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WASHINGTON STATE
SUPREME COURT

ZBIGNIEW M. LASKOWSKI v. STATE OF WASHINGTON

DEPARTMENT OF LABOR

AND INDUSTRIES

THE SUPERIOR COURT OF WASHINGTON FOR THURSTON COUNTY

CAUSE NO. 16-2-03591-34

THE SUPREME COURT OF STATE OF WASHINGTON NO. 96147-6

IN THE SUPREME COURT OF STATE OF WASHINGTON

STATE OF WASHINGTON

DEPARTMENT OF LABOR

AND INDUSTRIES, Respondent

V.

ZBIGNIEW M. LASKOWSKI, Appellant Pro Se

PETITIONER BRIEF

ZBIGNIEW M. LASKOWSKI

APPELLANT, PRO SE

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CONSTITUTIONAL PROVISIONS

TITLE II – FEDERAL OLD – AGE, SURVIVORS, AND DISABILITY
INSURANCE, SEC. 203, 204, 205, 223, 224, 22

STATUTES

42 U.S.C. 424a, SEC. 202, 223, 224

SSA – POMS: DI 52120.265, DI52150.080, DI52150.020

RCW 51.04.060

RCW 51.52.060, 050

RCW 51.32.075, 220, 225, 240

2012	\$2,996.28	X	3.6%	=	\$107.87
	\$ 107.87				
<hr/>					
2013	\$3,104.15	X	3.4%	=	\$105.54
	\$ 105.54				
<hr/>					
2014	\$3,209.69	X	2.016%	=	\$64.71
	\$ 64.71				
<hr/>					
2015	\$3,274.40	X	4.168%	=	\$136.48
	\$136.48				
<hr/>					
2016	\$3,410.88				

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

JULY 1, 2011	\$3,134.10	TIME LOSS RATE ELIGIBILITY BEFORE
		SOCIAL SECURITY OFFSET
	-\$2,996.28	TIME LOSS RATE INTITELMENT AFTER
		SOCIAL SECURITY OFFSET
<hr/>		
	\$137.82	MONTHLY OVERPAYMENT ACCURED
AUGUST, 2011	\$137.82	
SEPTEMBER, 2011	\$137.82	
<hr/>		
OCTOBER, 2011	\$137.82	
NOVEMBER, 2011	+ \$137.82	
<hr/>		
	(-) \$275.64	ACCORDING WITH RCW 51.32.240(b)
		IF CLERICAL ERROR ACCURES
		THE DEPARTMENT IS ONLY IN TITLE
		TO RECOVERY FROM ORDERS
		WHICH AREN'T FINAL YET (60 DAYS
		FORMULA APPLIES)
<hr/>		
DECEMBER 01, 2011	\$2,996.28	
	-\$2,166.95	TIME LOSS RATE BASED ON A
		CALCULATION OF BENEFITS BEFORE
		THURSTON COUNTY SUPERIOR
		COURT DECISION; USED UTIL
		JANUARY 14, 2015
<hr/>		
DECEMBER, 2011	\$829.33	
JANUARY 2012	\$829.33	
FEBRUARY 2012	\$829.33	
MARCH 2012	\$829.33	

APRIL 2012	\$829.33
MAY 2012	\$829.33
JUNE 2012	\$829.33

\$5,805.31

JULY 1, 2012	\$3,104.15
	- \$2,166.95

JULY 2012	\$937.20
AUGUST 2012	\$937.20
SEPTEMBER 2012	\$937.20
OCTOBER 2012	\$937.20
NOVEMBER 2012	\$937.20
DECEMBER 2012	\$937.20
JANUARY 2013	\$937.20
FEBRUARY 2013	\$937.20
MARCH 2013	\$937.20
APRIL 2013	\$937.20
MAY 2013	\$937.20
JUNE 2013	\$937.20

\$11,246.40

JULY 01, 2013	\$3,209.69
	- \$2,166.95

\$1,042.74

JULY 2013	\$1,042.74
AUGUST 2013	\$1,042.74
SEPTEMBER 2013	\$1,042.74
OCTOBER 2013	\$1,042.74
NOVEMBER 2013	\$1,042.74
DECEMBER 2013	\$1,042.74
JANUARY 2014	\$1,042.74
FEBRUARY 2014	\$1,042.74
MARCH 2014	\$1,042.74
APRIL 2014	\$1,042.74
MAY 2014	\$1,042.74
JUNE 2014	\$1,042.74

\$12,512.88

JULY 01, 2014 –	
DEC. 31, 2014	\$3,209.69
	- \$2,166.95

\$1,042.74

JULY 2014	\$1,042.74
AUGUST 2014	\$1,042.74
SEPTEMBER 2014	\$1,042.74
OCTOBER 2014	\$1,042.74
NOVEMBER 2014	\$1,042.74
DECEMBER 2014	\$1,042.74
	<hr/>
	\$6,256.44
	<hr/>

JAN 01, 2015 –	
JAN 14, 2015	\$1,108.75
	<hr/>
JAN 15, 2015 –	
JAN 28, 2015	\$1,256.36
	<hr/>
JAN 29, 2015 –	
APRIL 30, 2015	\$3,209.69
	\$2,692.12
	<hr/>
	\$517.57
	<hr/>

FEBRUARY 2015	\$517.57
MARCH 2015	\$517.57
APRIL 2015	\$517.57
	<hr/>
	\$1,552.71

MAY 1, 2015 –	
MAY 6, 2015	\$538.42
	<hr/>

MAY 7, 2015 –	
MAY 11, 2015	\$448.70
	<hr/>

DEC. 1, 2011 –		
JAN 14, 2015	\$3,803.48	AMOUNT WRONGLY DEDUCTED FROM TIME LOSS PAYMENTS/ \$100.00 PER MONTH
		<hr/>

COMPOUND INTEREST AND PRINCIPAL DEC 2011 – NOV 2018:

DEC 2011 – JUNE 2012	\$5,805.31 X 7.21% = \$418.5
	+ \$418.56
INTEREST	
END OF JUNE'12	\$6,223.87
PRINCIPAL + INTEREST	<hr/>
	+\$11,246.40
	<hr/>
	\$17,470.27 X 12.68% = \$2,215.23

	\$2,215.23	
JUNE'13	\$19,685.50	
JULY '13 – JUNE 2014	+ \$12,512.88	
	\$32,198.38 X 12.68% = \$4,082.75	
	+ \$4,082.75	
JUNE'14	\$36,281.13	
JULY'14 -DEC'14	+ \$6,256.44	
	\$42,537.57 X 6.15% = \$2,616.06	
	+ \$2,616.06	
DEC'14	\$45,153.63	
JAN 01'15 - JAN 14'15	+ \$389.11	
	\$45,542.74 X .5% = \$227.71	
	+ \$227.71	
	\$45,770.45	
JAN 15'15 – JAN 28'15	+ \$241.50	
	\$46,011.95 X .5% = \$230.06	
	+ \$230.06	
JAN 28'15	\$46,242.01	
FEB'15 – APRIL'15	+ \$1,552.71	
	\$47,794.72 X 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 SUM WRONGLY DEDUC.	
OCT 04'13	+ \$240.00 COURT FEE	
	\$53,476.13 X 18.43% = \$9,855.65	
APR'15 – SEPT'16 INTEREST	+ \$9,855.65	
AS OF SEP'2016	\$63,331.78 PRINCIPAL + INTEREST	
OCT'16 - DEC 2016 (3%)	+ \$1,899.95 INTEREST	
AS OF DEC'16	\$65,231.73 PRINCIPAL+INTEREST	
INTEREST YEAR 2017 (12%) +	\$7,827.81	
	\$73,059.54 PRINCIPAL DEC'17	
INTEREST JAN'18 - OCT'18 (10%)	\$7,305.95	
	\$80,365.49 PRINCIPAL END OCT'18	

ASSIGNMENTS OF ERRORS

ASSIGNMENTS OF ERRORS:
FINDINGS OF FACTS, CONCLUSIONS OF LAW AND
JUDGMENT; THURSTON COUNTY SUPERIOR COURT
CASE NO. 16-2-03591-34

NO. 1..... Page 1 lines 25-26
NO. 2..... Page 2 lines 8-10(1.6)
NO. 3..... Page 2 lines 17-22(1.9)
NO. 4..... Page 3 lines 1-3(2.2)
NO. 5..... Page 3 lines 4-9(2.3)
NO. 6..... Page 3 lines 9-11(2.4)
NO. 7..... Page 3 lines 11-13(2.5)

ISSUES PERTAINING TO ASSIGNMENTS OF ERRORS:
FINDINGS OF FACTS, CONCLUSIONS OF LAW AND
JUDGMENT; THURSTON COUNTY SUPERIOR COURT
CASE NO. 16-2-03591-34

NO. 1 \$4,051.46 was the monthly rate of Time Loss benefits calculated by the department at the end of year 2007 (\$4,051.46 X 12 months = \$48,617.52). After 3-years John Barnes, AAG disclosed during the trial in the Thurston County Superior Court in year 2013 that the Department “overlooked” additional \$15,907.41 what raised the ACE (average current earnings) to sum of \$50,196.90, replacing early sum of \$34,289.49 previously favor by the Department.

NO. 2 The amount of \$2,479.46 stipulated by the department as a Time Loss rate for year 2009 is incorrect. The rate of Time Loss before the Social Security Offset took effect in year 2009 was \$2,972.47. After the Social Security offset was implemented the amount of Time Loss benefits rate changed to \$2,939.29.

NO.3 The Claim AB 17747 was reopened with full benefits on May 31, 2011. The Department didn't implement Social Security offset until exactly 6-months later December 01, 2011 not because the Department didn't have knowledge of concurrent benefits, but because the Department saw \$5,115.30 of potential illicit money coming back to the Found. Again, seeking recovery of benefits which never were paid to the Appellant because the claim was closed between September 01, 2009 through May 31, 2011 is reckless.

NO. 4 The Department not only miscalculated the Time Loss compensation benefits but uses the wrong date of September 01, 2009 to offset it. The correct date for the offset of Social Security is November 02, 2011, a date originally used in Department's calculations but abended.

NO. 5 The Department according to calculations in this brief is only in title to recoupment of \$275.64, much less than \$5,115.30. But the exactly to day trap of six months shall be strong enough hint for the Court to recognize fraud.

NO. 6 The Board order dated August 18, 2016 with Errata sheet denying Petition for Review of Propose Decision and Order dated July 12, 2016 is incorrect and shall be reverse. 28 errors are assigned to the decision issued by ALJ Brian Watkins.

NO. 7 Department's order dated May 08, 2016 is incorrect and shall be reverse. This was the fourth try for the Department when raising the amount of Time Loss benefits to \$2,692.12 a month. The fifth try by ALJ Brian Watkins raised the amount to \$2,817.90 suggesting wrongly Triennial Redetermination.

ASSIGNMENTS OF ERROR:
STATE OF WASHINGTON, BOARD OF INDUSTRIAL APPEALS;
PROPOSED DECISION AND ORDER DOCKET NO. 15 17652

NO. 1 Page 1 lines 7-8
NO. 2..... Page 2 lines 1-2
NO. 3..... Page 2 lines 9-10
NO. 4..... Page 3 lines 1-3
NO. 5..... Page 3 line 5-7
NO. 6..... Page 3 lines 21-23
NO. 7..... Page 3 lines 26-31
NO. 8..... Page 3 lines 41-45
NO. 9..... Page 4 lines 1-2
NO. 10..... Page 4 lines 7-10
NO.11..... Page 4 lines 13-18
NO.12..... Page 4 lines 19-20
NO. 13..... Page 4 lines 22-25
NO. 14..... Page 4 lines 45-47
NO.15..... Page 5 lines 2-9
NO. 16..... Page 5 lines 9-10
NO. 17..... Page 5 lines 14-37
NO. 18 Page 6 lines 2-24
NO. 19..... Page 6 lines 32-33
NO. 20..... Page 6 lines 34-35
NO. 21..... Page 6 lines 35-39
NO. 22..... Page 6 lines 39-42

NO. 23.....Page 7 lines 17-19
 NO. 24..... Page 7 lines 20-24
 NO. 25..... Page 7 lines 28-36
 NO. 26..... Page 7 lines 41-44
 NO. 27..... Page 7 lines 1-4
 NO. 28..... Page 7 lines 5-6

ISSUES PERTAINING TO THE ASSIGNMENTS OF THE ERRORS:
 BOARD OF INDUSTRIAL INSURANCE APPEALS,
 DOCKET NO. 15 17652

NO. 1 The Claim AB 17747 didn't reopen till May 31, 2011

NO. 2 Time loss rate set with accordance with RCW 51.32.220 but not properly line up with Sec. 224(7) of 42 U.S.C. 424(a), 20 C.F.R. 404.408, RCW 51.32.225(2) and RCW 51.32.090

NO. 3 In this case offset is effective one month after the first offset was calculated by the Department in Order dated November 02, 2011, not after the Department learns about it or kept on file. (Sec.224. [42 U.S.C. 424a] (7))

NO. 4 The stipulated amount of \$4,051.46 is incorrect. The Thurston County Court order dated November 21, 2014 added disputed amount of \$15,907.41, and rise the base monthly income from \$4,051.46 to \$4,183.07 ($\$50,196.90 / 12 \text{ months} = \$4,183.07$)

NO. 5 April 2, 2010 is not the correct date. May 02, 2011 is the date of first reopening of the Claim AB 17747 by the Department of Labor and Industries.

NO. 6 The Highest Year of Earnings amount was fixed and set by the

Thurston County Superior Court Judge Hon. Gary Tabor in the order dated November 21, 2014 to rise to \$50,196.90 from \$34,289.49.

NO. 7 The Claim No. AB 17747 was closed by the Department of Labor and Industries (Department) on April 07, 2008, then reopen on May 31, 2011. Activities described in these lines are rather alleged than factual (innuendos).

NO. 8 The six months period following the reopening of Claim AB 17747 on May 31, 2011 till November 02, 2011 it is a trap the Department set up for gain of ill profits in the amount of \$5,115.30. A conclusion of above statement is supported by the calculations showed below.

NO. 9 The claim was closed during the stated period of September 01, 2009, through June 2011, so ALJ Brian Watkins stated the obvious.

NO. 10 The Appellant contends that calculations of Time Loss Benefits are wrongly calculated not only for the period of years 2012 through 2014. Department's wrong calculations are broader and reaching back to November 2011 and extending to year 2016 because new calculations weren't issued yet.

The Petitioner before and during the second trial at the Board of Industrial Insurance Appeals requested evidence of two pages of Department's witness Ms. Patricia Richardson testimony been submitted to show that burden of proof was met once before with Department own testimony, when Ms. Richardson under oath answered the question during cross-testimony incorrectly by stating amount supposed to be paid to the Appellant, not the amount at the rate actually paid at the time of her testimony. A

Specialist 4, Ms. Patricia Richardson work title and clearance in year 2013, allowed her to know amount of Time Loss Benefits rate paid at the time of her testimony.

NO.11 Time Loss compensation is paid by the department bi-weekly. The rate of \$1,315.07 divided by 14 days (two weeks) gives the daily rate of \$93.93. The whole month of 30 days would amount for \$2,817.90, which yields new amount not justify yet in this case and higher from the highest Department commit to of \$2,692.12. The difference of about 4 % could be the COLA (cost of living adjustment) paid to claimants in the year 2016.

NO.12 The claim was closed from April 2008 through May 2011, therefore, statement by ALJ Brain Watkins that bout benefits were paid to the Appellant is incorrect.

NO. 13 ALJ Watkins confuses the RCW 51.32.220 "For person receiving compensation for temporary or permanent total disability pursuant of the provisions of this chapter, such compensation shall be reduced by an amount equal to the benefits payable under federal old-age, survivors, and disability insurance act as now or hereafter amended not to exceed the amount of the reduction established to 42 U.S.C. Sec. 424a."

Sec. 224(7)(8) [42 U.S.C. 424a] instructs as follow:" the total of the benefits under section 223 and 202, after reduction under this section, with respect to all persons entitled to benefits on the basis of such individual's wages and self-employment income for such month which were determined for such individual and such persons for the first month for reduction under this section was made (or which would have been so determined if all of them had

been so entitled in such first month), and”

The RCW 51.32.220 delegates the powers to Sec. 224(7)(8) [42 U.S.C. 424a]. Provisions of 42 U.S.C. 424a explained prefer the date as when actual calculation took place, not the date when the Department of Labor and Industries received the information from Social Security.

NO.14 These two lines show the key to the Board of Industrial Insurance Appeals scam when eighty percent (80% or 0.80) is used twice, not once as the law instructs, to reduce the amount by 20% ($100\% - 80\% = 20\%$) and \$867, but then again by 20% when using second time 80% multiplier.

NO. 15 80% of 3,346.46 = \$2,677.17 which doesn't corelates with amount of \$2,479.46. The difference of \$197.71 between \$2,677.17 and \$2,479.46 show the fraud ALJ Brian Watkins offers to the Petitioner.

NO. 16 The law allows for first Triennial Determination to take place 3-years after offset was first determinate. In this case because the offset calculation date is November 02, 2011. First Triennial Determination was due in November 2014.

Claim No. AB17747 wasn't eligible for Triennial Redetermination till year 2015 when new COLA (cost of living adjustment) supposed to be added on July 01, 2015 for the first time increased the Time Loss rate above accepted 'ceiling' in this claim set for \$3,346.46 (please see the calculations presented by the Petitioner).

NO. 17 Established ceiling for Claim AB 17747 is amount of \$3,346.46. On page 5 line 23 “..., Mr. Laskowski's time loss compensation didn't exceed his 80%-of- ACE figure.”

In respond to the above quote: when the ACE (average current earnings), reaches or exceeds the "ceiling" in this claim amount of \$3,346.46, that's the time for Triennial Redetermination should take place. New calculation should always increase the rate of Time Loss, never decrease according to DI52150.080 and Social Security Act Sec. 224(f).

NO. 18 In Claim AB 17747 Time Loss compensation was overpaid twice, always in the amount of \$137.82.

From June 2011 till November 2011 for six (6) months trap was set up by the Department of Labor and Industries to illegally profit the Department

In addition, with accordance with RCW 51.32.240(b) if clerical error accrues the Department shall be only in title to recovery from orders which aren't final yet (60 days formula applies.)

From April 2008 through May 31, 2011 this claim was closed and not Time Loss benefits were paid, therefore contemplation of overpayment for the period must feel paranoiac anyway, specially keep in our minds \$5,115.30 was solicited in back payment, of which over \$3,800.00 was paid back into the found.

NO. 19 As of September 01, 2009, Petitioner's Time Loss (TL) rate was \$2,939.29 not \$2,479.46

NO. 20 Year 2006 with the highest 5-year of Appellant's earnings was immediately preceded by year 2005 in which year the Appellant earned \$48,617.52 according to the Department calculation by claim manager at that time Ms. Amanda Fisher. Only \$1,579.38 less than year 2006.

NO. 21 There is more than great conviction that the Department

collected overpayment in excess what own. To indicate at the same time that the Claimant could not be charge for the period of September 01, 2009 through June 03, 2011 when the claim was closed is preposterous.

NO. 22 The rate increase to \$2,692.12 does have nothing to do with Triennial Determination because the law says 3-years after the original Social Security offset was done in year 2011, which shall be year 2014. The Department, the AG and the Board learned when random, not explained numbers are thrown at claimant embrace them is the only option. The right amount of the Time Loss for the year 2015 before new COLA applied in July that year was\$3,274.40.

NO. 23 \$2,939.29, not \$2,479.46.

NO. 24 $\$50,196.90 / 12 \text{ months} = \$4,183.08$ not \$3,346.46. 80% of \$4.183.08 equals \$3,346.46.

NO. 25 Explanation that the department didn't know about it that the Petitioner was receiving Social Security Disability since year 2009 is another self-denial, consider that these facts were pointed several times to the case manager Ms. Suzette Slipper by the claimant, when arguing reopening of the claim in early 2010.

NO. 26 Quoting the right law and attaching the wrong interpretation it is rear specialty but unfortunately dishonest act.

NO. 27 If this Court decides that the recoupment of \$275.64 (please see above calculations) is still reasonable, recoupment of the \$3,800.00 of previously paid back by the Petitioner to the Department should be considered as well.

NO. 28 The Department order dated May 08, 2015 is wrong and

should be reverse.

II. STATEMENT OF THE CASE

The Thurston County Superior Court Judge Hon. Gary Tabor accept and enter the Finding of Facts and Conclusions of Law and Judgment in Cause No. 13-2-02092-8 on November 21, 2014.

The Thurston County Superior Court Case No. 13-2-02092-8 was appealed to the Court of Appeals, Division II Cause No. 47301-1-II. But the negligence of Mr. John R. Connelly was reason for dismissal.

In the follow up of Thurston County Superior Court Judgement Department of Labor and Industries issued Order on January 01, 2015 awarding Petitioner with higher Time Loss (TL) rate, in amount of \$2,479.46. This rate changed on February 17, 2015 to amount of \$2,692.12 per month without any explanation.

The Department did not present any calculations for the amount, except suggestion that Triennial Redetermination took effect.

The Department Order dated May 08, 2015 was appealed to the Board of Industrial Insurance Appeals Docket No. 15 17652. ALJ Brian O. Watkins, on July 12, 2016 in Proposed Decision and Order wrongly affirmed the Department May 08, 2016 decision.

The facts, law and mathematics are misrepresented in July 12, 2016 Board's Proposed Decision and Order. RCW 51.32.225(2) and RCW 51.32.240(b) are abolished from ALJ Brian Watkins decision. Both RCWs shall be a part of this adjudication because the authority of it delegates the Social Security offset calculation to be done under 42 U.S.C. 424a (7)(8), RCW 51.32.220 and RCW 51.32.225(2).

The allege overpayment, which was implement incorrectly, do to adjudicator failure to consider information on the file.

In this claim, there is no excuse for six months recoupment because law limits Department's jurisdiction to the orders which aren't final yet as provided in RCW 51.52.050 and RCW 51.52.060.

On the page '5' line 17 of Proposed Decision and Order ALJ Brian Watkins wrote: "Mr. Laskowski is bewildered that since the state gave COLAs to worker's compensation recipients in July 2010, July 2012, July 2013, July 2014, why the Department didn't increase his offset time-loss rate each year as each COLA occurred. But the evidence establishes that at no time in 2010, 2012, 2013, 2014, Mr. Laskowski time-loss compensation didn't exceed his 80%-of-ACE figure."

Farther on the same page the Board's ALJ Brian Watkins continued "As an evidence by Mr. Laskowski's own calculation in Exhibit 1, his pre-offset time-loss compensation rates didn't surpass his 80%-of-ACE figure until the 2015 cost of living adjustment."

These two quoted statements of WSBA licensed lawyer are part of the illegal hoax which AAG John Barnes used too. That was why Petitioner asked the Board to question Mr. John Barnes under oath.

The table of ACE calculation placed above shows two sums which represent ACE figure.

The \$2,479.46 is a sum without COLA added. The gap in amount of \$867, between \$2,479.46 and \$3,346.46 is the gap ready to be fill up by COLA.

When the gap reaches the highest amount allowed by law in this

claim, equal of \$3,346,46, Triennial Redetermination could only increase the Time Loss rate, which should never become less. COLA once applied became permanent factor of all calculations. The Social Security Act and the Disability Act are not only written as liberal documents, they were created to benefit injured workers and never punish or disadvantage.

The Court may notice that the Department doesn't disputed prepared by the Appellant calculations.

The Department imposed overpayment when issuing November 02, 2011 Order in amount of \$5,115.30, of which \$3,803.48 was paid back into the fund before the claim closure.

The overpayment of Time Loss benefits in amount of \$275.64 is the only money owed to the Department by the Petitioner.

ALJ Brian Watkins also alleges that the Thurston County Superior Court enter not clear enough language when addressing overpayment. But that is only blame to camouflage fraud.

III. ARGUMENT

The argument narrows to three elements:

1. The date of the first calculation on November 02, 2011, not September 01, 2009, authorized by 42U.S.C. 424a (7)(8), RCW 51.32.225(2) and RCW 51.32.220.
2. In assessing overpayment compliance with RCW 51.32.240(b) was abolished.
3. The Court should use calculation of benefits presented by

Appellant in the absence of the alternative.

IV. CONCLUSION

The Thurston County Superior Court judgment dated November 21, 2014, under Case No. 13-2-02092-8 shall be amended.

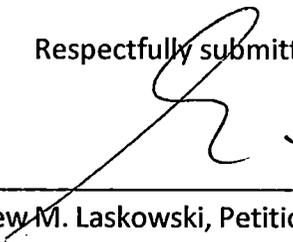
The Department's orders of November 02, 2011, February 17, 2012 and May 08, 2015 are incorrect and shall be reversed.

The Board of Industrial Insurance Appeals order dated August 18, 2016 upholding Proposed Decision and Order dated July 12, 2016, both shall be reversed.

The Thurston County Superior Court findings of Fact, Conclusions of Law and Judgment issued on June 22, 2018 in Cause 16-2-03591-34 shall be reversed and money own by the Department should be paid with 50% penalty as foreseen by RCW 51.32.240(5)(a).

DATED, November 30, 2018

Respectfully submitted,



Zbigniew M. Laskowski, Petitioner Pro Se

Certificate of Service

I certify that on November 30, 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 Defendant/Respondent All Other Parties of Record.

Attorney for Plaintiff/Petitioner
 Defendant/Respondent
 Other: _____

PRESENTING PARTY:

Sign: _____

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Date: **November 30, 2018**

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