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WASHINGTON STATE
SUPREME COURT
KMS

The Supreme Court No. 94241-2-

ZBIGNIEW M. LASKOWSKI v. STATE OF WASHINGTON

DEPARTMENT OF LABOR

AND INDUSTRIES

THE SUPERIOR COURT OF WASHINGTON FOR THURSTON COUNTY

CAUSE NO. 15-02-02798-34

IN THE SUPREME COURT OF STATE OF WASHINGTON

STATE OF WASHINGTON

DEPARTMENT OF LABOR

AND INDUSTRIES, Respondent

v.

ZBIGNIEW M. LASKOWSKI, Petitioner Pro Se

PETITIONER SUPPLEMENTAL BRIEF (CORRECTED)

ZBIGNIEW M. LASKOWSKI

PETITIONER, PRO SE

PO BOX 6195

OLYMPIA, WA 98507

(360) 918 4401

 ORIGINAL

I. INTRODUCTION

The Department argument fails short in discussion of merits in this case.

Please see bellow calculation of benefits pertain to this matter:

$$50,196.90 \times 80\% = \$40,157.52$$

$$\$40,157.52 / 12 \text{ MONTHS} = \$3,346.46$$

$$\$3,346.46 - \$867 \text{ (SSD)} = \$2,479.46$$

WASHINGTON STATE COLA:

$$\text{YEAR 2006 } \$2,479.46 \times 3.5\% = \$86.78$$

\$ 86.78

$$2007 \quad \$2,566.24 \times 5.445\% = \$139.73$$

\$ 139.73

$$2008 \quad \$2,705.97 \times 5.018\% = \$135.79$$

\$ 135.79

$$2009 \quad \$2,841.76 \times 3.432\% = \$97.53$$

\$ 97.53

$$2010 \quad \$2,939.29 \times 1.939\% = \$56.99$$

\$ 56.99

$$2011 \quad \$2,996.28 \times \text{NONE COLA} = \$0$$

$$2012 \quad \$2,996.28 \times 3.6\% = \$107.87$$

\$ 107.87

$$2013 \quad \$3,104.15 \times 3.4\% = \$105.54$$

\$ 105.54

$$2014 \quad \$3,209.69 \times 2.016\% = \$64.71$$

\$ 64.71

$$2015 \quad \$3,274.40 \times 4.168\% = \$136.48$$

\$ 136.48

$$2016 \quad \$3,410.88$$

The actual monthly ACE/Time Loss rate paid to the Petitioner at that time was \$2,166.95.

COMPOUND INTEREST AND PRINCIPAL DEC 2011 – SEPT 2016

DEC 2011 – JUNE 2012	$\$5,805.31 \times 7.21\% = \418.5
	+ \$418.56
INTEREST	
END OF JUNE'12	\$6,223.87
PRINCIPAL + INTEREST	
	+\$11,246.40
	$\$17,470.27 \times 12.68\% =$
\$2,215.23	
	\$2,215.23
JUNE'13	\$19,685.50
JULY'13 – JUNE 2014	+ \$12,512.88
	$\$32,198.38 \times 12.68\% =$
\$4,082.75	
	+ \$4,082.75
JUNE'14	\$36,281.13
JULY'14 -DEC'14	+ \$6,256.44
	$\$42,537.57 \times 6.15\% =$
\$2,616.06	
	+ \$2,616.06
DEC'14	\$45,153.63
JAN 01'15 - JAN 14'15	+ \$389.11
	$\$45,542.74 \times .5\% = \227.71
	+ \$227.71
	\$45,770.45
JAN 15'15 – JAN 28'15	+ \$241.50
	$\$46,011.95 \times .5\% = \230.06
	+ \$230.06
JAN 28'15	\$46,242.01
FEB'15 – APRIL'15	+ \$1,552.71
	$\$47,794.72 \times 3.03\% =$
\$1,448.18	
	+ \$1,448.18
APRIL'15	\$49,242.90
MAY 01'15 – MAY 06'15	+ \$103.50
MAY 07'15 – MAY 11'15	+ \$86.25

DEC 01'11 – JAN 14'2015	+ \$3,803.48 AMOUT	
WRONGLY DEDUCTED		
OCT 04'13	+ \$240.00	
		<hr/>
		\$53,476.13 X 18.43% =
\$9,855.65		
APR'15 – SEPT'16 <i>INTEREST ONLY</i>	+ \$9,855.65	
		<hr/>
AS OF SEPTEMBER 2016	\$63,331.78	PRINCIPAL +
		INTEREST
	- \$41,997.56	PRINCIPAL
		<hr/>
	\$21,334.22	INTEREST ONLY

I. STATEMENT OF THE ISSUE

The actual interest owed to the Petitioner is more than \$21,334.22 as showed above, not as the Department of Labor and Industries or the Board of Industrial Insurance Appeals allege \$1,712.81.

II. STATEMENT OF THE CASE

RCW 51.32.225(6) intervention moves the date of the calculation from the date when the pertaining information was received by the Department from the Social Security to the date of actual calculation of the Social Security offset on November 2, 2011. The Social Security calculation had potential of being calculated six (6) months early but the Department of Labor and Industries created Trap to be able to collect \$5,115.30 illicit disability money from the Petitioner.

III. ARGUMENT

“(2) Reductions for the social security retirement benefits under

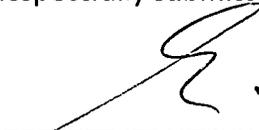
this section shall comply with the procedures in RCW 51.32.220 (1) through (6) and with any other procedures establish by the Department to administer this section. For any worker whose entitlement to social security retirement benefits is immediately preceded by an entitlement to the social security disability benefits, the offset shall be based on the formulas provided under 42 U.S.C. Sec. 424a.”

IV. CONCLUSION

The Superior Court wrongly dismissed Petitioner appeal.

March 14, 2018

Respectfully submitted,



Zbigniew M. Laskowski, Petitioner Pro Se

TABLE OF AUTHORITIES

TABLE OF CASES

JOSEL. BIRRUETA v. DEPARTMENT OF LABOR AND INDUSTRIES OF THE STATE OF WASHINGTON, NO. 92215-2; 2016.

CONSTITUTIONAL PROVISIONS

TITLE II – FEDERAL OLD – AGE, SURVIVORS, AND DISABILITY

INSURANCE, SEC. 203, 204, 205, 223, 224, 22

STATUTES

42 U.S.C. 424a

SSA – POMS: DI 52120.265

RCW 51.52.060, 050

RCW 51.32.240, 220, 225.

Certificate of Service

I certify that on March 14, 2018, I deposited in the United States mail, delivered through a legal messenger service, personally delivered, a copy of this document to the attorney(s) of record for Plaintiff/
Petitioner X Defendant/Respondent All Other Parties of Record.

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 Other: _____

PRESENTING PARTY:

Sign: _____

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