

MAR 25 2020

Jorge Navarrete Clerk

S260444

\_\_\_\_\_  
Deputy

**IN THE SUPREME COURT OF CALIFORNIA**

**En Banc**

\_\_\_\_\_  
In re the Accusation of AUDREY JEAN UKKERD Against an Attorney.  
\_\_\_\_\_

The petition is denied.

**CANTIL-SAKAUYE**

\_\_\_\_\_  
*Chief Justice*

Audrey J. Ukkerd

RE: Case No. 526044

Audrey J. Ukkerd  
4606 Ryan CT.  
Rocklin, CA 95677  
California State Bar:

January 23, 2020

RE: Case No.: 19-0-18771

**CALIFORNIA SUPREME COURT**

**CLERK'S OFFICE**

I hired Attorney Gianni Sam Stephano for Workers Compensation fees for on the job injuries, while I was on tour of duty has a uniformed C/O Officer at California Department of Corrections and Rehabilitation, CSP.-Sacramento; starting with an assault upon a uniformed officer (Audrey J. Ukkerd) by a male, white, uniformed Correctional Supervisor Sergeant. Also, Attorney Stephano was hired to get Workers Compensation on the job related injuries to body; back, brain, buttock, neck, arm, wrist, hips, stress, anxiety, and Post Traumatic Stress Syndrome. No QME for body parts were requested by Attorney Stephano.

The State Bar of California states that. According to your Workers Compensation summaries online, the case was settled with the compromise and release filed and closing order signed off by the Judge in the matter on June 20, 2019. You were not happy with the settlement and filed this complaint. Mr. Siegel is the attorney of the Law firm you hired. He would be responsible for the conduct of his subordinate, Mr. Stephano.

I (Audrey J. Ukkerd) was not happy because Attorney Stephano encouraged me to sign documents without counseling concerning the repercussions that I was releasing my Kaiser Permanente Health Services. Attorney Stephano never mentioned anything about an Order Approving Compromised and Release Papers.

The QME Agreed upon Attorney Doctor filed an "Adjustment to Injury Questionnaire this was to complete the initial incomplete Examination QME Agreed upon Attorney Evaluation was invalid Dated March 25, 2017. In September 2017, Attorney Stephano requested that, "He would send a Declaration of Readiness Emergency Mandatory Settlement and get back with me in two weeks. Attorney Stephano did not get back with me in two weeks. Attorney Stephano abandoned the case for 6 or 7 months non responsive to my Emails and iPhone calls. No letters. No Updates.

I filed the first DOR Mandatory Settlement December 19, 2018 and Attorney Stephano was seen by me and Husband at the Mandatory Settlement Conference. My Husband and I were not invited into the conference room. No paralegals were mentioned in notice.

Attorney Stephano Emailed that he sent Email regarding DOR Mandatory Settlement Conference confirmation date 04/17/2019. I discovered Email regarding WCAB Declaration of Readiness (DOR) MSC was dated 11/01/2011 and not 04/17/2019 Attorney Stephano's Emails were not sent and filed on 4/17/2019. No Notice of Status Conference Hearing correspondence neither mailed to my home to this date June 20, 2019: nor did I receive per Postal Mail. Attorney Stephano engaged in untruths conduct involving unethical behavior suggesting fraud, perjury, negligence, attorney misconduct, and attorney malpractice.

see attached

Audrey Ukkerd

RE: Case No.: 19-0-18771

I filed a second Declaration of Readiness Mandatory Settlement Conference and I received a Hearing Notice regarding Status Conference June 20, 2019 WCAB appointment time 1:30 PM, 160 Promenade 300, Sacramento, CA. 95834. Attorney Stephano was the only person that talked to me and my husband in the waiting room of WCAB Building. The Judge Gregory Cleveland, Workers' Compensation Administrative Law Judge, and the Workers Comp. Appeals Board Members were not present and/or seen by me or by my husband. Attorney Stephano engaged in conduct that is prejudicial to the administration of justice: knowingly assisted in conduct that is a violation of applicable rules of judicial conduct and compromised my case. The Hearing Notice did not invite a paralegal to the Status Conference. \*Notice to attorneys: You may be able to appear at this conference by phone no paralegals mentioned in Hearing Notice Dated 06/20/2019.

The State Bar of California states that, "You stated that on January 1, 2010, you hired G. Sam Stephano of Michael J. Siegle Law Firm to represent you in Workers' Compensation matter. Mr. Stephano is a Hearing Representative and not an attorney. The case got dragged out for years. Your ex-employer denied the claim. Mr. Stephano told you that you had to go to Trial and win in order to get temporary disability. The opposing side offered \$25,000 to settle without going to Trial. Mr Stephano told you to take the deal, because if you lose, you get nothing. You went to the last hearing on June 20, 2019, in which Mr. Stephano told you to sign the settlement papers"

Michael Siegel Esq. is not the attorney of the Law Firm when I hired G. Sam Stephano on or around, January 01, 2010 at Penney's & Associates Law Office, Roseville.

After completing an On-Line Application Questionnaire computer Website for an Attorney; Penny and & Associates Law Office, Roseville; Attorney Gianni Sam Stephano responded to my Workers Compensation Cumulative Trauma Case via Phone Call.

**History:** The month of January 01, 2010, Attorney Stephano worked at Penney & Associates Legal Law Firm, 2999 Douglas Blvd., Lobby, Roseville, CA., (707) 438-8000; and the month of February year of 2010 to 2015 Stephano worked for Penny & Associates Legal Law Firm 6536 Lone Tree Blvd., Rocklin, CA. 95765, (916) 786-7662; (2015 & 2016) and lastly Attorney Stephano worked with Michael Siegel, Esq. Law Office 6060 Sunrise Vista Drive, suite 2280, Citrus Heights, CA. 95610, (916) 546-1431 ext. 101, (2016 to present); Paralegals and Legal Assistants for Attorney Stephano: Michaela Gallo, and Megan McGrath during the nine years and six months. Note:\* Hypothetical; Allegedly Michaela Gallo and Megan McGrath are Attorneys and are out of The State of California jurisdiction practicing Legal Law,

Attorney Stephano instructed me to initial A U on paper and there were no other signatures seen by me (Audrey J. Ukkerd) written on the paper at the Status Conference Hearing Dated 06/20/2019. I was asked by Attorney Stephano to initial A U next to the body parts such as Eyes, Ears, Mouth, Back, Brain, neck, wrist, etc.

After: I reviewed the Settlement papers dated 06/20/2019 I discovered that my initials A U were on the left side of the paper and on the right side of my initials were the initials of the Defendant K H with a new list other than body parts named. I was not instructed to sign my initials on a DWC-CA form 10214 © (Rev. 11/2008) (Page 7 of 9), I did not sign the legal form WCMSA CSP-Sacramento; ADJ7395654, Claim no. 05554964 pages.

RE: Case No, 5260444  
RE: Case No, 5260444

Audrey J. Ukkerd

RE: Case No: 19-0-18771

There was No legal title on the top or bottom of the paper that Attorney Stephano instructed me to initial A U. I had no knowledge of a Compromised and Release Legal Document until I reviewed the Settlement papers. I did not sign the legal papers displaying Attorney Stephano signature, dated 06/17/2019) three days before the Status Conference Hearing Notice Dated 06/20/2019. In addition Attorney G. Sam Stephano told The State Bar of California Office Chief Trial Counsel Deputy Peter Eng that he was not an Attorney.

The Legal Adviser comments on computer website crashes every time he attempted to bring it up and that it no longer exists. It appears that the website Attorney Stephano represents an imposter or he is an out of State Attorney who is not who he says he is?

Practicing Legal Attorney Peter Brixie confirmation that Attorney Gianni Sam Stephano is an Attorney and Website confirmation by my Husband retired California Highway Patrolman located Attorney Sam Stephano on his iPhone computer Website Stephano is an Attorney/ 2015.

The Status Conference Hearing Dated 06/20/2019 took place in an empty waiting room: WCAB Building 160 Promenade Circle, 300, Sacramento, CA 95834. There was No Judge seen by me; neither were there any WCAB Members present to be seen by me. Attorney Stephano walked back and forth in and out of a room located near the waiting room. In conclusion a man and woman appeared and sat near me and my Husband. Attorney Stephano used them for witnesses of my signature. Regarding Order Approving Compromised and Release Legal Document I did not place a Black Check Mark regarding (No Appeals). Settlement papers displayed two witnesses with different Sir (last) names.

Prior conversation a few weeks before the Status Conference Hearing Dated June 20, 2019, Attorney Stephano mentioned to me that, "He didn't like what I said about Defendants the CDCR; CSP-Sacramento Warden J W at CSP-Sac in a prior Lawsuit against the California Department of Corrections Rehabilitation Discrimination Case. Attorney Stephano's conversation suggested grounds for retaliation.

The evidence shows that Attorney Stephano committed a fraudulent act by falsifying and misrepresenting himself which is deemed unethical behavior and a violation of the Law suggesting Negligence, Malpractice, Attorney Misconduct, Conspiracy, Perverted Evidence, Sabotage, Injustice. I was denied my Civil Tort Rights, Civil Rights, Criminal Law, SCIF Workers' Compensation CT, and the 6<sup>th</sup> and the 9<sup>th</sup> Constitutional Rights.

I was never interviewed by my Ex-employer CDCR CSP-Sacramento. I notified the Central services CDCR-CSP-Sacramento Chain of Command and documented the occurrence. One year later, the issue has not been resolved or investigated. My safety and security concerns were ignored or rejected by the CDCR CSP-Sac Administration.

There are No Ex- employer CDCR CSP-Sacramento incident reports Dated January 16, 2009 and for December 19, 2009 for an investigation of an assault on a Black female Correctional Officer by a male white Supervisor Sergeant. Ex-employer failed to communicate with the victim of circumstances (Audrey J. Ukkerd).

Audrey J. Ukkerd

RE: Case No.: 19-0-18771

On December 19, 2018, at the Mandatory Settlement Conference Hearing Attorney Stephano stated to me and my Husband, "I was going to be happy this year. Therefore, and under duress I signed the OTOC Stephano's rational was, that all parties were not served Mandatory Settlement Conference papers and needed time to prepare for the case. Attorney Stephano stated, Doctor Lieberman ranked you 60 per cent disability, and they want to take care of you! The Adjuster is here and she is on your side. She said, "That this case should have been settled two years ago and that she was assigned to another case: but they gave it back to her. Attorney Stephano said, Judge Gregory Cleveland, Workers' Compensation Administrative Law Judge, was in agreement with the Adjuster." My Husband's response was oh she is? Attorney Stephano's response was "yes." My Husband asked Attorney Stephano is there any Time limitation to this case and Attorney Stephano's response was, "NO", and then he turned and walked back to the conference room. Attorney Stephano promised that it would only be two weeks before he would file another DOR MSC: but it didn't happen. Nothing was done by Attorney Stephano regarding concern to file a Declaration of Readiness Mandatory Settlement

Hypothetically, the OTOC (Order to Take off Calendar) signature was transferred to the Settlement Papers Order Approving Compromised and Release Papers by the Attorney his/her who is out of the State of California Jurisdiction. The Attorney who his/her has no State of California Bar Number attached to his/her name on 06/17/2019 three days before the Status Conference Hearing Dated 06/20/2019 willfully and with malice under the umbrella of the State of California Laws and Administration of Justice for All; transferred (Audrey J. Ukkerd) signature from the OTOC Dated 12/19/2018 to the Settlement Order Approving Compromised and Release Papers.

I did everything that Attorney Gianni Sam Stephano asked me to do for nine years and six months. I'm requesting the California Supreme Court grant me with a fair and honest Administration of Justice Mandatory Settlement in my favor for SCIF Workers' Compensation Cumulative Trauma Case injustice and damages procured by Attorney Gianni Sam Stephano and his employers Attorney Michael J. Siegel Law: 6060 Sunrise Vista Drive, Suite 2280, Citrus Heights, CA 95610 Tel: 916-546-1431 and Penney & Associates Legal Corporation Workers' Compensation Rocklin Office 6536 Lonetree Blvd., Rocklin, CA 95765 Attorney at Law Michael H. Steffen (Steffen retired around 2011-2013).

Audrey J. Ukkerd

RE: Case No. S 260444

STATE  
COMPENSATION  
INSURANCE  
FUND

December 15, 2015

05554964

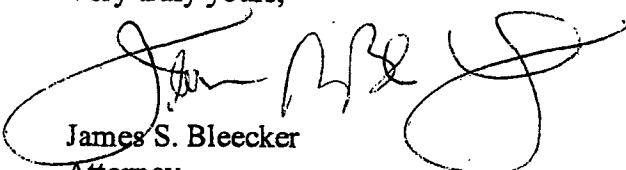
Audrey Ukkerd  
4606 Ryan Court  
Rocklin, CA 95677-2269

Re: Audrey Ukkerd v. CSP SACRAMENTO  
Case No. ADJ7395654

Dear Ms. Ukkerd:

The Workers' Compensation Appeals Board Rules of Practice and Procedure provide that if a case is inactive for one (1) year or more, it is subject to being dismissed for lack of prosecution. It is our intention to move for dismissal under the provisions of Workers' Compensation Appeals Board Rules of Practice and Procedure section 10582, thirty (30) days from the date of this letter unless the applicant or his/her attorney shows, in writing, some good reason for not dismissing this case.

Very truly yours,

  
James S. Bleecker  
Attorney

JSB/smj

cc: Gianni Stephano, Esq.  
Law Offices of Penney & Associates  
6536 Lonetree Blvd.  
Rocklin, CA 95765-5874

CSP SACRAMENTO  
Attn: Return To Work Office  
P.O. Box 290005  
Represa, CA 95671

Joyce B. Rowan - State Sacramento (TL) Claims Department

LEGAL DEPARTMENT  
2275 Gateway Oaks Drive • Sacramento, CA 95833-3255  
(916) 924-5036 Fax (916) 924-6826  
Mailing Address: P.O. Box 3171 • Suisun City, CA 94585-6171

9

see attached

RE: Case No. 19-0-18771

RE: Case No. S 260444

05554964  
Audrey Uckerd

STATE OF CALIFORNIA  
WORKERS' COMPENSATION APPEALS BOARD

Audrey Uckerd

APPLICANT

CDCR; CSP Sacramento  
legally uninsured & adjusted  
by SCIF State Employees  
SACRAMENTO

DEFENDANTS

CASE NUMBER(S) ADJ 7395654

MINUTES OF HEARING/ORDER/ORDER AND  
DECISION ON REQUEST FOR CONTINUANCE/  
ORDER TAKING OFF CALENDAR/  
NOTICE OF HEARING

☐ BEFORE ☐ AT  
☐ TRIAL ☐ MSC  
☒ CONF ☐ EXP HEARING ☐ LIEN

DATE OF: HEARING 6/20/19 REQUEST \_\_\_\_\_

APPEARANCES APPLICANT ☐ PRESENT ☐ NOT PRESENT

APPLICANT REPRESENTED BY Sam Stephano, Michael Slenker ATTORNEY ☐ HEARING REP.

DEFENDANT REPRESENTED BY Kelly Hester SCIF etc ☒ ATTORNEY ☐ HEARING REP.

OTHERS APPEARING \_\_\_\_\_ ☐ ATTORNEY ☐ HEARING REP.

INTERPRETER \_\_\_\_\_ CERTIFICATION NO. \_\_\_\_\_

PARTY MAKING REQUEST ☐ JOINT ☐ APPLICANT ☐ DEFENDANT ☐ OTHER \_\_\_\_\_

REQUEST FOR: ☐ CONTINUANCE ☐ OTOC REQUEST BY: ☐ LETTER ☐ TELEPHONE

POSITION OF OPPOSING PARTY ☐ AGREE ☐ OPPOSE ☐ UNREACHABLE ☐ UNKNOWN

REASON FOR REQUEST

☐ FURTHER DISCOVERY: ☐ APP MED ☐ DEF MED ☐ AME ☐ DEPO  
☐ CALENDAR CONFLICT: ☐ APPLICANT ☐ DEFENSE ☐ L.C.  
☐ SETTLEMENT PENDING  
☐ IMPROPER/INSUFFICIENT NOTICE BY PARTY  
☐ IMPROPER DECLARATION OF READINESS/VALID OBJECTION  
☐ NON APPEARANCE ☐ APP ☐ DEF ☐ LIEN CLAIMANT ☐ WITNESS  
☐ APPLICANT ☐ DEF COUNSEL ☐ VACATION ☐ ILLNESS  
☐ UNAVAILABILITY OF WITNESSES ☐ APP ☐ DEFENSE  
☐ DISPUTE RESOLVED BY AGREEMENT ☐ NO ISSUES PENDING  
☐ JOINDER ☐ CONSOLIDATION ☐ VENUE ☐ NEW APPLICATION  
☐ AUTO-REASSIGN ☐ DISQUALIFY ☐ APP ☐ DEFENDANT  
☐ APPLICANT NOW REPRESENTED ☐ REQUESTS  
REPRESENTATION  
☐ CHANGE OF CIRCUMSTANCES

BOARD REASON

☐ INSUFFICIENT TIME ☐ TO START ☐ TO FINISH  
☐ REASSIGNMENT: ☐ REFUSED ☐ NOT AVAILABLE  
☐ REPORTER ☐ INTERPRETER ☐ NOT AVAILABLE  
☐ WCJ NOT AVAILABLE ☐ RECUSAL  
☐ UEF ISSUES ☐ SERVICE DEFECTIVE ☐ BANKRUPTCY  
PENDING  
☐ DEFECTIVE WCAB NOTICE  
☐ ARBITRATION  
OTHER/COMMENTS \_\_\_\_\_

GOOD CAUSE APPEARING, IT IS ORDERED THAT THE REQUEST FOR ☐ CONT ☐ OTOC IS ☐ GRANTED ☐ DENIED

\_\_\_\_\_ DAYS FOR ☐ C&R ☐ STIPS, OTHERWISE: ☐ OTOC ☐ RESET

☐ OTOC ☒ C&R/STIPS SUBMITTED FOR APPROVAL ☒ C&R/STIPS APPROVED

☐ LIEN STIPS AND ORDER APPROVED ☐ N.O.I. TO ALLOW/DISALLOW ISSUED

☐ SET FOR ☐ MSC ☐ CONF ☐ TRIAL ☐ LIEN TRIAL ☐ CONTD TESTIMONY TIME ☐ 1 HR ☐ 2 HRS ☐ 4 HRS ☐ DAY

SET ON \_\_\_\_\_ AT \_\_\_\_\_ LOCATION \_\_\_\_\_ BEFORE JUDGE \_\_\_\_\_

☐ SUPPLEMENTAL PAGES ATTACHED \_\_\_\_\_ PAGES

DATE 6/20/19

NOTICE TO \_\_\_\_\_  
document(s) on all parties as shown on the Official Address Record.

Date 6/20/19 By SCIF

☐ Served on parties and lien claimants present

GREGORY CLEVELAND  
WORKERS' COMPENSATION ADMINISTRATIVE LAW JUDGE

Pursuant to Rule 10500 you are designated to serve this/these

Served on designated server with a copy of the Official Address Record.

RE: Case No. 5260444  
Audrey J. Ukkerd

09554964

STATE OF CALIFORNIA  
WORKERS' COMPENSATION APPEALS BOARD

Audrey Ukkerd

APPLICANT

v.

CDCR legally uninsured adjusted  
by SCIF State Employees  
Sacramento

DEFENDANTS

CASE NUMBER(S) ADJ 7395654

MINUTES OF HEARING/ORDER/ORDER AND  
DECISION ON REQUEST FOR CONTINUANCE/  
ORDER TAKING OFF CALENDAR/  
NOTICE OF HEARING

☐ BEFORE ☐ AT  
☐ TRIAL ☐ MSC  
☒ CONF ☐ EXP HEARING ☐ LIEN  
DATE OF: HEARING 1/23/20 REQUEST

APPEARANCES

APPLICANT ☒ PRESENT ☐ NOT PRESENT

APPLICANT REPRESENTED BY Pro Per

☐ ATTORNEY ☐ HEARING REP.

DEFENDANT REPRESENTED BY Kelly Hester SCIF etc

☒ ATTORNEY ☐ HEARING REP.

OTHERS APPEARING Sun Stephens

☐ ATTORNEY ☒ HEARING REP.

INTERPRETER Garnet Ukkerd (husband)

CERTIFICATION NO.

PARTY MAKING REQUEST

☐ JOINT

☐ APPLICANT

☐ DEFENDANT

☒ OTHER WCB

REQUEST FOR: ☐ CONTINUANCE

☐ OTOC

REQUEST BY: ☐ LETTER

☐ TELEPHONE

POSITION OF OPPOSING PARTY

☐ AGREE

☐ OPPOSE

☐ UNREACHABLE

☐ UNKNOWN

REASON FOR REQUEST

- ☐ FURTHER DISCOVERY: ☐ APP MED ☐ DEF MED ☐ AME ☐ DEPO  
☐ CALENDAR CONFLICT: ☐ APPLICANT ☐ DEFENSE ☐ L.C.  
☐ SETTLEMENT PENDING  
☐ IMPROPER/INSUFFICIENT NOTICE BY PARTY  
☐ IMPROPER DECLARATION OF READINESS/VALID OBJECTION  
☐ NON APPEARANCE ☐ APP ☐ DEF ☐ LIEN CLAIMANT ☐ WITNESS  
☐ APPLICANT ☐ DEF COUNSEL ☐ VACATION ☐ ILLNESS  
☐ UNAVAILABILITY OF WITNESSES ☐ APP ☐ DEFENSE  
☐ DISPUTE RESOLVED BY AGREEMENT ☐ NO ISSUES PENDING  
☐ JOINDER ☐ CONSOLIDATION ☐ VENUE ☐ NEW APPLICATION  
☐ AUTO REASSIGN ☐ DISQUALIFY ☐ APP ☐ DEFENDANT  
☐ APPLICANT NOW REPRESENTED ☐ REQUESTS REPRESENTATION  
☐ CHANGE OF CIRCUMSTANCES

BOARD REASON

- ☐ INSUFFICIENT TIME ☐ TO START ☐ TO FINISH  
☐ REASSIGNMENT: ☐ REFUSED ☐ NOT AVAILABLE  
☐ REPORTER ☐ INTERPRETER ☐ NOT AVAILABLE  
☐ WCJ NOT AVAILABLE ☐ RECUSAL  
☐ UEF ISSUES ☐ SERVICE DEFECTIVE ☐ BANKRUPTCY PENDING  
☐ DEFECTIVE WCAB NOTICE  
☐ ARBITRATION

OTHER/COMMENTS Does not

Want to set aside

C&R. IT remains

in effect and binding on

all parties

GOOD CAUSE APPEARING, IT IS ORDERED THAT THE REQUEST FOR ☐ CONT ☒ OTOC IS ☒ GRANTED ☐ DENIED

DAYS FOR ☐ C&R ☐ STIPS, OTHERWISE: ☐ OTOC ☐ RESET

☒ OTOC

☐ C&R/STIPS SUBMITTED FOR APPROVAL ☐ C&R/STIPS APPROVED

☐ LIEN STIPS AND ORDER APPROVED ☐ N.O.I. TO ALLOW/DISALLOW ISSUED

☐ SET FOR ☐ MSC ☐ CONF ☐ TRIAL ☐ LIEN TRIAL ☐ CONTD TESTIMONY TIME ☐ 1 HR ☐ 2 HRS ☐ 4 HRS ☐ DAY

SET ON 1/23/20 AT 2:00 LOCATION SCIF BEFORE JUDGE GREGORY CLEVELAND

☐ SUPPLEMENTAL PAGES ATTACHED PAGES

DATE 1/23/20

GREGORY CLEVELAND

WORKERS' COMPENSATION ADMINISTRATIVE LAW JUDGE

you are designated to serve this/these

NOTICE TO K Hester  
document(s) on all parties as shown on the Official Address Record. Served on designated server with a copy of the Official Address Record.

Date 1/23/20 By ASCE  
☐ Served on parties and lien claimants present



Audrey Ukkerd  
4606 Ryan Ct.  
Rocklin, CA 95617

RE: Case No. S 260444

RE: Case No. 19-0-18771

**PENNEY & ASSOCIATES**  
LEGAL CORPORATION

ROSEVILLE OFFICE

(916) 784-3566

LOOMIS OFFICE

(916) 652-7235

FAIRFIELD OFFICE

(707) 447-4136

CHICO OFFICE

(530) 899-2777

ROCKLIN OFFICE

6536 LONETREE BLVD.

ROCKLIN, CALIFORNIA 95765

PH (916) 786-7662 / FAX (916) 786-0144

PENNEYANDASSOCIATES.COM

**MICHAEL H. STEFFEN**

ATTORNEY AT LAW

**G. SAM STEPHANO**

WORKERS' COMPENSATION HEARING REPRESENTATIVE

NEWPORT BEACH OFFICE

(949) 955-3566

SANTA CLARA OFFICE

(408) 970-3566

SACRAMENTO OFFICE

(916) 443-5506

August 20, 2010

Dana Kimball  
State Compensation Insurance Fund  
P.O. Box 3171  
Suisun City, CA 94585

Re: Audrey Ukkerd v. State of CA / Dept. of Corrections  
WCAB No: ADJ7395654  
Claim No: 05554964  
Date of Injury: CT to 12/19/2009

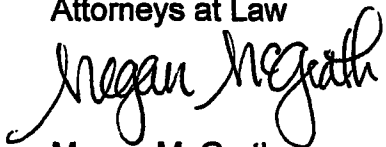
Dear Mr. Kimball:

We have received the Notice of Application from the Workers' Compensation Appeals Board, dated August 16, 2010, in the above entitled matter. Please update your file to reflect the WCAB case number.

Thank you for your courtesy and cooperation in this matter.

Very truly yours,

PENNEY & ASSOCIATES  
Attorneys at Law



Megan McGrath  
Legal Assistant

/mm

enclosure

Cc: Audrey Ukkerd, State of CA / Dept. of Corrections

Audrey Ukery  
4606 Ryan St.  
Rocklin, CA  
95677

RE: Case No. 19-0-18771

# PENNEY & ASSOCIATES

LEGAL CORPORATION

ROSEVILLE OFFICE

(916) 784-3566

FAIRFIELD OFFICE

(707) 438-0800

CHICO OFFICE

(530) 899-2777

WORKERS' COMPENSATION / SOCIAL SECURITY

ROCKLIN OFFICE

6536 LONETREE BLVD.

ROCKLIN, CALIFORNIA 95765

PH (916) 786-7662 / FAX (916) 786-0144

penneyandassociates.com

IRVINE OFFICE

(949) 955-3566

SANTA CLARA OFFICE

(408) 970-3566

SACRAMENTO OFFICE

(916) 443-5506

RE: Case No.

S 260444

MICHAEL J. SIEGEL

ATTORNEY AT LAW

G. SAM STEPHANO

WCAB HEARING REPRESENTATIVE

March 27, 2017

## NOTICE OF SEPARATION

Dear client,

This letter is to inform you that Michael J. Siegel, Esq. and Gianni Stephano, Workers' Compensation Hearing Representative, are separating employment from the Law Office of Penney & Associates.

As of April 1, 2017, Penney & Associates will no longer be handling Workers' Compensation claims. All current open cases will remain with Mr. Siegel and Mr. Stephano until such time as you decide on one of the following options..

1. You may decide to transfer your case to Mr. Siegel and Mr. Stephano which would require you to file a Substitution of Attorney with Penney and Associates placing our office in as your legal representative. If this is your choice, please sign and date the enclosed substitution of attorney and return it to the address below.
2. You may decide to hire a different law firm which would require you to file a Substitution of Attorney placing the new attorney in as your legal representative.
3. You may decide to represent yourself which would require you to either file a Substitution of Attorney from Penney & Associates placing yourself In Pro Per or filing a Dismissal of Attorney.

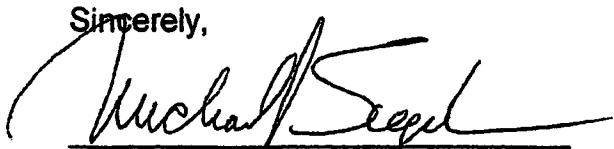
Effective April 1, 2017, please direct all calls to:

Michael Siegel Law  
6060 Sunrise Vista Drive, Suite 2280  
Citrus Heights CA 95610  
Tel: 916-546-1431  
Fax: 916-546-1433

Whatever choice you make, we will endeavor to assist you with the process. It has been a pleasure representing you in your case.

Thank you for your confidence in our team throughout the length of our representation.

Sincerely,

  
Michael J. Siegel, Esq.  
Attorney at Law

  
G. Sam Stephano  
Workers' Compensation Hearing Representative

RE: Case No. S 268444

4606 Ryan Court  
Rocklin, CA  
95677

STATE OF CALIFORNIA  
Department of Industrial Relations  
Division of Workers' Compensation  
**WORKERS' COMPENSATION APPEALS BOARD**

Audrey J. Ukkerd

Case No. ADJ7395654

Applicant,

vs.

State of California/ Dept. of Corrections and SCIF

State Employees Sacramento

Defendants

**Notice of  
Dismissal of Attorney**

I, Audrey J. Ukkerd, applicant in the above-entitled  
case, have heretofore been represented by Attorney G. Sam Stephano  
as my attorney of record. I have dismissed said attorney and have no attorney whatsoever at the present time  
and wish to have future documents served upon me and not on my former attorney.

Copies of this notice  
were mailed to the following:

Attorney G. Sam Stephano

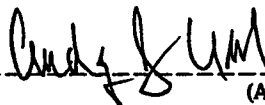
Workers Compensation SCIF/Manuel J. Ca

WCAB

Return to Work Office

on July 19, 2019

(Date)



(Applicant)

4604 Ryan Court, Rocklin, CA. 95677

(Address)

1/28/2020

Gregory J. Lukkera  
4606 Ryan Court  
Rocklin, CA 95777

RE: Case No. S 260444  
Gregory Paul Cleveland #142704 - Attorney Licensee Search

 The State Bar of California RE: Case No. 19-0-1877

Gregory Paul Cleveland #142704

License Status: Inactive

Address: WCAB, 160 Promenade Cir Ste 300, Sacramento, CA 95834-2962

County: Sacramento County

Phone Number: (916) 928-3122

Fax Number: Not Available

Email: Not Available

Law School: Lincoln Univ, CA

Below you will find all changes of license status due to both non-disciplinary administrative matters and disciplinary actions.

Date	License Status	Discipline	Administrative Action
Present	Inactive		
8/10/2010	Inactive		
1/14/2008	Active		
1/1/2000	Inactive		
12/11/1989	Admitted to The State Bar of California		

**Additional Information:**

- Explanation of licensee status
- Explanation of disciplinary system
- Explanation of disciplinary actions
- Copies of official licensee discipline records are available upon request

**CLA Sections:**

None

California Lawyers Association (CLA) is an independent organization and is not part of The State Bar of California.

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RE: Case No. 94 S260444  
**DIVISION OF WORKERS' COMPENSATION**  
**WORKERS' COMPENSATION APPEALS BOARD**

**NOTICE OF HEARING**

**DATE OF SERVICE:** 11/15/2018

**EAMS CASE NBR(s):** ADJ7395654

**EMPLOYEE:** AUDREY UKKERD

**EMPLOYER:** STATE OF CA/ DEPT. OF CORRECTIONS

**INSURER:** SCIF STATE EMPLOYEES SACRAMENTO

**TYPE OF HEARING:** Status Conference

**DATE OF HEARING:** 12/20/2018 THURSDAY

**TIME OF HEARING:** 01:30 P.M.

**HEARING LENGTH (HOURS):**

**LOCATION:** 160 PROMENADE CIRCLE  
300  
SACRAMENTO CA 95834

*Map available at: <http://www.dir.ca.gov/dwc/dir2.htm>*

**JUDGE:** Gregory Cleveland  
916 9283101

Notice to attorneys: You may be able to appear at this conference by phone. If interested, please contact Court Call at 888-882-6878 (888-88-COURT).

**SPECIAL COMMENTS/INSTRUCTIONS:**

**NOTICE TO INJURED WORKERS:** IF YOU NEED AN INTERPRETER, CONTACT YOUR ATTORNEY OR CLAIMS ADMINISTRATOR IMMEDIATELY. YOU HAVE A RIGHT TO AN INTERPRETER IF YOU ARE UNABLE TO SPEAK OR ADEQUATELY UNDERSTAND ENGLISH.

You are hereby notified that the above entitled case is set for hearing before the Division of Workers' Compensation of the State of California. Continuances are not favored and will be granted only upon clear showing of good cause. Please arrive before scheduled appearance time.

**NOTICE TO PARTIES:** Disability Accommodation is available upon request. Individuals with a disability requiring a reasonable accommodation (such as an auxiliary aid or service or a modification of policies or procedures) to ensure effective communication and access to the programs of the Division of Workers' Compensation, should contact the Disability Accommodation Coordinator at the local District Office of the DWC, or the Statewide Disability Accommodation Coordinator at 1-866-681-1459 (toll free) or through the California Relay Service, by dialing 711 or 1-800-735-2929 (TTY) or 1-800-855-3000 (TTY-Spanish).

Accommodations can include reasonable modifications of procedures or the provision of auxiliary aids or services including, but not limited to, assistive listening devices (ALD), Computer-Aided Realtime Translation (CART), sign language interpreters, documents in alternative formats, magnifiers, and audio cassette recordings. Accommodation requests should be made as soon as possible and at least five (5) days before the hearing, especially for requests for an ALD, a sign language interpreter, or CART.

**NOTICE TO INSURER:** The employer will not receive Notice of Hearing.

RE: Case No: S 260744



**DIVISION OF WORKERS' COMPENSATION**  
**WORKERS' COMPENSATION APPEALS BOARD**

**NOTICE OF HEARING**

**DATE OF SERVICE:** 05/14/2019

**EAMS CASE NBR(s):** ADJ7395654

**EMPLOYEE:** AUDREY UKKERD

**EMPLOYER:** STATE OF CA/ DEPT. OF CORRECTIONS

**INSURER:** SCIF STATE EMPLOYEES SACRAMENTO

**TYPE OF HEARING:** Status Conference

**DATE OF HEARING:** 06/20/2019 THURSDAY

**TIME OF HEARING:** 01:30 P.M.

**HEARING LENGTH (HOURS):**

**LOCATION:** 160 PROMENADE CIRCLE  
300  
SACRAMENTO CA 95834

**Map available at:** <http://www.dir.ca.gov/dwc/dir2.htm>

**JUDGE:** Gregory Cleveland  
916 9283101

Notice to attorneys: You may be able to appear at this conference by phone. If interested, please contact Court Call at 888-882-6878 (888-88-COURT).

**SPECIAL COMMENTS/INSTRUCTIONS:**

**NOTICE TO INJURED WORKERS:** IF YOU NEED AN INTERPRETER, CONTACT YOUR ATTORNEY OR CLAIMS ADMINISTRATOR IMMEDIATELY. YOU HAVE A RIGHT TO AN INTERPRETER IF YOU ARE UNABLE TO SPEAK OR ADEQUATELY UNDERSTAND ENGLISH.

You are hereby notified that the above entitled case is set for hearing before the Division of Workers' Compensation of the State of California. Continuances are not favored and will be granted only upon clear showing of good cause. Please arrive before scheduled appearance time.

**NOTICE TO PARTIES:** Disability Accommodation is available upon request. Individuals with a disability requiring a reasonable accommodation (such as an auxiliary aid or service or a modification of policies or procedures) to ensure effective communication and access to the programs of the Division of Workers' Compensation, should contact the Disability Accommodation Coordinator at the local District Office of the DWC, or the Statewide Disability Accommodation Coordinator at 1-866-681-1459 (toll free) or through the California Relay Service, by dialing 711 or 1-800-735-2929 (TTY) or 1-800-855-3000 (TTY-Spanish).

Accommodations can include reasonable modifications of procedures or the provision of auxiliary aids or services including, but not limited to, assistive listening devices (ALD), Computer-Aided Realtime Translation (CART), sign language interpreters, documents in alternative formats, magnifiers, and audio cassette recordings. Accommodation requests should be made as soon as possible and at least five (5) days before the hearing, especially for requests for an ALD, a sign language interpreter, or CART.

**NOTICE TO INSURER:** The employer will not receive Notice of Hearing.



RE: Case No: 19-0-18771  
**DIVISION OF WORKERS' COMPENSATION**  
**WORKERS' COMPENSATION APPEALS BOARD**

**NOTICE OF HEARING**

RE: Case No: S260444

**DATE OF SERVICE:** 12/16/2019

**EAMS CASE NBR(s):** ADJ7395654

**EMPLOYEE:** AUDREY UKKERD

**EMPLOYER:**

**INSURER:** SCIF STATE EMPLOYEES SACRAMENTO

**TYPE OF HEARING:** Status Conference

**DATE OF HEARING:** 01/23/2020 THURSDAY

**TIME OF HEARING:** 08:30 A.M.

**HEARING LENGTH (HOURS):**

**LOCATION:** 160 PROMENADE CIRCLE  
300  
SACRAMENTO CA 95834

*Map available at: <http://www.dir.ca.gov/dwc/dir2.htm>*

**JUDGE:** Gregory Cleveland  
916 9283101

Notice to attorneys: You may be able to appear at this conference by phone. If interested, please contact Court Call at 888-882-6878 (888-88-COURT).

**SPECIAL COMMENTS/INSTRUCTIONS:**

Case was returned from Recon, WCAB ordered that this case be set for hearing re: applicant's Petition.

**NOTICE TO INJURED WORKERS:** IF YOU NEED AN INTERPRETER, CONTACT YOUR ATTORNEY OR CLAIMS ADMINISTRATOR IMMEDIATELY. YOU HAVE A RIGHT TO AN INTERPRETER IF YOU ARE UNABLE TO SPEAK OR ADEQUATELY UNDERSTAND ENGLISH.

You are hereby notified that the above entitled case is set for hearing before the Division of Workers' Compensation of the State of California. Continuances are not favored and will be granted only upon clear showing of good cause. Please arrive before scheduled appearance time.

**NOTICE TO PARTIES:** Disability Accommodation is available upon request. Individuals with a disability requiring a reasonable accommodation (such as an auxiliary aid or service or a modification of policies or procedures) to ensure effective communication and access to the programs of the Division of Workers' Compensation, should contact the Disability Accommodation Coordinator at the local District Office of the DWC, or the Statewide Disability Accommodation Coordinator at 1-866-681-1459 (toll free) or through the California Relay Service, by dialing 711 or 1-800-735-2929 (TTY) or 1-800-855-3000 (TTY-Spanish).

Accommodations can include reasonable modifications of procedures or the provision of auxiliary aids or services including, but not limited to, assistive listening devices (ALD), Computer-Aided Realtime Translation (CART), sign language interpreters, documents in alternative formats, magnifiers, and audio cassette recordings. Accommodation requests should be made as soon as possible and at least five (5) days before the hearing, especially for requests for an ALD, a sign language interpreter, or CART.

**NOTICE TO INSURER:** The employer will not receive Notice of Hearing.



SAC-ADJ  
160 PROMENADE CIRCLE  
300  
SACRAMENTO CA 95834

RE: Case No. 5260444

April 28, 2020

AUDREY UKKERD  
4606 RYAN COURT  
ROCKLIN CA 95677

see attached



RE: Case No.: 19-0-18771 Audrey Ukkerd  
RE: Case No. S 260444

Audrey Ukkerd v. CDCR; CSP Sacramento  
ADJ7395654  
Claim no. 05554964

**COMPROMISE AND RELEASE  
ADDENDUM TO PARAGRAPH 9**

Parties agree that this addendum is a material part of this settlement agreement.

Applicant claims to have sustained injury to 110 brain, 130 bilateral eyes, 140 face, 144 mouth, 200 neck, 319 bilateral arms, 330 bilateral hands, 420 back, 841 nervous system - stress and 842 psyche on a cumulative basis from 8/17/1978 until 12/19/2009. No medical evidence exists to support applicant's claims for physical injury. There is a good faith dispute over whether applicant's psych claim is compensable based on reports of AME Dr. Richard Lieberman reports dated 6/8/17, 7/18/2017 and 12/19/17.

At this time the parties wish to buy their peace and avoid the risks and expense of further discovery and litigation. After negotiation, applicant agrees to accept and defendant agrees to pay \$25,000 [twenty five thousand dollars] in full and final settlement of their respective claims and obligations in this matter.

This claim is and at all times has been denied. Because of applicant's age and actual beneficiary status, it was necessary to obtain a Medicare set aside to protect Medicare's interest in the settlement and applicant's interest in her Medicare benefits. A MSA dated 6/10/19 indicates that \$767.28 will be required for psychotherapy over the course of applicant's lifetime. Parties agree that the current settlement agreement also resolves defendant's obligations to fund medical treatment, if any, and the sum of \$767.28 is included in the current amount of the C/R. If any expenses arise for psychotherapy in the future, they are applicant's obligation and not defendant's.

This settlement amount includes interest and penalties if any if paid within 30 days of board approval of this agreement.


DATED:

  
Audrey Ukkerd, Applicant

DATED: 6/17/2019

  
Attorney for Applicant

DATED: 6/20/19

  
Kelly Hester, SCIF, etc. attorney for defendant  
CDCR; CSP SACRAMENTO legally uninsured with  
SCIF STATE EMPLOYEES SACRAMENTO as adjusting  
agent

IN THE Superior COURT OF California (County), Placer (State)

Audrey J. Ukkerd  
(Name of Plaintiff)

PLAINTIFF

State of California / CDCR - CSP Sacramento  
and SCIF Workers' Compensation  
(Name of Defendant)

CAUSE NO. ADJ 7395654

DEFENDANT

**Motion for Recusal**

Comes now Oct. 04, 2019 (Name of Party), Audrey J. Ukkerd  
(Plaintiff or Defendant) in the above-captioned cause, and respectfully moves that the (e.g.,  
Circuit) \_\_\_\_\_ Court Judge Gregory Cleveland \_\_\_\_\_ (Name of  
Judge) recuse himself from this case on the following grounds: (state grounds)

Respectfully with all due respect I have not met Judge G. Cleveland.  
I believe that I cannot have a fair and impartial trial or hearing  
before Judge G. Cleveland under the laws of the state of CA.  
Judge Gregory Cleveland was my assigned Judge Workers' Comp. 2011, 2018, 2019

Respectfully submitted,

Audrey J. Ukkerd

(Name of Plaintiff or Defendant)

By: Granni Sam Stephano  
(Name of Plaintiff's or Defendant's  
Attorney)

State Bar No. \_\_\_\_\_

**Notice of Motion for Recusal**

You are notified that on \_\_\_\_\_ (date), at \_\_\_\_\_ (time), or as soon  
thereafter as counsel can be heard, in Courtroom \_\_\_\_\_ of the \_\_\_\_\_ Court for  
\_\_\_\_\_ County, \_\_\_\_\_ (State), at the \_\_\_\_\_ (County)  
Courthouse at \_\_\_\_\_

\_\_\_\_\_ (street address, city, county, state, zip code), \_\_\_\_\_

(Name of Moving Party), \_\_\_\_\_ (Plaintiff or Defendant), by and through his  
attorney, will bring on for hearing his Motion for Recusal for the reasons stated in the above  
Motion.

Respectfully Submitted,

RE: Case No. SZ60444

RE: Audrey Ukkerd  
January 4, 2010

I have not violated Labor Code Section 139.3, and the contents of this report and the bill are true and correct to the best of my knowledge. This statement is made under penalty of perjury  
Sincerely,



Janak Mehtani, M.D.  
Medical Director  
Distinguished Fellow American Psychiatric Association  
Diplomate, American Board of Psychiatry and Neurology  
JM:vge/clu

See attach

RE: Case No.: 19-0-18771

RE: Case No. S 260444

**Richard S. Lieberman, M.D.**

Professional Corporation

**Psychiatry**

P.O. Box 20249

Piedmont, CA 94620

*Managed by ExamWorks IME Services*

**Mailing address for all correspondence:**

**Newton Medical Group - ExamWorks**

**2000 Embarcadero, Suite 200**

**Oakland, CA 94606**

---

July 18, 2017

Michael Siegel, Attorney at Law  
MICHAEL SIEGEL LAW  
6060 Sunrise Vista, Suite 2280  
Citrus Heights, CA 95610

Cathy Saldivar, Claims Representative  
STATE COMPENSATION INSURANCE FUND  
Fairfield Processing Center  
P.O. Box 3171  
Suisun City, CA 94585-6171

RE: Audrey Ukkerd  
EMP: STATE OF CALIFORNIA DEPARTMENT OF CORRECTIONS  
CLAIM NO: 05554964  
EAMS NO: ADJ7395654  
DOI: CT-12/19/09

Dear Gentlepersons:

I have received a request for supplemental commentary on Ms. Audrey Ukkerd. This report is submitted pursuant to 8 Cal. Code Regs. Section 9795(b)&(c) as an ML106-94 Supplemental Report. Time spent reviewing the records and preparing the report was 5 hours and 15 minutes.

**REVIEW OF RECORDS**

The following records were received and reviewed. These records included, but were not limited to, the following:

see attachment

RE: Case No. S 260444  
Audrey Wlkard

While working at your last job, did you experience any outside pressures in your personal life that may have affected your performance? (i.e., loss of spouse/companion, serious illness in self or family, extreme financial hardship, legal or other matter)? **NO**

What is your current amount and source of weekly income? **Debit Card**

What is your understanding of the reason for this evaluation? **This is to complete the initial incomplete examination. GME agreed upon Attorneys Evaluation not valid.**

What questions do you hope to have answered by this evaluation? **I hope to get the help that I need for my mental health.**

Has anyone else assisted you with this form?

Yes

☒ No

If yes, whom?

RE: Case No: S 260444

Audrey Wickard



**The State Bar  
of California**

845 S. Figueroa Street, Los Angeles, California 90017

**OFFICE OF CHIEF TRIAL COUNSEL  
INTAKE**

213-765-1323

September 10, 2019

Audrey Jean Ukkerd  
4606 Ryan Court  
Rocklin, CA 95677

RE: Case Number: 19-O-18771  
Respondent: Michael J. Siegel

Dear Ms. Ukkerd:

The State Bar's Office of Chief Trial Counsel has reviewed your complaint against Michael J. Siegel to determine whether there are sufficient grounds to prosecute a possible violation of the State Bar Act and/or Rules of Professional Conduct.

You stated that on January 1, 2010, you hired G. Sam Stephano of Michael J. Siegel's law firm to represent you in a workers' compensation matter. Mr. Stephano is a hearing representative and not an attorney. The case got dragged out for years. Your ex-employer denied the claim. Mr. Stephano told you that you had to go to trial and win in order to get temporary disability. The opposing side offered you \$25,000 to settle without going to trial. Mr. Stephano told you to take the deal, because if you lose, you get nothing. You went to the last hearing on June 20, 2019, in which Mr. Stephano told you to sign the settlement papers.

According to your workers' compensation summaries online, the case was settled with the compromise and release filed and closing order signed off by the judge in the matter on June 20, 2019. You were not happy with the settlement and filed this complaint. Mr. Siegel is the attorney of the law firm you hired. He would be responsible for the conduct of his subordinate, Mr. Stephano.

Based on our evaluation of the information provided, we are closing your complaint. Under the laws of California, the facts as you have alleged them would not be grounds for disciplinary action. Your workers' compensation claim was initially denied by your ex-employer. However, Mr. Stephano was able to negotiate for a settlement for you in a disputed claim. Even the

RE: Case Number  
Number: S260444

Audrey J. Ukred

Case No.: 19-O-18771

Page 2

medical report written by Dr. Janak Mehtani stated that there was considerable discrepancy in the report of the investigation suggesting that the events at your workplace were not significant enough to establish a sufficient workers' compensation claim. You decided to settle the matter by compromise and release on June 20, 2019.

Regarding your complaint that Mr. Stephano has failed to properly represent you in obtaining a sufficient settlement for you, including future medical, this would be a negligence issue. Before the imposition of attorney discipline can be obtained, the State Bar must present clear and convincing evidence of willful misconduct. Willful misconduct does not include mere negligence or poor judgment by an attorney. The issue you raised is mostly malpractice or negligence issue, which by law, is not a proper basis for discipline. You may also wish to consult with legal counsel regarding any remedies that may be appropriate and available in your situation, including filing to reopen your workers' compensation claim, if appropriate.

For these reasons, the State Bar is closing this matter.

If you have new facts and circumstances that you believe may change our determination to close your complaint, you may submit a written statement with the new information to the Intake Unit for review. If you have any questions about this process, you may call me at 213-765-1323. If you leave a voice message, be sure to clearly identify the lawyer complained of, the inquiry number assigned, and your telephone number including the area code. Your call should be returned within two business days.

If you are not aware of new facts or circumstances but otherwise disagree with the decision to close your complaint, you may submit a request for review by the State Bar's Complaint Review Unit, which will review your complaint and the Intake Unit's decision to close the complaint. The Complaint Review Unit may reopen your complaint if it determines that your complaint was inappropriately closed or that you presented new, significant evidence to support your complaint. To request review by the Complaint Review Unit, you must submit your request in writing, together with any new evidence you wish to be considered, post-marked within 90 days of the date of this letter, to:



RE: case no. 19-0-18771  
Audrey J. Unkerd

Case No.: 19-O-18771

Page 3

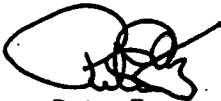
The State Bar of California  
Complaint Review Unit  
Office of General Counsel  
180 Howard Street  
San Francisco, CA 94105-1617

The State Bar cannot give you legal advice. If you wish to consult an attorney about any other remedies available to you, a certified lawyer referral service can provide the names of attorneys who may be able to assist you. In order to find a certified lawyer referral service, you may call our automated Lawyer Referral Services Directory at 1-866-442-2529 (toll free in California) or 415-538-2250 (from outside California) or access the State Bar's website at [www.calbar.ca.gov](http://www.calbar.ca.gov) and look for information on lawyer referral services.

We would appreciate if you would complete a short, anonymous survey about your experience with filing your complaint. While your responses to the survey will not change the outcome of the complaint you filed against the attorney, the State Bar will use your answers to help improve the services we provide to the public. The survey can be found at <http://bit.ly/StateBarSurvey1>.

Thank you for bringing your concerns to the attention of the State Bar.

Sincerely,



Peter Eng  
Deputy Trial Counsel

PE

RE: Case No: S 260444  
Kudray Uickerd

Audrey J. Ukkerd



**The State Bar  
of California**

180 Howard Street, San Francisco, CA 94105

415-538-2575

**OFFICE OF GENERAL COUNSEL**

**Personal and Confidential**

**Complaint Review Unit**

December 03, 2019

Audrey Jean Ukkerd  
4606 Ryan Court  
Rocklin CA 95677

RE: Case No.: 19-O-18771  
Respondent(s): Michael J. Siegel

Dear Ms. Ukkerd:

The Complaint Review Unit received your correspondence on September 19, 2019, requesting reconsideration of the decision to close your complaint. An attorney reviewed all the information provided and has determined that there is not a sufficient basis to recommend reopening your complaint.

The Complaint Review Unit will recommend reopening a complaint when there is significant new evidence or when we determine there is good cause to recommend that the matter be reopened. The State Bar Court is authorized to impose or recommend disciplinary sanctions only if there is clear and convincing evidence to establish that the attorney has committed a violation of the Rules of Professional Conduct or the State Bar Act. Therefore, the Complaint Review Unit will not recommend that a matter be reopened unless there is a reasonable possibility that a disciplinary violation can be proven by clear and convincing evidence.

In your complaint, you assert that you hired G. Sam Stephano on or around January 1, 2010, to represent you in a workers' compensation matter. You allege that Mr. Stephano was affiliated with the law offices of Penney & Associates when you initially hired him and began working with the Law Offices of Michael Siegel sometime in 2016. You contend that Mr. Stephano misrepresented his status as an attorney to you, asserting he was a member of the State Bar even though he was a hearing representative and not an attorney. You further assert that your case dragged on for years and, after your former employer denied your claim, Mr. Stephano forced you to settle the case without going to trial by informing you that, if you lost at trial, you would get nothing. You allege that Mr. Stephano forced you sign the settlement papers on June 20, 2019, and that he negligently handled your case.

Your complaint was closed by the Office of Chief Trial Counsel ("OCTC") because the facts you alleged did not establish grounds for disciplinary action. Specifically, as OCTC explained in its

San Francisco Office  
180 Howard Street  
San Francisco, CA 94105

[www.calbar.ca.gov](http://www.calbar.ca.gov)

Los Angeles Office  
845 S. Figueroa Street  
Los Angeles, CA 90017

letter closing your complaint, there was insufficient evidence to establish that Mr. Stephano misrepresented his status as an attorney to you because his position as a hearing representative appeared to be disclosed in various documents filed in your workers' compensation matter. As to your claim that Mr. Stephano was negligent in the handling of your case and failed to obtain a sufficient settlement for you, there was insufficient evidence to establish that you ever complained to Mr. Siegel, Mr. Stephano's supervising attorney, about Mr. Stephano's conduct. Furthermore, to the extent you believed that Mr. Stephano and Mr. Siegel failed to adequately perform in their representation of you, those allegations involved potential negligence liability. Because the State Bar only prosecutes willful violations of the duty of competence, your allegations that Mr. Stephano and Mr. Siegel performed incompetently at most constituted negligence, your complaint did not provide a basis for disciplinary action. For all of these reasons, OCTC determined it was necessary to close your complaint.

You request review of the decision to close your complaint. In your request for review, you again assert that Mr. Stephano was negligent in the handling of your workers' compensation matter because the limitation period for a cumulative trauma case is ten years. You also again allege that the settlement in your case was fraudulent and unfair and that you agreed to it only because of mental and physical health issues. You contend that Mr. Stephano's misrepresentations regarding his status as an attorney are evidenced by the fact that he signed the line labeled "Applicant's Attorney" in several documents submitted in your case, including your settlement agreement. You ask that the State Bar intervene to reopen your workers' compensation matter and rescind your compromise and release because of Mr. Stephano's alleged fraud.

Your request for review does not establish good cause to recommend that this matter be reopened. Please understand that, because Mr. Stephano is not a licensed attorney, the State does not have jurisdiction to take disciplinary action against him for his alleged behavior in your case. The State Bar only has jurisdiction to discipline Mr. Stephano's supervising attorney, Mr. Siegel. Because you have advanced no facts establishing that you alerted Mr. Siegel regarding your concerns about Mr. Stephano's alleged performance, the State Bar does not have a basis up on which to pursue disciplinary charges against Mr. Siegel for his alleged failure to adequately supervise Mr. Stephano's work.

There are also insufficient facts to establish that Mr. Siegel aided and abetted Mr. Stephano's unauthorized practice of law. Under California law, a non-attorney certified hearing representative is entitled to appear on behalf of clients before the Workers' Compensation Appeals Board provided he or she is supervised by an attorney. A non-attorney hearing representative is also allowed to sign documents, including a compromise and release, provided that the supervising attorney has provided written authorization for the hearing representative to do so. The fact that Mr. Stephano signed your Compromise and Release in the line for "Applicant's Attorney" thus does not alone provide a basis upon which to pursue disciplinary action against Mr. Siegel. Because your complaint and request for review fail to advance a

Quarley, J. V. W. a

RE: Case No. 5260444

5260444

December 3, 2019

Case No.: 19-O-18771

Page 3

viable basis upon which to pursue disciplinary action against Mr. Siegel, the only individual involved in your case over whom the State Bar has jurisdiction, we have determined your complaint was properly closed.

If you disagree with this decision, you may file an accusation against the attorney with the California Supreme Court. A copy of the applicable rule is enclosed. (See Rule 9.13, subsections (d) through (f), California Rules of Court.) If you choose to file an accusation, you must do so within 60 days of the date of the mailing of this letter. Together with your accusation, you should provide the Supreme Court (1) a copy of this letter and (2) a copy of the original closing letter from the Office of Chief Trial Counsel.

The State Bar cannot give you legal advice or representation. If you have not already done so, you may wish to consult with an attorney for advice regarding any other remedies which may be available to you. Attorneys can be located by contacting a lawyer referral service certified by the State Bar in your area. You may obtain a list of State Bar certified lawyer referral services by calling the State Bar at 866-442-2529 or by visiting the State Bar website at:

<http://www.calbar.ca.gov/Public/Need-Legal-Help/Lawyer-Referral-Service>

Sincerely,  
Complaint Review Unit  
Enclosure

RE, Case No: S 260444

Anthony Likkerd