

Bonne Bridges

Matthew C. Keefe & Richard
PROFESSIONAL CORPORATION

355 S. Grand Avenue, Suite 1750
Los Angeles, CA 90071-1562

213.480.1900
213.607.5588 fax

File No.
p-JBD

Direct Dial
(213) 607-5834

February 23, 2018

Via Overnight Delivery

Hearing Request
George Parisotto
Administrative Director
Division of Workers' Compensation
1515 Clay Street, Suite 1800
Oakland, California 94612

Hearing Request
Legal Unit
Division of Workers' Compensation
1515 Clay Street, Suite 1800
Oakland, California 94612

Re: Hearing Request - John F. Petraglia
Your February 16, 2018 Notice of Provider Suspension--Workers' Compensation

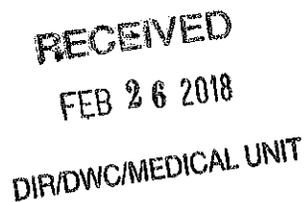
Dear Mr. Parisotto and DWC Legal Unit:

We represent John F. Petraglia, whose mailing address is 2528 Cliff Drive, Newport Beach, California 92663. We are in receipt of your February 16, 2018 Notice of Provider Suspension--Workers' Compensation setting forth the Division of Workers' Compensation intent to suspend Mr. Petraglia's participation in the California Workers' Compensation system pursuant to section 139.21(a)(1)(C). A copy of your letter is enclosed.¹ The given reason is that Mr. Petraglia's license to provide health care services has been surrendered or revoked.

It is correct that his medical license has been revoked by decision of the Medical Board of California effective September 20, 2017. But that revocation order, though now in effect, is not

¹ Your letter identifies various enclosures, but one, the "Declaration of Socorro Tongco in Support of Notice of Provider Suspension," was not enclosed.

1280199.1



Re: Hearing Request by John Petraglia

February 23, 2018

Page 2

a final decision. A petition for administrative writ of mandate has been filed with the Los Angeles Superior Court, Case No. BS170880, requesting that the decision be set aside. Enclosed is a copy of the writ petition.

At this point, a suspension from participation in the Workers' Compensation system is not necessary, because he cannot practice medicine, much less provide care in the Workers' Compensation system. Secondly, it is premature because the basis upon which you would rely is not yet a final decision . . . and it may well be overturned.

It requested that you hold off on your proposed action until after the hearing and determination of the writ petition challenging the Medical Board revocation order. Again, he cannot now practice, so there is no need for the proposed action. If the license revocation is upheld by the Court, you can proceed if you wish. If it is overturned by the Court, then there would be no reason for your proposed action.

A decision by the Superior Court will not take place anytime soon. No hearing date on the writ petition has yet been set.

If for any reason you are unwilling to hold off on your proposed action, then Mr. Petraglia hereby requests a hearing.

As requested, accompanying this original letter/ request for hearing is a copy, along with a copy served on the DWC Legal Unit.

Future correspondence should be directed to the undersigned on behalf of our client, Mr. Petraglia.

Very truly yours,

BONNE, BRIDGES, MUELLER, O'KEEFE & NICHOLS
Professional Corporation



Joel B. Douglas

JBD

Enclosures - DWC 2-16-18 letter; Writ Petition
Proof of service

cc: *Personal and Confidential*
John F. Petraglia

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

At the time of service, I was over 18 years of age and **not a party to this action**. I am employed in the County of Los Angeles, State of California. My business address is 355 South Grand Avenue, Suite 1750, Los Angeles, CA 90071-1562.

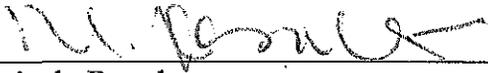
On February 23, 2018, I served true copies of the following document(s) described as **HEARING REQUEST** on the interested parties in this action as follows:

SEE ATTACHED SERVICE LIST

BY GOLDEN STATE OVERNIGHT DELIVERY SERVICES: I deposited said document in a Golden State Overnight Delivery Services envelope in a Golden State Overnight Delivery Services receptacle at 355 South Grand Avenue, Suite 1750, Los Angeles, CA 90071-1562, California. The envelope was so deposited for overnight delivery prior to the last scheduled pick up by Golden State Overnight Delivery Services, with postage arranged for billing by Golden State Overnight Delivery Services to this office pursuant to this office's account with said carrier.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on February 23, 2018, at Los Angeles, California.



Marisela Rosales

