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WORKERS' COMPENSATION INSTRUCTIONS

Thank you for selecting our law firm to represent you in your industrial injury case.

We have learned that Workers' Compensation cases produce an abnormal load of paperwork and telephone calls. Our office receives many telephone calls per day. This letter is to help you understand our work and assist us in handling your case.

Your case is periodically reviewed by Mr. Glauber and one Case Coordinator. The Case Coordinator assigned to your case will contact you about once a month to find out from you the status of your medical treatment and to address any questions or concerns you might have at that time. You will receive the first call from us in about a week. This is to allow us time to file the necessary paperwork on your case and to give you a chance to go over this set of instructions.

You will receive many notices from the Workers' Compensation Appeals Board. Our office will receive copies of those notices as well. We will confirm with you that you have received them.

You will also receive notices and letters from the insurance company or their attorney. You will notice a copy is also being sent to us. At the bottom of each notice or letter there should be a "cc: Glauber Berenson." If there is not a cc to us, please send us a copy of the letter.

You will receive a letter from the insurance company or their attorney informing you of an appointment with a doctor. You should keep that appointment. The insurance company should send you transportation expenses. If they do not, keep track of the round-trip mileage and any other expenses related to the examination. Remember, our office should receive copies of every letter sent to you by the insurance company or their attorney.

We have prepared the following forms for you. Your review and entries on these forms will be most helpful to your case. You will find a mileage sheet on which we ask that you record any mileage you incur in seeking medical treatment during the course of this

case. The other form is in regard to your past medical treatment. Please complete this sheet and send it to us as soon as possible in one of the enclosed envelopes.

Our office attempts to be conscientious in returning telephone calls. If you do not hear from us within a day or two, it is because we have attempted to call and have been unsuccessful reaching you, or it may be that we have been unable to obtain an answer to the problem. If a written note will take the place of a telephone call, please drop us a note and indicate if you wish a returned call. Be sure to indicate what number and time you can be best reached. This will avoid you calling us and having to wait for the Case Coordinator to locate your file. Please remember that your file is periodically reviewed by Mr. Glauber. Upon review, whatever action is required is being undertaken.

Please take note that the insurance company has up to 90 days to make a decision about your benefits. If the insurance company refuses to pay you temporary disability, you may be able to obtain money from one of these agencies. You should contact them to see if you are eligible:

1. EMPLOYMENT DEVELOPMENT DEPARTMENT (State Disability or Unemployment benefits) Forms are provided at doctor's office. Los Angeles Office Phone Number is: (800) 480-3287
2. SOCIAL SECURITY AGENCY (Welfare); Telephone: 1-800-772-1213
3. SOCIAL SECURITY ADMINISTRATION (If off work more than six months); Telephone: 1-800-772-1213

Please read these suggestions carefully several times throughout the duration of your case:

1. If our office refers you to a doctor, you will be asked to sign a doctor's lien at the doctor's office. You can sign such lien(s). NEVER SIGN ANYTHING ELSE without first consulting us, especially when seeing a doctor for the insurance company or their attorney.
2. KEEP A RECORD of any expenses regarding your case. These include prescription receipts, medical bills and mileage to doctors. Benefits received and doctor's appointments should also be recorded. The insurance company has sixty (60) days to reimburse you for mileage in an admitted case.
3. DO NOT DISCUSS YOUR CASE with anyone other than this firm or your doctor.
4. DROP US A NOTE LETTING US KNOW if you move or change your telephone number. IT IS IMPORTANT THAT WE KNOW YOUR WHEREABOUTS AT ALL TIMES.

5. Be aware that insurance companies will hire private investigators to film your physical activities to attempt to prove that you are lying about your abilities to perform activities of daily living. If you intentionally mislead the defendants you can be subject to criminal prosecution.

6. Remember, the way we prove the nature and extent of your injury is by the doctor's reports. Be sure you keep your medical appointments and let the doctor know where and what hurts. The primary treating physician is responsible for managing your care and providing an opinion on

your medical condition to determine your eligibility for compensation. The opinion of the primary treating doctor is most important in awarding your benefits. It takes about five (5) weeks from the date of your medical release for doctors to issue your final medical report.

7. Negotiations to settle your case will begin after you are done with your medical treatment or you have reached a "permanent and stationary" medical condition. This could take anywhere from six months to a year or more, depending on your injuries. Our office will call you about once a month to follow up on your medical status and to answer any questions you might have regarding your case.

TEMPORARY DISABILITY FACT SHEET

What Is Temporary Disability?

Temporary Disability (TD) is a non-taxable benefit paid over a seven day week and is designed to replace your wages while you are temporarily disabled because of your work-related injury or illness. If you are still working but have reduced hours or wages, you may be entitled to TEMPORARY PARTIAL DISABILITY, commonly called wage loss, to make up for some of the money lost due to your injury or illness. If you are not able to work at all because of your injury or illness, you may be entitled to TEMPORARY TOTAL DISABILITY (TTD). Some employers provide plans that pay your entire wage for all or part of your temporary disability period. These are called salary continuation. There are different types of salary continuation plans. Some use your vacation and/or sick leave to supplement the temporary disability payments required by state law. Check with your employer to find out if you are covered by one of these plans.

How Is Temporary Disability Calculated?

Temporary Total Disability is based on two-thirds of your average weekly wage at the time of injury and is subject to maximum and minimum rates, which are set by state law depending on the date of your injury. Your average weekly wage is based on all forms of employment income you receive, including, but not limited to, your wages, food, lodging, tips, commissions, overtime, and bonuses.

When does Temporary Disability start and stop?

Temporary disability is not payable for the first three days of disability unless you are hospitalized or you are disabled for more than fourteen days. Once your claim has been accepted, payments should begin within fourteen days and continue to be paid every fourteen days until you are released to return to work or until your treating doctor reports that your condition has reached a maximum medical improvement status.

On April 19, 2004, the Governor signed new legislation limiting the number of weeks of Temporary Disability Benefits for injuries occurring on or after 4/19/04. If you receive a letter informing you that your Temporary Disability Benefits are ending because you have exceeded the 104 weeks allowable under State law, please notify our office immediately.

Other benefits due during Temporary Disability?

You are entitled to reasonable medical treatment necessary to cure or relieve your work

related injury or illness subject to statutory limitations. You will receive mileage reimbursement for trips to and from the doctor's office, pharmacy and physical therapy.

As of 01/01/05 employers are required to provide medical treatment within 24 hours of receiving a claim for Workers' Compensation benefits. Your employer will be reminded of this new law as part of this process.

ANSWERS TO COMMON QUESTIONS

1) How long will it take to settle my case?

Obviously some cases will take longer than others will. This will depend on the complexity of the case and complexity of your injuries. Rarely is a case resolved in less than one year, and some may take longer to resolve.

2) Should I try to stay out of work longer, so as to increase the value of my case?

ABSOLUTELY NOT. Since you will not receive your entire wages while you are out, it is always best to return to work as soon as possible. However, you should never return to work against your doctor's advice, or before you are physically or emotionally able to do so.

3) Should I try to return to modified work?

Yes, if you feel that you are able and with the knowledge and permission of your physician. Under no circumstances should you jeopardize your health.

4) Who decides if I need rehabilitation?

This is a medical question, which will be addressed by your primary treating physician. This benefit no longer exists for injuries occurring after 1/1/04. Be advised, if you do participate in Vocational Rehabilitation the weekly max is \$246.00. You may be entitled to Permanent Disability advances to supplement this weekly rate. *This benefit is no longer available for Dates of Injury on or after 01/01/04.*

5) Why can't I talk to my attorney when I call, instead I have to talk to my Case Coordinator?

Your attorney's calendar is full of court appearances such as Mandatory Settlement Conferences, Trials or Depositions. Office time is spent having appointments with clients, phone conferences with clients, or with medical providers. They are responsible for reviewing files to make sure clients are getting all benefits they are entitled to. Finally, they are on the phone trying to resolve cases.

Your attorney is busy fighting for your rights and those of other injured workers. However, you can make an appointment to see him/her, or you can set up a time for a phone conference.

Your Case Coordinator has been intensely trained in the area of Workers' Compensation. Your Coordinator, like most smart people, may not always have the answers to your questions, but will know where to get the answer. Trust him or her. If your question is not related to your Workers' Compensation case, your Coordinator will guide you in the right direction.

Please trust and work with your Coordinator. Do not be rude to him/her even when you are frustrated with the Workers' Compensation system. Trust us. Our Coordinators are hard working employees and we appreciate their help. We cannot allow clients to verbally abuse our Coordinators. Please remember this and act properly.

APPOINTMENT WITH ATTORNEY

Appointments or phone conferences with the attorney should be made in advance. It is impossible to get an appointment the same day you call since our calendar is fully scheduled for court hearings, depositions and appointments every half-hour. If the attorney is not in or is tied up, please explain your problems to the Case Coordinator. It may be possible for him/her to take care of the matter by discussing it with the attorney.

COMPENSATION PAYMENTS

Please wait several days after your anticipated date of receipt of your compensation check. This will insure that the check was not delayed in the mail. Then call the attorney's Case Coordinator to advise her/him of the last date for which you received compensation. The reason for the delay or termination will be determined.

We hope that this letter will help make the process go smoother. Again, remember we will be calling you monthly.

Best wishes,

The Staff of Glauber / Berenson