

OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD **RECEIVED**

2520 Venture Oaks Way, Suite 300  
Sacramento, CA 95833  
(916) 274-5751  
FAX (916) 274-5785

MAY 19 2010

OSH Appeals Board

**A P P E A L F O R M**

312679988

**Inspection Number on Citation**

Chargers Football Company LLC

**Employer Name on Citation**

**Employer Legal Name or DBA (Optional)**

PO Box 609609

**Address**

San Diego, CA 92123

*2010-R 3D2-1631*

1. You only have 15 working days from receipt of a citation to appeal.

2. A copy of this form must be attached to each citation or notification appealed. Failure to file a completed form may result in dismissal of the appeal.

**FIRST READ IMPORTANT INFORMATION ON THE REVERSE SIDE  
THEN COMPLETE ONE APPEAL FORM FOR EACH CITATION**

1. This is an Appeal from:

CITATION NO(s): 1 (Regulatory) Item No(s): 1 (CCR 3203)

NOTIFICATION OF FAILURE TO ABATE ALLEGED VIOLATION  
CITATION NO(s): \_\_\_\_\_ Item No(s): \_\_\_\_\_

SPECIAL ORDER/SPECIAL ACTION NO: \_\_\_\_\_  
Item No(s): \_\_\_\_\_

2. Specific ground(s) for this appeal are: (Check all that apply)

The safety order was not violated.

The classification (i.e. serious, willful, repeat) is incorrect.

The abatement requirements are unreasonable.

Required changes  Time allowed to complete changes

The proposed penalty is unreasonable.

3. Explain any other reasons for appeal or issues to be raised on appeal. Affirmative defenses must be specifically stated. Some important affirmative defenses are listed on the OSHAB website at: <http://www.dir.ca.gov/OSHAB/oshab.html>

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4.

Lawrence J. Kouns

(Signature of Employer or Employer's Representative)

{If there is any change in representation after you file your appeal, you must notify the Appeals Board in writing}

Lawrence J. Kouns

(Type or print name)

Attorney for Chargers Football Company LLC

(Title)

Luce, Forward, Hamilton & Scripps LLC, 600 West Broadway, Suite 2600

(Address) {Address where all communications from the Appeals Board will be sent}

San Diego

CA

92101

(City)

(State)

(Zip Code)

619.699.2437

LKouns@Luce.com

May 18, 2010

(Telephone)

(E-Mail Address)

(Date)

{All correspondence from the Appeals Board will be sent to the representative above at the address above. If there is any change in address, telephone number, and/or e-mail address after you file your appeal, you must notify the Appeals Board of the change(s). All such notifications must be in writing}

### IMPORTANT INFORMATION

- A. Use this form to appeal a Citation, Notification of Failure to Abate Alleged Violation, or Special Order/Special Action.
- B. You must complete **a separate appeal form for each citation or notification** you wish to appeal and **attach a copy of the complete citation or notification that you are appealing.**
- C. If the citation or notification being appealed includes more than one item **do not use separate appeals forms for each item.** Instead, specify the items you are appealing in the space provided in No. 1 on the front of this form. (for example, "Citation No. 1, Item Nos. 2, 5, and 8)
- D. **Be sure to sign your appeal form and provide all the information requested in No. 4 above.**
- E. Your appeal form shall be deemed not completed unless you attach a copy of each citation or notification that you are appealing, and failure to file a completed appeal form may result in dismissal of the appeal.
- F. If you or your representative change address, telephone number, and/or e-mail address, it is your responsibility to notify the Appeals Board in writing of the change(s). Otherwise the Appeals Board will continue to use the address it has on file and you risk not receiving notices or other communications from the Appeals Board. Appeals Board regulations make it the employer's obligation to notify the Appeals Board of any changes to the employer's and/or representative's contact information.
- G. Mail each completed Appeal form and citation or notification to the Occupational Safety and Health Appeals Board, 2520 Venture Oaks Way, Suite 300, Sacramento, CA 95833.
- H. Late appeals will not be accepted unless good cause is shown.

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MAY 19 2010

OSH Appeals Board

APPEAL FORM

312679988

2010-R3D2-1632

Inspection Number on Citation

Chargers Football Company LLC

Employer Name on Citation

1. You only have 15 working days from receipt of a citation to appeal.

Employer Legal Name or DBA (Optional)

2. A copy of this form must be attached to each citation or notification appealed. Failure to file a completed form may result in dismissal of the appeal.

PO Box 609609

Address

San Diego, CA 92123

FIRST READ IMPORTANT INFORMATION ON THE REVERSE SIDE THEN COMPLETE ONE APPEAL FORM FOR EACH CITATION

1. This is an Appeal from:

[ ] CITATION NO(s): \_\_\_\_\_ Item No(s): \_\_\_\_\_

[ ] NOTIFICATION OF FAILURE TO ABATE ALLEGED VIOLATION  
CITATION NO(s): \_\_\_\_\_ Item No(s): \_\_\_\_\_

[ ✓ ] SPECIAL ORDER/SPECIAL ACTION NO: 118  
Item No(s): 1

2. Specific ground(s) for this appeal are: (Check all that apply)

[ ] The safety order was not violated.

[ ] The classification (i.e. serious, willful, repeat) is incorrect.

[ ✓ ] The abatement requirements are unreasonable.

[ ✓ ] Required changes [ ✓ ] Time allowed to complete changes

[ ] The proposed penalty is unreasonable.

3. Explain any other reasons for appeal or issues to be raised on appeal. Affirmative defenses must be specifically stated. Some important affirmative defenses are listed on the OSHAB website at: <http://www.dir.ca.gov/OSHAB/oshab.html> See attachment to Appeal of Special Order No. 118.

4.



(Signature of Employer or Employer's Representative)  
{If there is any change in representation after you file your appeal, you must notify the Appeals Board in writing}

Lawrence J. Kouns

(Type or print name)

Attorney for Chargers Football Company LLC

(Title)

Luce, Forward, Hamilton & Scripps LLC, 600 West Broadway, Suite 2600

(Address) {Address where all communications from the Appeals Board will be sent}

San Diego

CA

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(Zip Code)

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LKouns@Luce.com

May 18, 2010

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