

ATTACHMENT C

RESPONDENT'S ARGUMENT

22 February 2023

To Whom It May Concern

In response to information received regarding the proposed decision of the administrative law judge, I respectfully ask for a continuance or delay in presentation of any appellate process until my legal counsel has had sufficient time to review all documentation presented prior to and during the hearing that I participated in on 18 January 2023 via video conference.

This would allow an impartial and fair process of review to occur.

Some of the information presented was highly prejudicial, information in the legal conclusions #2 & 3 states that there were no medical opinions or evidence addressing mental, neurological or cardiac illnesses that were experienced in a specific month detailed as July of 2021 this in fact is in error at that time I was still and continue to be under medical providers' care. I submitted my retirement package information at the end of June 2021 and finalized my retirement process in July of 2021 filing for industrial disability at that time with assistance from my CalPERS representative at Salinas valley prison.

I was never directly contacted by CalPERS that I would be responsible for personally providing any additional medical records that were not already in CalPERS possession for my disability submission. I was informed during the hearing on 18 January 2023 that a request was sent to my previous address (Salinas CA) in error. Which I find ironic considering all personnel divisions (CalPERS /Salinas Valley) had/has all my forwarding information since June of 2021. The health care providers (Work Well) that I was directed to see per facility medical services forwarded all documentation of their findings to CalPERS. These were/are records of my health conditions/symptoms that should be considered for consultation/considerations as a result of my clinical diagnosis of COVID-19 which began in February 2021 and are presently ongoing under providers' care. These comorbidities are a direct result of Covid 19 workplace exposure that is a direct cause of my current/present health status. The above stated conditions were and are secondary related to that COVID 19 workplace exposure.

Evaluations of my heart and lungs through EKG/Stress Tests/ PFT/ CT etc. were performed by work well. These records were clearly omitted.

Respectfully

James Robinson