

**COMMISSION ON STATE MANDATES**

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May 25, 2007

Mr. Leonard Kaye, Esq.  
County of Los Angeles  
Auditor-Controller's Office  
500 W. Temple Street, Room 603  
Los Angeles, CA 90012

*And Interested Parties and Affected State Agencies (See Enclosed Mailing List)*

**RE: Denial of Request for Postponement of Hearing**

*Workers' Compensation Disability Benefits for Government Employees,*  
00-TC-20, 02-TC-02  
Labor Code Section 4850  
Statutes 2000, Chapters 920 & 929; Statutes 1999, Chapters 270 & 970;  
Statutes 1989, Chapter 1464; and Statutes 1977, Chapter 981  
County of Los Angeles, Claimant  
San Diego Unified School District, Co-Claimant

Dear Mr. Kaye:

The County's May 24, 2007 request to postpone the hearing on the *Workers' Compensation Disability Benefits for Government Employees* test claim is denied for failure to show good cause, pursuant to sections 1183.01, subdivision (c)(2) and 1181.1, subdivision (h), of the Commission's regulations.

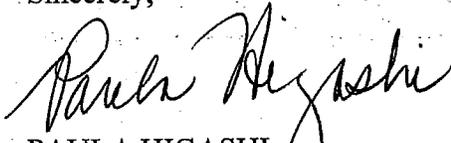
The stated need for postponement is the fact that the final staff analysis relies upon new legal principles that were not raised in earlier analyses. Moreover, the County states the final staff analysis was issued May 22, 2007, and gives claimants only six business days to respond to the revised legal analysis. However, postponement to further develop legal theories does not constitute good cause.

Furthermore, the County has been given ample time to provide comments on this test claim. A previous postponement was granted on July 21, 2006, pending outcome of the *CSAC Excess Insurance Authority and the City of Newport Beach v. Commission on State Mandates and the State Department of Finance* case. As requested, the previous analysis was re-issued for another 30-day comment period after that case was finally adjudicated, on March 22, 2007. The County of Los Angeles filed comments on April 20, 2007. The final staff analysis was issued on May 17, 2007, ten business days prior to the May 31, 2007 hearing, which is consistent with the Commission's long standing practice. The test claim remains set for hearing on May 31, 2007.

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As provided in section 1181, subdivision (c), of the Commission's regulations, the County may appeal to the Commission for review of this action and decision by the executive director. Please contact Deborah Borzelleri at (916) 322-4230 with any questions regarding the above.

Sincerely,



PAULA HIGASHI  
Executive Director

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# Commission on State Mandates

Original List Date: 7/6/2001  
Last Updated: 4/26/2007  
List Print Date: 05/25/2007  
Claim Number: 00-TC-20  
Issue: Workers' Compensation Disability Benefits for Government Employees

Mailing Information: Other

## Mailing List

### Related Matter(s)

02-TC-02 Workers' Compensation Disability Benefits for Government Employees  
(Amendment)

### TO ALL PARTIES AND INTERESTED PARTIES:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.2.)

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