

STATE OF CALIFORNIA
OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD
2520 Venture Oaks Way, Suite 300
Sacramento, California 95833
(916) 274-5751

In the Matter of the Appeal of:
PAPICH CONSTRUCTION COMPANY INC

Docket No(s) .
13-R4D7-2891

Terrell A. Cypert, Safety Manager
I.D. No. 4/7/C5017/030/2013

NOTICE OF HEARING

YOU ARE HEREBY NOTIFIED that the above-captioned matter has been set for hearing at

**DIVISION OF OCCUPATIONAL SAFETY AND HEALTH
7718 Meany Avenue
Bakersfield, CA 93308**

May 8, 2014 - 01:00 PM

and that at the above time and place the Occupational Safety and Health Appeals Board will proceed to hear and dispose of the appeal in the manner prescribed by Law. A party may be, but not need be, represented by an attorney, may present any relevant evidence and will be given full opportunity to cross-examine all witnesses. A party is entitled to the assistance of an interpreter and the issuance of subpoenas to compel the attendance of witnesses and subpoenas duces tecum to compel the production of documents or things in accordance with established rules of practice and procedure by applying to the Occupational Safety and Health Appeals Board, 2520 Venture Oaks Way, Suite 300, Sacramento, California 95833.

OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD

Date of Notice: February 5, 2014 By

Executive Officer

NOTE: CONTINUANCES ARE DISFAVORED AND WILL BE GRANTED ONLY UPON A CLEAR SHOWING OF GOOD CAUSE. REQUESTS FOR CONTINUANCES ARE TO BE MADE IMMEDIATELY, BUT NOT LATER THAN 15 DAYS AFTER THE DATE OF THIS NOTICE (5 extra days if the address of the recipient seeking a continuance is in California - 10 days if out-of-state).

The parties are expected to submit all issues for decision at the hearing. All witnesses, evidence, and other proof must be available at the hearing. The official record for Appeals Board hearings shall be taken by an electronic device. Any party desiring the presence of a court reporter must make their own arrangements.

A copy of this Notice of Hearing shall be served by the employer on an authorized employee representative of affected employees by personal delivery or by postage pre-paid first class mail, or on affected employees who are not represented by an authorized employee representative by posting a copy of this notice at or near the referenced site of violation, positioned so as to be easily read by employees working in the area. In addition, notice of this Hearing shall be served on any employee or their representative, seriously injured or killed in an accident related to this appeal.

**BEFORE THE
STATE OF CALIFORNIA
OCCUPATIONAL SAFETY AND HEALTH
APPEALS BOARD**

In the Matter of the Appeal of:

PAPICH CONSTRUCTION COMPANY INC

Terrell A. Cypert, Safety Manager

I.D. No. 4/7/C5017/030/2013

IMIS# 313388589

Docket No(s).

13-R4D7-2891

**NOTICE OF PREHEARING
CONFERENCE**

NOTICE IS HEREBY GIVEN that a prehearing conference in the above-captioned matter will be conducted by telephone on **February 3, 2014 - 11:30 AM**. The conference call will be initiated by the undersigned Administrative Law Judge or other designee. Unless the undersigned has been otherwise advised, the call will be placed to the person and telephone number appearing on the Appeal Form and to the DOSH District Office from which the Citation issued.

The purpose of the prehearing conference is to simplify the issues, expedite the hearing and afford the parties an opportunity to participate in settlement discussions. The parties shall be prepared to discuss the issues to be presented, the scope and timing of discovery, pending and contemplated motions, a firm estimate of the length of the hearing, and any other matters that may aid in expediting the hearing or otherwise disposing of the case. (Title 8, California Code of Regulations, Section 374)

NOTICE IS HEREBY GIVEN that failure to be prepared for or to participate in the prehearing conference may result in the imposition of sanctions, inferences or other orders during the conference or during the hearing, as the Appeals Board may deem appropriate. (Title 8, California Code of Regulations, Section 374(c).)

NOTICE IS FURTHER GIVEN that if the prehearing conference does not resolve the matter it will proceed as deemed appropriate by the Board.

A party may be, but need not be, represented by an attorney at the prehearing conference. A party may also request the assistance of an interpreter for the prehearing conference; any such request should be made immediately to the person listed below.

All communications or questions regarding the prehearing conference should be directed to the undersigned, addressed to 100 North Barranca Street Suite 410, West Covina, CA 91791, or call Mirna Lopez, Sr. Typist Legal at (626)332-1145, Fax:(626)966-4490. Any party unable to participate in the prehearing conference must notify the person listed above.