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Court of Appeals Division II Case No. 53085-6-II

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Supreme Court
Of the State of Washington

KENNETH LEE.
Appellant,

Vs.

BOEING CO & DEPARTMENT OF
LABOR & INDUSTRIES.
Defendant

PETITION FOR REVIEW

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I. IDENTITY OF PETITIONER

KENNETH LEE, THE INJURED WORKER/ CLAIMANT OF THE BOARD OF INDUSTRIAL APPEALS, AND THE PLAINTIFF/ APPEALANT AT THE PIERCE COUNTY SUPERIOR COURT DIVISION TWO AND COURT OF APPEALS DIVISION ONE, SEEKS REVIEW OF THE OPINION ENTERED BY THE COURT OF APPEALS REFERENCED IN SECTION II BELOW.

II. COURT OF APPEALS DECISION

KENNETH LEE ASKED THE COURT TO REVIEW THE OPINION OF THE COURT OF APPEALS DIVISION ONE, WHICH WAS FILED ON JUNE 15, 2020. A COPY OF THE UNPUBLISHED OPINION IS ATTACHED AS APPENDIX A, AND TO REVIEW THE COURT OF APPEALS MOTION FOR RECONSIDERATION, ATTACHED AS APPENDIX .

III. ISSUES PRESENTED FOR REVIEW

A. WHETHER SUBSTANTIAL EVIDENCE EXISTED FOR THE COURT OF APPEALS TO UPHOLD THE SUPERIOR COURTS

FINDINGS THAT MR. LEE MISREPRESENTED THE SEVERITY OF HIS INJURY,

- B. DID THE SUPERIOR COURT ERRED IN DECLINING HIS REQUEST TO REMOVE ALL REDACTIONS FROM ALL TRANSCRIPTS?
- C. DID THE SUPERIOR COURT ERRED IN NOT ENFORCING THE PROPER SERVICE OF COURT PAPERS TO KENNETH LEE?
- D. THE SUPERIOR COURT ERRED IN ALLOWING THE BOEING ATTORNEY AND THE DEPARTMENT OF LABOR INDUSTRIES ATTORNEY TO INTRODUCE EXHIBITS THAT WERE DENIED BY THE ATTORNEYS OF BOEING AND DEPARTMENT OF LABOR AND INDUSTRIES AT THE BOARD OF INDUSTRIAL APPEALS HEARING.
- E. DID THE SUPERIOR COURT ERROR IN REJECTING KENNETH LEES JURY INTRUCTIONS, AND USING ONLY BOEINGS ATTORNEY, AND THE DEPARTMENT OF LABOR AND INDUSTRIES ATTORNEYS JURY INSTRUCTIONS ONLY.

F. DID THE JUDGE ERROR IN NOT RECUSING HERSELF
FROM THE TRIAL FOR CONFLICT OF INTEREST.

TABLE OF AUTHORITIES

WENDT V. DEPARTMENT OF LABOR & INDUS., 18 Wn. App
674,682-83, 571 P.2d 299 (1977)

HARBOR PLYWOOD CORP. V. DEPARTMENT OF LABOR &
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KALLOS V. DEPARTMENT OF LABOR & INDUS., Wn.2d 26,30,278
P.2d 393 (1955)

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448, 224 P.2d 338 (1950)

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83, 94 P.2d 764 (1939)

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(1939)

STATUTES

RCW 51

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RCW 51.08.100

RCW 51.08.140

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CrR 4.7.....

OTHER RULES AND REGULATIONS

WAC 296-20-01002

STATEMENT OF THE CASE

The appellant Kenneth lee offers this petition of review in support of his appeal. The Appellant (hereinafter "Kenneth Lee") asks that this court reverse the Verdict of the 12-person Jury. Kenneth Lee does not feel he was given a fair trial, and neither was the jury due to all the redactions that were allowed by Judge Susan K Serko. Kenneth Lee was in fact injured while working under The Boeing Company's supervision. During Kenneth Lee's treatments, there has been findings of CRPS. Kenneth Lee was also not served properly per court rules. Kramer and AAG Lucretia Greer served Kenneth Lee in court instead of 2 days before court.

On top of this Lucretia Greer the AAG, served Kenneth Lee a document in which had the wrong case number and it was filed in Kitsap county instead of Pierce county where it should have been filed. This was not a fair trial as one document was found to be altered from their original state (see testimony of Aaron Hunt date changed from 2013 to 2003) and these documents were sworn in by Judge Hansen and were done under oath and penalty of perjury by the laws of the State of Washington. Kenneth is unsure as to if there is more documents that were altered. Jennifer A. Kramer also stated in her respondents brief that Kenneth Lee had been found to have malingered in regard to a prior claim, yet other

doctors such as Daniel Wanwig and Dr. Lynn Staker that worked in closer proximity and had more time with Kenneth Lee, said he had not been Malingering or faking.

Kenneth Lee was cleared of the wrongful misrepresentation charge in front of a three panel judge, yet Kenneth Lee is still having this charge used against him and had it used against him in court as well during the 12-person jury trial. They are reusing evidence that was deemed unestablished and non-convincing by Judge Linda L Williams and Judge Frank E. Fennerty, Junior. Judge Susan K. Serko denied Kenneth Lee to receive any amount of money for loss of enjoyment in life that has been caused by the Boeing Company drawing out this case. Kenneth Lee has also been found to be **Permanently Disabled** by more than one doctor.

Kenneth Lee's life was and has been affected in a negative manner due to his industrial injury. Kenneth Lee was robbed of even the simplest joys as a parent and lost a lot of independence because of his 2000 industrial injury. Dr. Matthew Drake who testified on behalf of Labor and Industries as well as The Boeing Company changed his testimony within less than a 6 month period. The Boeing Company and L&I used Dr. Drake as key witness and used him to accuse Kenneth Lee of Malingering.

Judge Susan K Serko overruled every objection Kenneth Lee had in exception to one which was renewed. Serko overruled only a few times however to Jennifer Kramer's and Lucretia Greer's objections. This was done during the Rulings Of Evidence for the Pierce County Cause No. 18-2-04583-1 dated October 23rd, 2018.

Kenneth Lee was served a document by Lucretia F. Greer dated October 23rd, 2018. This document was served to Kenneth Lee the day of court. The document that Kenneth Lee received was drawn on paper for the Superior Court for the County of Kitsap. The document also had the wrong cause number on it, when this was brought to Judge Serko's attention, Lucretia Greer crossed out the original cause number and wrote in the right one in pen. Kenneth Lee was served another document by Lucretia Greer where she had changed the date on Aaron Hunt's testimony from February 5th, 2013 to February 5th, 2003(see Exhibit 1 for case # 53085-6-11)

Thomas B. Curtis MD. did an initial evaluation on Kenneth Lee on June 19th. 2002 case number W475261, during which time he found a appearance of Chronic Regional Pain Syndrome, CRPS for short. This evaluation took place on 06/19/2002 at Virginia Mason Medical Center.

Dr. Daniel Wanwig testified under oath on November 23, 2016 that Ken Lee did have Permanent Disability and a mental health condition that was proximately caused by his industrial injury. This letter was turned in as exhibit 4 for case number 18-2-04583-1. In this letter Daniel Wanwig states "I hereby stand by my testimony and reaffirm that Kenneth Lee's permanent disability and mental health condition was proximately caused by the industrial injury which precluded Mr. Lee from working from January 2, 2003, through July 15, 2014 and July 16, 2014, through March 20, 2015 and to present." Daniel Wanwig has been the psychiatrist for Ken Lee since 2004 and is still currently seeing Ken Lee.

On October 21, 2014 Dr. Thomas Young wrote a response letter to the claim's manager of SEDGWICK in Lexington Kentucky claim number W475261 where he mentions reviewing some of the surveillance tapes and his evaluation on Kenneth Lee. In this letter Dr. Young mentions how Kenneth Lee was on "remarkably strong pain medications" He explains how "These medications would lower the threshold of pain and embolden Mr. Lee to incidentally use the right arm on occasion which is what the video showed." He also says " he was unnaturally using the left arm predominantly more than the right when his body mechanics would have been so much more efficient if he had used the right elbow. Indeed, if

Mr. Lee knew that he was being secretly recorded he would not have done much different as he relied on the left and limited the right arm use.”

Dr. Young also says “The first video showed Mr. Lee at a salvage scrap yard helping to load items of scrap metal onto a transfer truck. Throughout that multiple minute video this right hand dominant man used primarily his left arm even in an unnatural way as he moved material using tricept muscle strength and having to cross over his body to reach and throw versus the more natural ergonomic movements that a well right arm would have provided.” This letter continues further into what would be expected of a patient.

Dr. Young continues on the second page mentioning how Kenneth Lee was worsened by this activity. Dr. Young mentions how the second surveillance tape he reviewed from 10/18/2013 shows that Kenneth Lee had a worsened status and allowed for his daughter to help put his seat belt on and open doors for him. Dr. Young also goes into detail that doctors chart notes from 10/18/2013 with Doctor Paul B. Nutter, show elevated blood pressure suggesting pain where Kenneth Lee then received ongoing pain medication. Dr. Young ends this note saying “ This patient should remain on time loss and be advanced to pain management and vocational services.

However, the letter also says “ In summary, both videos were exactly consistent with what would be expected with this injured worker. There was no “Ah-ha” moment even when he recruited his right arm because he was encouraged to use his right arm and if the right arm was not as painful as he maintained then why did he not use it throughout the video instead of struggling to move the material in a unnatural manner using his left side? The answer to that question is that the right arm poorly tolerated even the limited activity that it was recruited to do and the second video confirmed that the consequences of using the arm was significant worsening the next day.”

Dr. Daniel Wanwig testified under oath under penalty of perjury of the laws of the State of Washington on November 23,2016. On page 33 lines 13 to 18, page 25 line 16 to 20, and page 27 line 21 to 23 Dr. Wanwig mentions he had no findings or documentation that he believed Kenneth Lee was malingering and that Kenneth Lee’s bipolar disorder was lit up and caused by the industrial accident.

Dr. Paul B. Nutter documented in his chart notes of 05/20/2013 that Kenneth Lee said “I should be at work” Dr.Nutter also documented in his chart notes 10/29/2012 about how his driving capabilities have been affected and how his kids have taken over all of the housework and helps

him cook and shop as well as comb his hair and put a shirt on. Dr. Nutter also mentions that he became tearful that day. Dr. Nutter also stated in his Declaration of December 3rd, 2007 “Mr. Kenneth Lee is permanently and totally disabled...”.

Dr. Lynn L. Staker stated “On 06/04/15, [see APPENDIX]I did have an opportunity to observe the videos of Mr. Lee. I do note that he does favor the right arm and uses his left arm most of the time. From the video, I can see that certainly he is not faking the problem he is having with his right arm.”

David B. Condon attorney at law told Kenneth Lee in a Letter dated May 9th, 2014 to stay as active as possible prior to an exam and to not rest up. He also says “you should tell the physicians precisely how you are feeling ; if something bothers or hurts you, tell them. It is important that they see you in your normal disabled condition.”

On August 3, 2016 under Judge Hansen Dr. Matthew Drake, on page 17 line 1 to 25 to page 18 line 1 to 23, claims that he had reviewed medical records for Kenneth Lee dating all the way back to 1990 and claims he had these records on hand at the time. Fast forward to Dr. Drakes testimony under Judge Ellsworth January 19, 2017 page 33 lines 7 to 25 to page 34 lines 1 to 15, he says he is unsure if he had ever reviewed

these medical records and that he may of just had them sent to him in preparation for his testimony. January 19th, 2017 in Colloquy Page 35 lines 20 to 22 after Dr. Matthew Drakes testimony Ms. Greer states that DR. Drake was active duty testifying from the middle east and that they didn't go through 16 years of chart notes with him. Please note that page 35 was redacted from the reading.

ARGUMENT

Kenneth Lee sustained his injury while working for the Boeing Company. He has doctors that he has seen for more than one visit that stated he was not faking or malingering. The only doctors stating he was malingering were doctors he had only seen for one visit and were paid by Labor and industries and/or The Boeing Company. He has doctors stating that the videos only further show the damage that occurred from his 2000 industrial injury. How could someone be faking an illness and go through surgery that doctors requested to fix? Why would Dr. Staker wish to have a EMG and nerve studies done on Kenneth Lee if he was malingering and making up his illness? Dr. Nutter was in the middle of a wrongful death charge when he signed the document saying Kenneth Lee was misrepresenting himself.

The "evidence" for willful misrepresentation and malingering that Jennifer Kramer and Lucretia Greer used in front of the jury was deemed unestablished, unconvincing, unclear, and uncogent. Kenneth Lee has lost almost all of his independence due to his 2000 industrial injury. Kenneth Lee has had to ask several people in his life for physical help even down to getting a shirt on in the morning. Kenneth Lee has endured countless,

unnecessary and inhumane amounts of pain and suffering due to his industrial injury and The Boeing Company and Labor and Industries drawing out his case and stripping him of his workers compensation that he is lawfully entitled to. By Boeing and the L&I stripping Kenneth Lee of his workers compensation they forced Kenneth Lee to have to suffer financial burdens and rent his house out just so he won't lose it. Kenneth Lee was also forced to seek help from the state financially just to get money for food through EBT.

One document was found to have been altered. Who is to say they didn't alter more? Dr. Drake had only seen Kenneth Lee for one visit. Surely you cannot believe a doctor can declare there was malingering in only one visit. Joan Sullivan only saw Kenneth Lee in 2008 for one visit and declared he was malingering years later. Kenneth Lee has had to go about life dealing with constant pain everyday due to his industrial injury of 2000. Kenneth Lee was injured more than once while working for Boeing due to their company's safety negligence. Doctors who are/ have not been paid for by Boeing and/ or L&I have already found that Kenneth Lee was not and has not been malingering or faking and that symptoms that Kenneth Lee has shown demonstrates the diagnosis of Chronic Regional Pain Syndrome or CRPS for short.

Had Dr. Drake gone over all of Kenneth Lee's medical history from Dr. Nutter and Dr. Ted Becker he would have found significant skin discoloration on Kenneth Lee throughout medical chart notes. These Chart notes that Dr. Drake claimed to of gone through would of shown him all the symptoms Kenneth Lee was suffering from 2000 to Present. Jennifer Kramer refused to give Kenneth Lee his own children's depositions unless he paid her \$250. These same depositions were used during questioning of Christal Lee, Chelsea Lee, and Brendon Lee for their testimonies in front of Judge Hansen. These depositions should have been put in as evidence and Kenneth Lee should have received them since they were used against him. Judge Serko also unfairly overruled Kenneth Lee during the rulings of evidence and appeared to show bias against Kenneth Lee. Judge Serko should have excused herself from the trial due to her of just being involved in a wrongful death case that included Dr.Nutter. Dr. Nutter was Kenneth Lee's former physician and testified in Kenneth Lee's case therefore there was a conflict of interest.

Kenneth Lee never faked or misrepresented his injuries to anybody. Kenneth Lee hid a lot of the pain he was suffering from his kids so that they wouldn't worry as much. As time went, it became harder to hide from his kids who grew up and started noticing the little things they once overlooked. Kenneth Lee's kids had to help their father constantly

and from a young age. By time all of Kenneth Lee's kids became teenagers they had become accustomed to doing all of the housework and helping their dad. Kenneth Lee suffered loss of enjoyment as not just an adult but a parent.

He could not run next to his kids as they tried to learn how to ride a bike. He couldn't play catch with his kids or even be involved in the tiniest of tickle fights. He struggled more days than others with basic activities even down to walking far distances. Kenneth Lee couldn't even help his kids physically do oil changes. He could only stand off to the side and tell them what to do the best of his ability. The Boeing Company is also at fault of Kenneth Lee's current mental illnesses as had he not of sustained the industrial injury of 2000 he would not have had his bipolar disorder and depression be lit up, aggravated, or exacerbated. Had he never sustained this injury he could of lived out his entire life without suffering due to these mental illnesses. The appeals judge states that Kenneth was holding his shirt. If they were to use a magnifying glass, or would have looked closer at details, they would have noticed he was creating a fist with his hand, which is natural for his right arm, and was tucked under his stomach so it couldn't rise.

CONCLUSION

Kenneth Lee requests that the Supreme Court accept this matter for review, reverse the Court of Appeals and Superior Court and remand this matter to the Department of Labor and Industries with an order directing the Department to accept Kenneth Lee claim.

RESPECIFULLY SUBMITTED this 31st day of July, 2020

Kenneth Lee

29226 8th ave east , Roy, WA 98580

APPENDIX

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

THE BOEING COMPANY,

Respondent,

v.

KENNETH LEE,

Appellant,

DEPARTMENT OF LABOR AND
INDUSTRIES,

Defendant.

No. 81378-1-1

DIVISION ONE

UNPUBLISHED OPINION

APPELWICK, J. — Lee appeals a jury verdict finding he intentionally misrepresented the severity of an injury he sustained while working for Boeing. First, he argues that the trial court erred in declining his request to remove redactions from various pieces of evidence. Second, he asserts that he was improperly served with papers in court. Third, he argues that the trial court erred in allowing Boeing to introduce at the trial court several exhibits that he had introduced before the Board of Industrial Appeals. Fourth, he claims that the trial court erred in rejecting his proposed jury instructions. Fifth, he argues that the trial judge should have recused herself from the proceeding. We affirm.

FACTS

On June 1, 2000, Kenneth Lee injured his right elbow while working for the Boeing Company. Lee filed a claim for workers' compensation resulting from the injury. He began receiving benefits on August 4, 2000. He received benefits through October 4, 2000. He began receiving benefits again on October 30, 2000. He continued receiving uninterrupted benefits until July 15, 2014.

Lee initially sought medical attention for his injury with Kathleen May, a nurse practitioner. May later referred him to Dr. Jerome Zechmann at Olympic Orthopedics. Dr. Zechmann referred Lee to an orthopedic surgeon in Tacoma. The surgeon believed that Lee had a tear in his biceps tendon. He performed surgery to repair the tear on September 6, 2001.

Lee claimed the surgery did not improve his condition. He began seeing Dr. Paul Nutter in 2003. Lee developed an extreme presentation of his injuries to Nutter. At appointments with Nutter, Lee always held his arm close to his body or abducted with his elbow slightly flexed. He claimed an inability to move his arm. Any time another person tried to move his arm, he claimed there was too much pain to move it in any direction. By 2007, he was very protective of both arms and would rarely use either. During appointments, he would hold both arms tightly to his sides with the elbows extended, sometimes with his hands in his pockets. He would appear unable to do simple tasks with either arm, such as reaching out to grab an object Nutter was handing to him. By 2013, Lee claimed an inability to use either arm.

Dr. Joan Sullivan, an orthopedic surgeon, conducted an independent medical examination on Lee on July 8, 2008 at Boeing's request. Lee reported to

her that he had difficulty moving both arms and had pain in his elbows and shoulders. He told her he was completely unable to move his fingers in his right arm. He demonstrated that he was physically incapable of moving them. He held his right arm close to his body and held on to the bottom of his shirt throughout the examination. He claimed he was in constant pain. When asked to describe his pain on a scale of 1 to 10, with 10 being pain so intense it would require hospitalization, Lee indicated the pain ranged from 8 to 10. He groaned and grimaced in pain throughout the examination.

Sullivan noticed several inconsistencies during her examination. First, although Lee claimed to be unable to move the fingers on his right hand, he grasped the bottom of his shirt with his right hand throughout the examination. Second, although he claimed he had been unable to utilize his right arm for the previous seven years, the muscles in that arm showed no signs of atrophy, as would be typical. Sullivan also noted inconsistencies with Lee's pain behavior. She found that he had an injury to his right biceps, but that he had reached maximum medical improvement and was able to return to work. She believed he had been in that state since about 2002.

In August 2013, surveillance commenced on Lee related to his workers' compensation claim. His claims examiner at Sedgewick Claims Management Services¹ testified that the surveillance was ordered due to the length of his claim

¹ Sedgewick is a third party administrator that contracts with Boeing to monitor workers compensation claims.

and his extreme presentation at medical appointments. The surveillance revealed that Lee presented differently outside of medical appointments.

On May 20, 2013, investigators recorded Lee and his son discussing a car with an unknown third person. During this interaction, Lee gestured freely with both arms, folded his arms across his chest, scratched his head, and manipulated his keys with both hands. Lee appeared to drive himself to and from this meeting.

On June 12, 2013, investigators recorded Lee driving himself to a Walmart store with his son. On his way back to the car, Lee handled his keys freely with both hands, and was able to open and lift the back door of his minivan. He was also able to open and close the driver's side door, enter the car, and drive away. He steered with both hands on the wheel.

On August 12, 2013, Lee's son drove him to an appointment for his claim to evaluate his ability to engage in physical activities. His son opened and closed car and building doors for him. Lee wore a sling on his left arm, and held his right arm close to his body, grabbing the bottom of his shirt. Prior to the appointment, investigators recorded him pumping his own gas and not wearing a sling. He did not wear a sling the previous or following days. As Lee exited the appointment, he walked slowly back to the car, pausing in the middle of the parking lot. The next day, Lee drove his own vehicle without assistance.

On October 17, 2013, Lee drove to a scrap metal yard. He donned a reflective vest and hard hat, and unloaded scrap metal from the back of his truck by using both hands to pick pieces up and throw them.

The next day, Lee's daughter drove him to a scheduled medical appointment. Lee walked slowly into the appointment. He kept his arms close to his sides and did not move them. His daughter opened the doors for him. As he exited the appointment, Lee held his right arm tight against his body and grasped the bottom of his shirt. His daughter opened the car door for him, and he appeared to have difficulty putting himself in the car. She fastened his seatbelt for him, assisted him in wiping his face with a tissue, and drove away.

On November 14, 2013, Lee had a scheduled medical appointment. On the way to this appointment, investigators observed him driving, pulling his vehicle over, and switching places with his son. Lee opened and closed the car doors without assistance, utilizing both arms. When he arrived at the appointment, he walked slowly with his arms close to his sides and not moving. His son opened the doors for him. As Lee exited the appointment, his arms remained tight to his sides, with his right hand gripping the bottom of his shirt. His son opened the car door, fastened his seatbelt for him, and drove away.

On February 26, 2014, Lee had another scheduled medical appointment. Prior to the appointment, he drove himself to a convenience store and bought a bag of items. He freely utilized both hands to retrieve keys from his pocket and carry his bag. He opened and closed the car door without assistance, and steered the car with both hands at the top of the wheel. He proceeded to Bethel High School where he parked and appeared to eat with both hands. After several minutes, his son arrived and entered the van on the passenger side. Lee drove the car away and into a dead end road. When investigators observed the vehicle

emerge from the road, Lee and his son had switched places: his son was driving and Lee was in the passenger seat. The two proceeded to Lee's scheduled medical appointment.

When they arrived at the medical appointment, Lee again moved slowly across the parking lot, holding his arms close to his side and not allowing them to move. He held the bottom of his shirt with his right hand. His son opened doors for him. After the appointment, he walked slowly back to the van, holding his arms to the sides and not allowing them to move. His son opened the car door for him and drove the pair away. A few minutes later, investigators recorded Lee in the passenger seat of the now parked van having a conversation with an individual standing outside the door. He gestured freely with both hands without any apparent difficulty.

On May 1, 2014, Lee had another scheduled medical appointment. Investigators recorded him driving himself to the appointment with his daughter in the passenger seat. However, by the time they arrive at the appointment, the two had switched places. When they arrived at the appointment, his daughter opened the passenger door for Lee. Lee walked slowly into the building with his arms held tightly to his sides and not moving. He held the bottom of his shirt with his right hand. After the appointment, his daughter opened the building and car door for him and assists him with putting on his seat belt. The two proceeded to a gas station where Lee opened and closed his own car door, fastened his own seatbelt, and used both hands as he pays for gas. The next day, investigators observed him driving himself with no apparent difficulty.

Nutter, Lee's attending physician, was shocked when he viewed the tapes. He opined that Lee utilized his arms in the videos exactly the way he thought he should be able to. After viewing the videos, he concluded Lee was capable of working without restrictions. He further indicated that Lee's increase in functionality could not have been due to medication. He said Lee claimed an inability to move his arm during appointments even after being injected with anesthetic. He concluded, "There's nothing -- there's no medicine, tonic, acupuncture, or massage that would have allowed him to . . . move like that."

Nutter confronted Lee about the surveillance video on July 16, 2014. When confronted with the video, Lee first denied that he was the individual depicted in the video. He then fainted. After he regained consciousness, Lee pushed himself up off the ground with both hands and stood in front of Nutter with his arms folded across his chest for about 10 seconds. He then returned his arms to their normal presentation during visits: straight down at his sides. Nutter eventually concluded that Lee's presentation in his office over the 11 years he treated him was "nothing but an act."

On December 22, 2014, the Department of Labor and Industries (Department) closed Lee's workers' compensation claim. It found that he willfully misrepresented his physical abilities to secure benefits from May 20, 2013 through July 15, 2014. The Department ordered Lee to refund Boeing \$105,061.34 in overpaid benefits and penalties.

Lee appealed the Department's order. Boeing also appealed the order, seeking a determination that the misrepresentation had actually begun on

February 5, 2003. An Industrial Appeals Judge agreed with Boeing that Lee had willful misrepresented his abilities beginning in 2003. It ordered Lee to pay \$521,601.01 plus a 50 percent penalty.

A divided Board of Industrial Appeals (Board) reversed. By a 2-1 margin, it found that although Lee was no longer entitled to workers' compensation, he had not obtained his previous benefits through misrepresentation. The dissenting Board member disagreed that Lee had not misrepresented his abilities beginning in 2003. The Board ordered the claim closed with no further payment.

Lee and Boeing both appealed the Board's determination to the Pierce County Superior Court. The trial court consolidated the appeals into one case.

Judge Susan Serko presided over the trial. Judge Serko granted Boeing's motion for partial summary judgment that Lee had not suffered any permanent partial disability, and that Lee did not require mental health treatment as a result of his injuries. She also informed Lee that the court would not be considering his civil demand for damages because it was outside the scope of the appeal. She also denied Lee's motion for a change in venue.

Thereafter, Lee moved to disqualify Judge Serko on the grounds that she made him feel "mentally uncomfortable." He made the motion after raising concerns of favoritism and conflicts of interest on the part of Judge Serko. The trial court denied the motion.

The parties worked together to redact the certified record of the Board. The parties had an opportunity to object to portions of the testimony before the Board.

Any objections that were sustained resulted in the objectionable material being redacted from the record. The redacted record was then read to the jury.

All parties submitted proposed jury instructions. The trial court explained to Lee that his jury instructions were not proper because they contained citations and were in the form of legal argument. As a result, it informed Lee that it would not be giving his proposed instructions to the jury. After compiling the agreed jury instructions, the court asked Lee if he would like to make any revisions to the instructions. Lee said, "No."

The jury found that Lee had willfully misrepresented his abilities in order to secure benefits beginning in 2003. Lee appeals.

DISCUSSION

Lee assigns several errors on appeal. First, he argues that the trial court erred in denying his requests to have various redactions removed from the record. Second, he claims that he was improperly served with court papers. Third, he argues that Boeing and the Department were improperly allowed to introduce exhibits that were denied in previous proceedings. Fourth, he claims that the trial court erred in denying his proposed jury instructions.

Lee raises a number of other issues in a section of his brief entitled "arguments." He does not include these issues in his assignments of error. An appellate brief must lay out the specific issues for review in a separate section. RAP 10.3(a)(4). Pro se appellants are bound by the same rules of procedure and substantive law as attorneys. Westberg v. All-Purpose Structures Inc., 86 Wn.

App. 405, 411, 936 P.2d 1175 (1997). Accordingly, we review only those errors which Lee has specifically assigned. RAP 2.4, 10.3(a)(4).

I. Redactions

Lee argues the trial court erred in declining to remove certain redactions from the Board's record. He points specifically to lines 20 to 22 on page 35 of the testimony of Dr. Matthew Drake. In appeals from a decision of the Board, the superior court conducts a de novo review relying exclusively on the evidence and testimony presented to the Board. McCaulley v. Dep't of Labor & Indus., 5 Wn. App. 2d 304, 312, 424 P.3d 221 (2018). The redacted portion Lee complains of is neither evidence nor testimony. Rather, it is a discussion amongst the attorneys concerning a hearsay objection. It was therefore not improper for this portion of the record not to be read to the jury. Lee cites no other instances of improper redaction. We therefore find the trial court did not err in allowing this information be withheld from the jury.

II. Improper Service

Lee claims he was improperly served with court documents "on the day of court." He does not identify what documents he is referring to or provide any citation to when this alleged service took place. Appellants are required to provide argument in support of the issues presented for review, including citations to the record. RAP 10.3(a)(6). Not including reasoned argument and citation to the record is insufficient for appellate review. Holland v. City of Tacoma, 90 Wn. App. 533, 537-38, 954 P.2d 290 (1998). Accordingly, we cannot consider his argument.

III. Improper Introduction of Exhibits

Lee argues the trial court improperly allowed Boeing and the Department to introduce exhibits that were “denied in the lower courts.” He does not identify the exhibits to which he refers. In conducting its review, the superior court relies on only the record before the Board. RCW 51.52.115. Nothing in the trial court record indicates that exhibits outside of the Board record were introduced at superior court. Accordingly, we find no error.

IV. Jury Instructions

Lee argues the trial court erred in denying his proposed jury instructions. The language of jury instructions is a matter within the trial court’s discretion. Havens v. C&D Plastics, Inc., 124 Wn.2d 158, 165, 876 P.2d 435 (1994). Jury instructions are sufficient when they permit the parties to argue their theories of the case, are not misleading, and, when read as a whole, properly inform the jury of the applicable law. Id. Lee makes no argument that the instructions presented to the jury failed to meet this standard. We therefore find no error in the court’s jury instructions.

V. Judicial Bias

Lee argues last that the trial judge erred in denying his motion to disqualify her.² Lee initially moved to disqualify Judge Serko because she made him “mentally uncomfortable.” He now claims she had a conflict of interest because she had been “involved in the ruling of D[r]. Paul Nutter.” He provides no citation to the “ruling” to which he refers.

² Lee does not assign this as an error. Rather, he references the incident in his “arguments” section. We nevertheless choose to review the issue.

We review a trial court's decision whether to recuse for abuse of discretion. West v. Wash. State Ass'n of Dist. & Mun. Court Judges, 190 Wn. App. 931, 942, 361 P.3d 210 (2015). "A judge shall disqualify himself or herself in any proceeding in which the judge's impartiality might reasonably be questioned." CJC Canon 2.11(A). This includes situations where the judge's spouse or domestic partner, or a person within the third degree of relationship to either of them, or the spouse or domestic partner of such person is . . . likely to be a material witness in the proceeding." CJC Canon 2.11(A)(2)(d).

He has shown no reason why Judge Serko's impartiality might reasonably be questioned. We therefore see no reason why she should have disqualified herself. We find the trial court did not err in denying Lee's motion to disqualify the judge.

We affirm.

WE CONCUR:

Appelwick, J.
Leach, J. Dugan, J.

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON
DIVISION ONE

THE BOEING COMPANY,

Respondent,

v.

KENNETH LEE,

Appellant,

DEPARTMENT OF LABOR AND
INDUSTRIES,

Defendant.

No. 81378-1-I

ORDER DENYING MOTION
FOR RECONSIDERATION

The appellant, Kenneth Lee, filed a motion for reconsideration. A majority of the panel has considered the motion pursuant to RAP 12.4 and has determined that the motion should be denied. Now, therefore, it is

ORDERED that the motion for reconsideration is denied.


Judge

170151

Cyndie Young

FILE

To: Marvalee G. Harris/PLA/Notes@BSI
cc: Michele S. Stancato/PLA/Notes@BSI, Cynthia E. Young/SEA/Notes@BSI
From: Judy A. Thomas
TCM Department/Plantation

Date: 09/28/2005 08:12 AM
Subject: 789 CN 170151 W 789 NAME LEE*KENNETH*E D.O.L. 06/01/00

Good morning Marva,

I just finished a strategy with the CA, Cyndie and a discussion w/Michele. Here is my note input today and I am going to make the BHU electronic referral once I send this e-mail.

09/28/05 SNR STRATEGY WITH CA C. YOUNG. AS IW CONTINUES WITH PSYCH TX &
09:55 JAT1 UPDATED GOAL INCLUDES LONG TERM (APPROX 1 YEAR) OF FOLLOW UP FOR
MEDICATION USAGE/CONTROL TO ALLOW FOR IW TO RESUME AN ACTIVE WORK
/LIFE STYLE, REQUEST TO BE MADE FOR BHU TO FOLLOW. NEED DOCU-
09/28/05 MENTATION OF MEDICATION USAGE, CONTINUED PSYCHOTHERAPY & CONTROL
09:56 JAT1 OF SYMPTOMS. WILL NEED TIMELY REFERRAL TO VRC ONCE THAT CONTROL
IS ESTABLISHED. BY BHU INTERVENTION, EXPECTATION THAT TIMING
COULD BE MORE APPROPRIATE AND TO THE IW ADVANTAGE TO MAXIMIZE THE
09/28/05 VRC ACTIVITY. C/T M STANCATO SNR BHU & STRATEGY DISCUSSED. SHE IS
09:57 JAT1 IN AGREEMENT THAT BHU CAN ASSIST AND WILL HAVE THE FILE REOPENED
IN THEIR UNIT W/SAME BHU TCM M. HARRIS. REDIARY FOR UPDATE OF
BHU ACTIVITY & CONFIRMATION OF IW CONTINUING ON TX PLAN & MEDS.

Sorry I was so long winded in my note, but wanted to make sure we all clearly understood what is expected of you, the BHU nurse.

Additional information that is not in the file notes (please do NOT put the following in the claim file or Shiva as this is privileged communication):

There is no documentation even from the psych IME done in 1991 that the IW had any treatment for bipolar up until the treatment during this injury. The educated guess is that Kenneth was able to cope with his diagnosis thru his work & social activities that probably included some alcohol use.

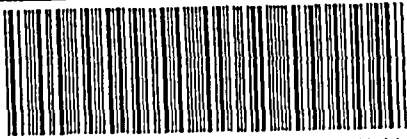
Now that the injury has occurred and he is unable to return to work and is in active psych treatment, there is little left in any kind of pre existing defense with the Miller Decision (a Washington determination that if a non occ condition was asymptomatic prior to our injury and the injury aggravated, accelerated or exacerbate that condition it is "ours.")

It is in the IW's best interest to attempt to alleviate his psych symptoms to the degree that he can again become a productive member of society, rather than twist with the ups and downs of his psych condition. So at least another year of attempting to get him to a psych stability will be tried.

Please let both the CA & myself know if you have any questions or if there are any barriers to your accomplishing the goals as set forth.

As always, much thanks for your help!

Judy A. Thomas, RN/BSN/CCM
Senior Nurse Reviewer
Seattle Special BCO
Broadspire
206-277-7623
Tuesday & Friday: 253-268-0043



18-2-04583-1 52307626 EXRV 11-14-18



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IN THE SUPERIOR COURT OF WASHINGTON, COUNTY OF PIERCE

BOEING COMPANY,
Plaintiff,

vs.

KENNETH LEE,
Defendant.

Cause No. 18-2-04583-1

EXHIBIT RECORD – TRIAL 10/22/18

All here CH
11/5/18

P D	No.	Description	Off	Obj	Admitted Agreed Denied Illustrative Published Redacted Reserved Withdrawn	Date	Rec'd by Clerk's Office
P	1	Video – May 20, 2013 (contained on one CD)	Yes	No	Admitted	10/23/18	
P	2	Video – June 12, 2013 (contained on one CD)	Yes	No	Admitted	10/23/18	
P	3	Video – August 11-13, 2013 (contained on one CD)	Yes	No	Admitted	10/23/18	
P	4	Video – October 17 & 18, 2013 (contained on one CD)	Yes	No	Admitted	10/23/18	
P	5	Video – November 14, 2013 (contained on one CD)	Yes	No	Admitted	10/23/18	
P	6	Video – February 26 & 27, 2014 (contained on one CD)	Yes	No	Admitted	10/23/18	
P	7	Video – April 30, May 1 & 2, 2014 (contained on one CD)	Yes	No	Admitted	10/23/18	
P	8	Video – June 19, 2015 (contained on one CD)	Yes	No	Admitted	10/23/18	
P	9	Surveillance Date and Investigators	Yes	No	Admitted	10/23/18	
P	10	Employer's Request for Admission dated February 26, 2016	Yes	No	Admitted	10/23/18	
D	11	Broadspire letter to claimant dated December 2, 2009					

P D	No.	Description	Off	Obj	Admitted Agreed Denied Illustrative Published Redacted Reserved Withdrawn	Date	Rec'd by Clerk's Office
D	12	Welch & Condon letter to Mr. Lee, Re: PCE dated May 9, 2004	Yes	No	Admitted	10/23/18	
D	13	Medication List dated August 26, 2016					
D	14	Medication List dated October 18, 2016					
D	15	Documents re: Medications	Yes	Yes	Denied	10/23/18	
D	15A	Documents re: Medications (redacted from Exhibit 15)	Yes	No	Admitted	10/23/18	
D	16	Declaration of Attending Physician Paul B. Nutter M.D. dated December 3, 2007	Yes	Yes	Denied	10/23/18	

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EX 4

Case 18-2-04583-1

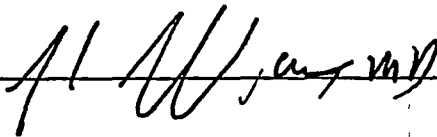
I, J. Daniel Wanwig testified under oath on November 23, 2016. I hereby stand by my testimony and reaffirm that Kenneth Lee's permanent disability and mental health condition was proximately caused by the industrial injury which precluded Mr. Lee from working from January 2, 2003, through July 15, 2014 and July 16, 2014, through March 20, 2015 and to present.

I, J. Daniel Wanwig am Kenneth Lee's mental health physician. Due to Mr. Lee's condition, he has problems concentrating, which make it difficult for him to read. He has difficulties sitting on a normal height chair or surface because of his pain disorder (CRPS), and requires an elevated height that will allow him to get up and down with less difficulties.

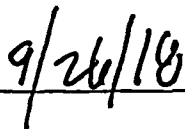
I, J. Daniel Wanwig base the above statement upon personal knowledge and/or professional expertise, and that the opinions therein are expressed within a reasonable degree of medical certainty, on a more probable than not basis, to the best of my abilities.

I, J. Daniel Wanwig hereby certify and declare under penalty of perjury of the laws of the State of Washington, that the above statement is true and correct.

I, J. Daniel Wanwig



Date:



LYNN L. STAKER, M.D., ORTHOPEDIC SURGEON

900 Sheridan Medical Center, Suite 105

Bremerton, WA 98310

(360) 479-0106

CLAIM NUMBER: W475261

REVIEW OF MEDICAL RECORDS
LEE, KENNETH
DOI: 06/01/2000
DOS: 05/21/15

Exhibit # 11

This is at request of attorney David B. Vail law offices, response to a letter and telephone conversation by Phiona Huff, paralegal for the law offices as above-mentioned.

I did have an opportunity to review the medical records on Kenneth Lee. I did spend approximately an hour review all of the medical records available that basically start from the date of injury up until the latter part of 2014. I did review all of the reports from the various doctors that I had available and I am not going to go through that in any significant detail at this point. The initial injury as above-mentioned he worked for Boeing as a painter supervisor and he sustained a fall on his right side. At that time as I do review the medical records, the major complaint was pain in the right elbow area. I do have report from Kathleen May dated July 2000 who filed the initial report and apparently followed the patient for a period of time. She did give the history of slipping off the stand and injuring his right elbow while working on the airplane wing. Dr. Kathleen May who initially treated him did excuse him from work. He saw various doctors who saw him for the elbow injury. He did see Dr. Paul Allen on 12/18/2000. Dr. Jerome Zechmann did inject the knee. He did see Dr. Thomas Curtis on 06/19/01 noted numbness of the radial distribution of the forearm. Dr. Stewart did do the surgery on his right elbow on 09/06/01 with a partial tear of the distal insertion of the biceps tendon into the radial head. The MRI did note there were partial tears of that tendon, partial avulsion from the biceps tendon from the radial head prominence, and also noted some other partial tearing of the tendon. He then was followed postoperative by Dr. Thomas. The numbness was noted in the dorsum of the hand in the first and third fingers of the hand and it was felt potentially the radial nerve did have some damage in that injury and EMG and nerve studies were recommended.

CONTINUED

LYNN L. STAKER, M.D., ORTHOPEDIC SURGEON

900 Sheridan Medical Center, Suite 105

Bremerton, WA 98310

(360) 479-0106

CLAIM NUMBER: W475261

REVIEW OF MEDICAL RECORDS

LEE, KENNETH

DOI: 06/01/2000

DOS: 05/21/15

Page 2

I never did see any reports of the nerve studies and did not see the operation report itself by Dr. Stewart but I did see in followup where he noted the above injury and what was done at that time and he was followed by Dr. Stewart for a period of time. He initially was released to work in January 2002 and he apparently did work through May 2003 and he has not worked since that time. It is noted as I go through these medical records, he saw numerous doctors regarding this and eventually the doctor became his treating doctor and provider was Dr. Paul Nutter who initially saw him in the latter part of 2003 and continued to follow him throughout the years up until the last report of 08/27/14. During that period it was noted by multiple observers that he was a difficult patient to deal with that he eventually developed complaints throughout his whole body including the right shoulder which he claims was injured in rehabilitation. He had multiple psychological IMEs who saw him. Basically the treatment from 2003 under Dr. Nutter's care up until the present was where he saw multiple doctors including significant amount of psychological treatment. Dr. Wanwig did see him for many years. He also saw Dr. Michael Friedman on 04/02/04 who felt that he was bipolar and had a manic depressive type of a disorder and he appeared to be as Dr. Friedman noted very hard to treat, that he seemed to overreact, that he seemed to be angry and depressed and that type of finding most doctors commented on through the years. The initial report during the injury and for a period of time after the injury for a year or two, his treating surgeon did not see overreaction at that time, but basically evaluations throughout the last 12 years the patient has developed complaints of pain in his neck, both shoulders, left elbow, wrist, ankles, and basically most of the joints throughout his body which he basically had claimed were related to the industrial injury.

CONTINUED

CLAIM NUMBER: W475261

REVIEW OF MEDICAL RECORDS

LEE, KENNETH

DOI: 06/01/2000

DOS: 05/21/15

Page 3

Regarding the videos, I personally at this point have not yet seen the videos, but according to those who have they stated that he appeared to use all parts of his body including his arms and his legs. The patient apparently denied that being him in many cases and I did read the various comments from different doctors and what the patient himself had said. The psychiatrist Dr. Wanwig and Dr. Nutter were the doctors who saw him most of the time over the past 12 years and Dr. Nutter had been his provider. An L&I rating was done one time and did rate his impairment of his right upper extremity at 35% upper extremity impairment. I basically just saw the patient only one occasion that I can see on 10/24/14 and at the time that I saw him his main complaint was the right elbow. He did have basically where I found some objective findings in the right elbow that would correlate with the type of injury he had. As I have mentioned before the biceps tendon that attaches to the radial head causes rotation of the radius in supination and pronation. It had been noted that he did have some adhesive capsulitis and I did note various range of motions that he had throughout the years. Basically within about a year after the injury, his range of motion was decreased but not to the extent that it was on that date that I saw him on 10/24/14. The date that I saw him I did not see a lot of the subjective complaints. We did focus mainly on the accepted condition of the right elbow and also on the right shoulder. There did seem to be some subjective complaints regarding the shoulder with him complaint bitterly of any pain and minimal range of motion at only 35 degrees flexion and 25 degrees abduction, 15 degrees external rotation, and 30 degrees extension, so he did complain of the right shoulder but regarding the right elbow that seemed to be a relatively normal examination where I did not see the subjective complaints.

CONTINUED

LYNN L. STAKER, M.D., ORTHOPEDIC SURGEON

900 Sheridan Medical Center, Suite 105 Bremerton, WA 98310

(360) 479-0106

CLAIM NUMBER: W475261

REVIEW OF MEDICAL RECORDS

LEE, KENNETH

DOI: 06/01/2000

DOS: 05/21/15

Page 4

I especially wanted to pay attention to the supination and pronation and he did have only 40 degrees of supination and 45 degrees of pronation of the hand and I checked that several times and it did seem to be an objective finding. Also he still complained of the decreased sensation of the third and fifth fingers of his hands and that is the reason my recommendations were that he should have EMG and nerve conduction studies of the right upper extremity. As far as the medical records I had I see where they had been recommended but I never saw where they were done. At this point, it would appear to me that I am not sure yet at this point if the right shoulder had ever been accepted. He does have significant complaints and decreased range of motion of the right shoulder and I could not really truly tell on that exam how subjective complaints were and how hard he was trying to move the shoulder. I think as far as this claim goes, the major problems have been the psychological problems for which he has had a significant amount of treatment. He at times has had significant pain management treatment. Right now my question would be what is the true status of his right shoulder if it is accepted. He does seem to have on the one evaluation objective difficulty with the biceps tendon and adhesions of the right shoulder showing a relatively minimal range of motion. When I have an opportunity to see the videos, I will comment on the videos. I did read the comments of the evaluators who had seen the videos who stated that it appeared to them that he showed no limitations. When I see the videos, I will pay special attention to the right shoulder and also to the right elbow because I think those were and that along with the psychological problems probably all that have been accepted and will be accepted in this claim.

CONTINUED

LYNN L. STAKER, M.D., ORTHOPEDIC SURGEON

900 Sheridan Medical Center, Suite 105 Bremerton, WA 98310

(360) 479-0106

CLAIM NUMBER: W475261

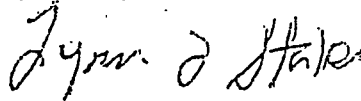
REVIEW OF MEDICAL RECORDS

LEE, KENNETH
DOI: 06/01/2000
DOS: 05/21/15

Page 5

The videos that I have available were taken on 11/14/13 and also in October and November 2013, in February to April 2014, and also 05/20/13, 06/12/13, 08/11/12, and also again in 2013. So it would appear that no videos have been taken since April 2014. I did see the patient in October 2014 which is six months since the last video. When I do review the videos, I will comment on my impressions.

Respectfully,



Lynn L. Staker, M.D.

D: 05-26-2015
T: 05-28-2015
LLS

LYNN L. STAKER, M.D., ORTHOPEDIC SURGEON

900 Sheridan Medical Center, Suite 105 Bremerton, WA 98310

(360) 479-0106

CLAIM NUMBER: W475261

FOLLOW-UP
LEE, KENNETH
DOS: 06/04/15

On 06/04/15, I did have an opportunity to observe the videos of Mr. Lee. I do note that he does favor the right arm and uses his left arm most of the time. From the video, I can see that certainly he is not faking the problem he is having with his right arm. He does definitely have decreased range of motion of his right elbow. He does lack a certain degree of supination and pronation and extension of his arm. It does appear from the videos to also favor his right shoulder where you very rarely see him elevate at all his right shoulder or arm. I do not see anything in the video that would change my opinion about the injury to his right arm and elbow and I feel these are definite objective findings. There is no question he had a biceps tendon that supinates or pronates the arm injured that is where the surgery was. There is a median nerve right close by in that area that could be irritated and give tender median nerve symptomatology. He has developed some adhesive capsulitis in the shoulder where he has the decreased range of motion. So my evaluation that I have done in the past I would stand firm with those findings. Basically in the videos the people with him assisted him in almost everything he did, I did not see him using his right arm hardly at all.

Respectfully,



Lynn L. Staker, M.D.

D: 06-16-2015
T: 06-18-2015
LLS

LYNN L. STAKER, M.D., ORTHOPEDIC SURGEON

900 Sheridan Medical Center, Suite 105

Bremerton, WA 98310

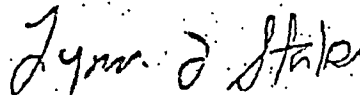
(360) 479-0106

CLAIM NUMBER: W475261

FOLLOW-UP
LEE, KENNETH
DOS: 07/01/15

I did spend about 20 minutes on a phone conference with attorney Jennifer. I have done full medical review and reports on Mr. Lee that are available. I was asked to review videos taken of Mr. Lee. I did review two videos that were available. The thing that I noticed in the videos is Mr. Lee did favor his right arm. He kept it bent. He was always having help getting in and out of things. I never saw him fully extend the elbow. All the video did in my mind was confirm the findings and recommendations that I had that he did have a significant injury to his elbow area. He had the tendon ruptured distally at the biceps tendon and clinically and anatomically things all fall into place. This is difficult situation to be in. He did have the surgical repair but he still lacks significant supination and pronation. He still has some numbness in the median nerve distribution where the median nerve is relatively close to the surgical procedure in the proximal forearm and that nerve could have had some of the findings that would cause the pain and numbness in that distribution. He developed adhesive capsulitis of the elbow causing significant decreased range of motion that he never was able to rehabilitate that to fully extend his elbow but basically the findings that I have recorded or what I see on the video and also the rating exam that he had seemed to be adequate. If you have further questions, please let me know.

Respectfully,



Lynn L. Staker, M.D.

D: 07-07-2015

T: 07-10-2015

LLS

FILED
COURT OF APPEALS DIV. I
STATE OF WASHINGTON
2020 AUG -3 AM 11:26

COURT OF APPEALS FOR DIVISION I
OF THE STATE OF WASHINGTON

KENNETH LEE,
APPELLANT,
vs.
BOEING COMPANY AND THE
DEPARTMENT OF LABOR AND
INDUSTRIES,
RESPONDANT

Case No.: 81378-1-1

CERTIFICATE OF MAILING

I certify under penalty of perjury under the laws of the state of Washington, that I
caused the documents referenced below to be served as follows: PETITION FOR REVIEW

ORIGINAL TO: Washington State Court of Appeals Division I
One Union Square 600 University Street 98101-4170

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BELLEVUE, WASHINGTON 98007

COPY TO: JAMES P. MILLS U.S. Mail
P.O. BOX 2317 TACOMA, WA 98401-2317

Dated this ~~JULY~~ 31 2020.

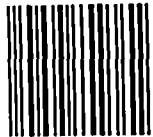


KENNETH LEE
29226 8TH AVENUE EAST
ROY, WASHINGTON 98580
PHONE: 253-235-1717

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