimant v. Trident Seafoods Corporation, Respondent; Liberty Insurance Corporation, insurer / defendants; Case No. 201212049; dated and filed in the Alaska Workers' Compensation Board's office in Anchorage, Alaska, and served on the parties by First-Class U.S. Mail, postage prepaid, on September 14, 2016.

/s/

Nenita Farmer, Office Assistant