WAREHOUSE EMPLOYEES UNION LOCAL NO. 730
HEALTH AND WELFARE TRUST FUND
SUBROGATION REPORT FOR TRUSTEE MEETING OF JANUARY 2013

PARTICIPANT (DEPENDENT)	ATTORNEY FOR PARTICIPANT	DATE OF ACCIDENT	EMPLOYMENT STATUS	BENEFITS STATUS	CURRENT LIEN AMOUNT[1]	STATUS OF COLLECTION EFFORTS	COMMENTS AND RECOMMENDATIONS
Timothy Earl Chase 1805 Churchill Lane Chester, MD 21619 (410) 604-0871	Richard Jaklitsch, Esq. 14350 Old Marlboro Place Upper Marlboro, MD 20772 (301) 627-8700 Paralegal: Deanna	3/27/2009	Active	Eligible	$23,446.92 (M) $2,014.30 (A&S) Previous amounts: same	• Fully executed subrogation agreement signed 4/27/2009 received by DS 5/08/2009. • See subro file for case history and explanation of dealing with government/JAG. • 2/15/11: Attorney filed complaint in United States District Court for the District of Maryland following government's refusal to respond to queries. Case is in litigation. • 3/11/11: DS spoke to paralegal Deanna. The summons has been returned and now the attorney is waiting for completion of service. • 5/6/11: DS left message for Deanna requesting status. • 6/3/11: DS spoke with Deanna to learn status. Service remains outstanding for at least one of the five defendants. No answers have yet been received. • 7/28/11: DS left message for Deanna requesting status update. • 8/3/11: DS called and spoke with Deanna. Case remains pending with a motions hearing date set 10/24/11. Review of the docket case # 11-00600 indicates that the 10/24/11 hearing date was canceled in light of Plaintiff's filing an amended complaint (total demand is over $2 million). • 8/31/11: Answer filed by Erie Insurance. • 9/1/11: The court issued a scheduling Order requiring a status report due 1/17/12. • 9/14/11: DS spoke with Deanne at attorney Jaklitsch's office. No additional developments to note; status hearing scheduled for 1/15/12. • 10/11/11: DS contacted attorney Jaklitsch's office and left message requesting update. • 11/28/11: DS spoke with Deanne at attorney Jaklitsch's office. No developments to report. Status hearing still scheduled for 1/17/12 (earlier report of hearing on 1/15 in error; 1/15	DS and AA will continue to monitor the case.

[1] Associated Administrators confirmed the lien amounts contained herein on 1/14/13 and 11/15/13.

PARTICIPANT (DEPENDENT)	ATTORNEY FOR PARTICIPANT	DATE OF ACCIDENT	EMPLOYMENT STATUS	BENEFITS STATUS	CURRENT LIEN AMOUNT[1]	STATUS OF COLLECTION EFFORTS	COMMENTS AND RECOMMENDATIONS
						is a Sunday). • 1/20/12: DS spoke with Deanne at Attorney Jaklitsch's office. There was never a hearing set, there was however a discovery deadline of 1/17/12 but defense filed a motion to extend. The new date is 2/24/12. • 2/24/12: DS checked the case docket; the court granted an extension of time for discovery until 2/27. • 3/19/12: DS checked the case docket; no new entries. • 4/5/12: DS requested status update from Jaklitsch's office. The case remains in litigation. The parties secured an extension of discovery until 4/13/12, which is reflected on the docket as of 3/23/12. • 5/30/12: DS requested status update. Left voicemail. No return call. Will continue to follow-up. Last event on the docket is the extension of discovery. • 6/2012: DS continued to request status update. Will follow up again. • 8/4/2012: DS spoke to Deanna at Jaklitch's office. Case is still in discovery. There is a hearing scheduled for 10/29/12 on a motion for summary judgment. DS will continue to follow up. • 11/13/12: DS checked docket report for case. Judge entered ordering granting summary judgment for Mr. Chase's insurance company; claims are still pending against the other defendants for the accident. • 12/6/12: DS contacted attorney Jaklitsch's office and left message requesting update. No changes on the docket; the case appears to have been referred to a Magistrate. • 1/14/13: DS left message with Jaklitch's office requesting update.	
David Newman 6435 Greenfield Rd. Apt. 1204 Elkridge, MD 21075	Justin S. Dross Justin S. Dross, LLC 9831 Greenbelt Road Suite 208 Seabrook, MD 20706 (240) 667-1654	12/15/2010	Retired	Eligible	$ 38,300.91 (M) $0 (A&S) Previous Amounts: $27,949.34 (M) same (A&S)	• Fully executed subrogation agreement signed 4/13/11 received by DS 4/20/11. The accident report referenced a slip and fall at Sears. • 4/20/11: DS contacted Attorney Dross's office to request information. The paralegal refused to give the information in Mr. Dross's absence.	DS and AA will continue to monitor the case.

PARTICIPANT (DEPENDENT)	ATTORNEY FOR PARTICIPANT	DATE OF ACCIDENT	EMPLOYMENT STATUS	BENEFITS STATUS	CURRENT LIEN AMOUNT[1]	STATUS OF COLLECTION EFFORTS	COMMENTS AND RECOMMENDATIONS
						Attorney Dross was due back from vacation 4/25/11. • 4/22/11: Attorney Dross left message with DS to request payments for participant. • 4/25/11: DS called to speak with Attorney Dross regarding insurance coverage by Sears for the slip and fall. Attorney Dross stated that Sears sent letter stating no medical coverage would extend to Mr. Newman's injuries. DS requested a copy of the letter. Attorney Dross confirmed no third-party recovery was in process and stated he expected zero recovery without a lawsuit. • 5/10/11: DS sent initial contact letter to Attorney Dross confirming no recovery. AA to begin paying claims. • 6/7/11: DS called Attorney Dross and requested status update. • 6/15/11: DS called Attorney Dross and requested status update. According to AA, Newman is still treating. • 7/16/11: DS learned from Dross's office that the case has been removed to federal court, with an expected trial date of late spring, early summer 2012 – case # 11-1493. • 8/1/11: DS spoke with Dross. Diversity is basis of removal, which means the suit seeks at least $75,000. Discovery began; Dross said client still has significant injury with neck and post-concussion issues. Liability against Sears he claims is "tricky" with employees who have knowledge, so he hit early with suit and discovery. Recent extension of 90 days to discovery adds to another 90-day extension. Following the call, DS checked the docket and confirmed Newman seeks $1.5 million in damages. • 9/9/11: DS spoke with Tara of Attorney Dross' office. The case is still in litigation. No developments. • 11/2/11: Attorney Dross faxed DS to request lien total and breakdown of claims paid. DS retrieved information and explanation of benefits from AA, then sent all materials to Attorney Dross by mail and fax.	

PARTICIPANT (DEPENDENT)	ATTORNEY FOR PARTICIPANT	DATE OF ACCIDENT	EMPLOYMENT STATUS	BENEFITS STATUS	CURRENT LIEN AMOUNT[1]	STATUS OF COLLECTION EFFORTS	COMMENTS AND RECOMMENDATIONS
						• 11/28/11: DS confirmed attorney Dross received requested information. No other update; the case remains in discovery. • 1/20/12: DS spoke with Tara of Attorney Dross' office. This case is still in litigation. No new developments. • 4/5/12: DS requested status. Dross said Newman's case is still pending, though he voluntarily dismissed the initial complaint without prejudice due to Newman needing to treat his ongoing injuries. Dross stated the intent is to re-file in federal district court in June or July and to consider the case in ongoing litigation. • 5/30/12: DS requested status update and was told that new suit is to be filed in next two months. • 8/4/12: DS spoke to Attorney Dross. Mr. Newman is still receiving treatment. They anticipate filing new suit in October and November. • 11/8/12: DS receives written request from Attorney Dross requesting itemized total of lien amount, which stated they are preparing to re-file the lawsuit. • 11/13/12: DS emailed letter to Attorney Dross, responding to fax and providing lien itemization. • 12/6/12: DS spoke to Attorney Dross who stated that a new lawsuit had been filed about two weeks about in U.S. District Court for the District of Maryland, in Baltimore. If the case does not settle, he anticipates that it may go to trial late-summer. DS checked the docket and confirmed that a new complaint was filed on 11/15/12 seeking $2.5 million. • 1/14:12: Defendant answered complaint on 12/14. A scheduling conference is planned for January 22.	
Eugena Sanyeneh	Steve Sindler, Esq. 1130 Annapolis Road #101 Odenton, MD 21113 (410) 551-9323	10/30/2010	Active	Eligible	$986.38 (M) $2,185.72 (A&S) Previous amounts: same	• Fully executed subrogation agreement signed 11/22/10 received by DS in May 2011. • 6/3/11: DS spoke with Attorney Sindler's office and confirmed that the patient was still treating.	DS and AA will continue to monitor the case.

PARTICIPANT (DEPENDENT)	ATTORNEY FOR PARTICIPANT	DATE OF ACCIDENT	EMPLOYMENT STATUS	BENEFITS STATUS	CURRENT LIEN AMOUNT[1]	STATUS OF COLLECTION EFFORTS	COMMENTS AND RECOMMENDATIONS
						• 7/28/11: DS spoke with Sindler's office. The participant has completed treatment. No other developments to note. • 9/8/11: DS spoke with Sindler's office. The participant has finished treating and they are now waiting on an outstanding bill from a radiologist. Once received, the plan is to prepare and forward the demand package to the insurance. • 10/11/11: DS called Sindler's office requesting update. No developments to report. • 11/28/11: DS called Sindler's office requesting update. • 11/29/11: Sindler reported to DS that demand is pending to insurance company, but he expects to file a lawsuit. He projects six to nine months before resolution. • 1/20/12: DS called Sindler's office requesting status update. Sindler is still waiting for response from insurance adjuster. • 4/5/12: DS requested status update. Sindler has not received response from insurance company and plans to follow up. • 5/14/12 DS was notified by Sindler's office that a settlement offer has been received in this case. • 5/30/12 - Sindler's office requested a written breakdown of the amounts paid by the funds, DS is working on this with AA. DS will continue to coordinate with AA and Sindler's office to bring this case to a close and receive payment. • 7/27/12 – DS sent written breakdown of lien amounts to Karen Wright at Sindler Law. • 9/3/12 – DS again followed up with Sindler's Officer regarding status of case. • 9/4/12 – DS spoke to Karen Wright. Ms. Sanyeneh did not accept the settlement offer. Sindler's office is preparing the complaint to file suit. They anticipate that the case will be filed shortly. • 11/13/12: DS did a Maryland case search. Ms. Sanyeneh's lawsuit was filed in the Maryland District Court for Prince George's County on 10/31/2012. Trial is set for 2/15/2013.	

PARTICIPANT (DEPENDENT)	ATTORNEY FOR PARTICIPANT	DATE OF ACCIDENT	EMPLOYMENT STATUS	BENEFITS STATUS	CURRENT LIEN AMOUNT[1]	STATUS OF COLLECTION EFFORTS	COMMENTS AND RECOMMENDATIONS
						• 12/6/12: DS spoke to Karen Wright. Defendant was just recently served; no other updates at this time. Trial is still scheduled for 2/15/2013. • 1/14/13: No new updates. Trial is still set for 2/15/2013.	
Benjamin Ruyter Participant Harry Ruyter 12115 Reardon Lane Bowie, MD 20715 (301) 805-9808	James Lee Katz 11A Gwynns Mill Court Owings Mills, MD 21117 (443) 394-0900 (443) 394-0966 (fax)	7/3/2011	Dependent of Active **CLOSED**	Eligible	$0 (M) $0 (A&S) Previous amounts: $2,076.91 (M) $0 (A&S)	• Fully executed subrogation agreement signed 9/26/11 received by DS 10/4/11. • 10/14/11: DS approved subro agreement for Associated to begin payment of claims. • 11/28/11: DS confirmed no settlements pending with attorney Katz and sent confirmation contact letter. • 1/20/12: Attorney Katz called DS to ask for lien breakdown prior to settlement demand to defendant's insurer. DS emailed AA to request fax of EOBs. • 2/2/12: DS sent EOBs to attorney Katz. • 2/29/12: Attorney Katz's office called DS to ask for lien breakdown with "lien sheet." DS forwarded request to AA. • 3/1/12: DS sent requested materials to Attorney Katz's office with notice of one claim outstanding. • 3/19/12: Katz's office called DS to ask for status of remaining bill; DS forwarded request to AA. • 3/20/12: DS received lien sheet from AA and faxed to Katz's office. • 4/5/12: DS requested status update from attorney Katz. The case remains in negotiations. If Katz does not reach a settlement within the next 30 days, he intends to file suit. • 5/30/12: DS requested status update and was told suit is to be filed in next week or so. • 9/4/12: Lawsuit was just filed in the last few weeks. No trial date has been set. DS will continue to follow up. • 10/8/12 – DS received voicemail from Mr. Katz asking for confirmation of the lien amount, and noted that they are in the process of negotiating with the insurance company. • 10/9/2012: DS spoke to Mr. Katz and sent written follow-up confirming lien amount. • 12/6/12: DS confirmed with AA that payment	This case is now closed.

PARTICIPANT (DEPENDENT)	ATTORNEY FOR PARTICIPANT	DATE OF ACCIDENT	EMPLOYMENT STATUS	BENEFITS STATUS	CURRENT LIEN AMOUNT[1]	STATUS OF COLLECTION EFFORTS	COMMENTS AND RECOMMENDATIONS
						in full was received on 11/27/12. This case is now closed and Mr. Ruyter will be responsible for any further medical claims associated with this accident.	
Zachary T. Myers Participant Mark R. Myers 2708 Brown Station Road, Upper Marlboro, MD 20774 (301) 627-5236	Philip J. Santa Maria 8345 Layton Court Frederick, MD 21704 (301) 874-1520 (301) 263-7057 (fax)	8/19/2011	Dependent of Active **CLOSED**	Eligible	$0 (M) $0 (A&S) Previous amounts: $504.08 (M) $0 (A&S)	• Fully executed subrogation agreement signed 12/11/2011 received by DS 12/20/2011. The dependent was unable to sign the agreement as a result of attendance at basic training, but the participant and the attorney signed the agreement. • 1/17/12: DS noted insert by attorney on subro agreement as applicable only during pendency of representation and approved Associated to begin payment of claims. • 1/17/12: DS confirmed no settlements pending with attorney Santa Maria by telephone. • 1/19/12: DS sent letter confirming telephone conversation re no settlement pending. • 3/6/12: Attorney Santa Maria emailed DS to request immediate payment of claims sent to collections for Zach Myers, then followed up with second email. DS contacted AA and learned the claims were never submitted for processing, so AA submitted claims. DS responded to Santa Maria of status and asked that his client submit all claims promptly in the future to avoid delinquencies with providers. • 4/2/12: Attorney Santa Maria requested the lien breakdown in order to negotiate toward settlement. DS submitted the request to AA. • 4/5/12: DS spoke with attorney Santa Maria. The case remains in negotiations with the liability carrier. He hopes to settle in the next few weeks. • 4/9/12: DS followed up with AA requesting the lien breakdown. • 5/30/12: DS requested status update. Left voicemail. No return call. Will continue to follow-up. • 6/6/2012: DS spoke with Mr. Santa Maria. He is negotiating with GEICO. He may still have to file suit; however, that will be difficult since Mr. Myers has enlisted in the Navy. • 8/4/12: DS has requested update from Mr.	This case is now closed.

PARTICIPANT (DEPENDENT)	ATTORNEY FOR PARTICIPANT	DATE OF ACCIDENT	EMPLOYMENT STATUS	BENEFITS STATUS	CURRENT LIEN AMOUNT[1]	STATUS OF COLLECTION EFFORTS	COMMENTS AND RECOMMENDATIONS
						Santa Maria. Have not received a response. DS will continue to follow up. • 9/25: DS received email from Mr. Santa Maria. Mr. Myers filed suit against the driver and is still in settlement negotiations with the defendant. They requested confirmation that the lien amount is still $504.08. • 9/26: DS spoke to Mr. Santa Maria to confirm lien amount. • 10/9/12: DS spoke to Mr. Santa Maria. The case has settled and he will be sending the Fund a check for the full outstanding lien amount. Copy of payment was emailed to DS. • 11/12/12: AA confirmed to DS that the Fund received payment in full on the lien on 10/16/12. This case is now closed and Mr. Myers is responsible for any further medical claims associated with this accident.	
Matthew Smith Participant Nathan Smith 700 Penny Lane Sunderland, MD 20689 (301) 221-7468	Richard Jaklitsch, Esq. 14350 Old Marlboro Place Upper Marlboro, MD 20772 (301) 627-8700 Paralegal: Carol Jean	8/26/2010 5/2011 first claim	Dependent of Active **CLOSED**	Eligible	$0 (M) $0 (A&S) Previous Amounts: $7,925.66 (M) $0 (A&S)	• Fully executed subrogation agreement signed 3/28/12, received by DS on 4/17/12. • 5/22/12 – AA spoke with Carol from Jaklitsch Office. Matthew just became eligible for coverage as of 1/1/11 (claims previously paid by Medicaid). He had a break in treatment, hence the delay between accident and claims. Case is close to settlement. • 5/30/12: DS requested status update. No amounts have been paid out by the fund, thus far – lien is only pending. Left voicemail, no return call. DS will follow-up to determine whether they wish for us to still pay the pending claims, given the likelihood of settlement in the near future. • 6/28/12: DS spoke to Jaklitsch. They said to go ahead and pay the pended lien. • 7/16/2012: DS notified that case has preliminarily settled. Jaklitsch requested updated lien amount. • 7/27/2012: DS was told that settlement offer was $37,500. DS sent Jaklitch's office written breakdown of the lien amount. • 8/2/2012: Jaklitch called DS asking for a reduction in the lien amount. DS advised that only the trustees could make such a decision.	This case is now closed.

PARTICIPANT (DEPENDENT)	ATTORNEY FOR PARTICIPANT	DATE OF ACCIDENT	EMPLOYMENT STATUS	BENEFITS STATUS	CURRENT LIEN AMOUNT[1]	STATUS OF COLLECTION EFFORTS	COMMENTS AND RECOMMENDATIONS
						Jaklitch will put request in writing. • 8/3/2012: DS received request from Jaklitch asking for reduction in lien amount. • 8/27/2012: DS spoke to Carole from Jaklitch regarding lien reduction request. Carole stated that the case had settled. • 9/27/2012: DS left voicemail with Carole regarding denial of lien reduction request. • 10/4/2012: DS sent Carole from Jaklitsch letter confirming denial of lien reduction request. • 11/12/12: DS spoke to Carol from Jaklitch's office regarding status of payment. Carol claims that payment was sent in October. DS to follow up with AA again to verify whether payment was received. • 12/6/12: DS confirmed with AA that payment in full was received on 10/12/12. The case is now closed, Mr. Smith is responsible for any further medical bills related to this accident.	
Lamont Edwards 7415 Prince George's Rd. Pikesville, MD 21208 (443) 465-2459	None	10/06/2012	Active **NEW CASE**	Eligible	$0 (M) $642.88 (A&S)	• Fully executed subrogation agreement signed 12/03/2012 received by DS 12/06/2012. The accident report references a slip and fall at a resort in Mexico. • 12/06/12: DS spoke to participant. At this time no attorney has been retained, and there are no plans to file suit. • 12:06/12: DS sent initial contact letter to participant confirming no recovery. AA to begin paying claims.	DS and AA will continue to monitor the case.