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June 11, 2006

Senator Charles Poochigian
4974 E. Clinton, #100
Fresno, California 93727

Re: [XYZ] CONSTRUCTION, INC.

Dear Senator Poochigian:

Enclosed please find a copy of the Appeal filed on behalf of [XYZ] Construction, Inc., a framing contractor in Fresno and the surrounding area. Mr. Y is an upstanding member of the Fresno community in addition to being an employer of over 50 employees.

I am enclosing for your review a copy of the Appeal filed on his behalf. You can see that through no fault of his own Mr. Y and his company are being adversely affected by a rate calculation which excludes a period of insurance while ABC Insurance Company was on the risk.

This exclusion was due to the lack of reporting of ABC Insurance Company in a timely manner. You can see that this is through no fault of Mr. Z or his company.

My hope is that you will consider proposing legislation which will resolve once and for all what appears to be an inherent conflict in the administration of the Experience Rating Plan to the detriment of employers throughout California.

Thank you for your attention to this matter and please feel free to contact me if you have any questions.

Very truly yours,
YOHMAN, PARKER, KERN, NARD & WENZEL

David H. Parker
DHP/mo/b
Enclosure