September 17, 2014
Agenda Item 8I
Mario R. Velasquez

RESPONDENT'S ARGUMENT

Received
SEP - 9 2014
CalPERS Board Unit

9-5-14

RESPONDENT'S ARGUMENT

TO WHOM IT MAY CONCERN,
I MARIO VELASQUEZ DISAGREE WITH ADMINISTRATIVE LAW JUDGE STEPHAN J. SMITH'S PROPOSED DECISION ON DENIEING ME MY APPLICATION OF INDUSTRIAL DISABILITY RETIREMENT, DO TO THE FACT THAT DR. MILLER FINDINGS OF MY INJURY ARE NOT DISABILING. DR. MILLER SAID THAT I DIDN'T TAKE ANY MEDICATION FOR PAIN PRIOR TO HIM EXAMING ME WHICH I FIND TO BE FALSE. HE ALSO WENT ON TO DISCREDIT ALL OF MY EVIDENCE I PRESENTED TO CALPERS OF WRITTEN REPORTS. HE STATED THAT IT TOOK HOURS FOR HIM TO GO OVER THE REPORTS OF WORKMAN'S COMP DOCTORS OF DR. FISHMAN AND DR. KENT. THESE DOCTORS PUT ME THROUGH OVER AT LEAST 2 HOURS OF EXAMANATIONS ON EACH VISIT AS TO DR. MILLER'S EVALUATION OF ME FOR ONLY TIME OF WHICH HE TOOK AROUND 28 MINUTES. HE TALKS ABOUT REVIEWING MRI REPORTS AND WHEN I TOOK A CD OF PHYSICAL VISIONAL EVIDENCE OF MY SPINE THAT SHOWS MY INJURIES HE REFUSED TO ENTER IT INTO A COMPUTOR TO VIEW THE INJURIES.

THIS SAME CD WAS SEND TO ATTORNEY SENIOR STAFF, JEAN LAURIE AINSWORTH. WHO IN TURN SENT IT BACK SAYING I ALREADY SENT IT IN ONCE BEFORE AND DIDNT NEED TO SUBMIT IT AGAIN. BUT DR. MILLER HASNT SEEN ANY OF MY SPINE PICTURES ONLY DR. MCINTIRE HAD VIEWED MY FIRST PICTURES ON FILM. I DISAGREE STRONGLY ~~WITH~~ WITH DR. MILLER EVALUATIONS BECAUSE OF THESE FACTORS. I LIVE IN PAIN, MY NIGHTS ARE ONLY 3 TO 4 HRS OF SLEEP TIME BECAUSE ~~WAKES~~ ~~ME~~ THE PAIN WAKES ME UP. I NAP FOR ABOUT 1 TO 2 HRS EVERY DAY UNTIL PAIN WAKES ME. I HAVE TO CLOSE NOT BECAUSE ANIXETY AND PAIN ARE GETTING TO BE TO SEVERE.

YOURS TRULY

Maria R Villanueva