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S U M M A R Y O F E V I D E N C E

ANYAWAN DUPONT, Applicant, was called as a witness on her own behalf, having been first duly sworn through the Thai Interpreter, also having been sworn, testified substantially as follows:

DIRECT EXAMINATION BY MR. CHAMPON:

The witness Anyawan Dupont is a native speaker of the Thai language. She speaks English better now than she did in 2007. She arrived in the United States in March of 2004.

Before her husband Jack Dupont died, she spoke to him in Thai. Jack is of Thai ancestry.

Jack Dupont was employed at CR England on July 5, 2007. He was employed for less than two years before that date. As far as the witness knows, Jack Dupont never missed work at CR England.

The witness was in Thailand on July 5, 2007. She received a telephone call from her husband informing her that he had an accident.

The witness traveled from the U.S. to Thailand on June 23rd, 2007 to attend her mother's funeral. At first she received no calls from her husband because she was at the temple with her mother's body. She did not call her husband because the rates to place a call from the United States were less expensive than a call which originated in Thailand.

In a telephone call from Jack to the witness he complained of head pain. He said he fell off a truck. It was late in the morning when he called. There's a 15-hour time difference between the U.S. and Thailand. He said he fell at CR England when he was pulling a jack. The jack had to be removed from the refrigerator section of the truck so that the refrigerator could be left at a delivery location. When Jack fell it was at night. The fall was not witnessed because it was dark outside. The injured worker fell on the CR England property which has a very wide lot. Jack told the witness that after he fell he lost consciousness and did not know how long he was unconscious. He drove himself home upon awakening. The witness told Jack to contact a family

1 member to take him to the doctor. The witness later learned
2 that Dan, his sister, took him for medical attention.

3 In a telephone call 5 to 7 days later, Jack said he
4 was in the hospital. The witness tried to get an earlier
flight back to the United States but was unable to do so.

5 5 to 7 days later, the witness and Jack had a
6 telephone conversation. He said he could not sleep in the
hospital because another patient was crying so he went home.

7 The witness returned to the United States on July 28,
8 2007. She noticed something different about her husband.
He would begin speaking to her and then lose track of what
he was saying.

9 After the witness returned to the United States, Jack
10 spent more time in the hospital. He complained of headaches
three to four times per week after the July 5, 2007
11 accident. He did not complain of headaches before.

12 Jack drank beer each day before bedtime. He drank
only beer and not any other alcoholic beverages.

13 Jack did not return to work after July 5, 2007. The
14 witness found employment after her return from Thailand
because the family had no other source of income.

15 The witness works at Thai Tea. She left home at
16 10:00 a.m. and typically arrived home at 11:00 p.m. She
worked 6 days per week.

17 On the day of Jack's death, the witness and Jack went
18 to the market together to buy groceries. The witness took
Jack home and then went to work at approximately 10:00 a.m.
19 and returned at approximately 11:00 p.m. Upon her return,
she found her husband lying face down in bed. His body was
20 already stiff. She didn't call 911 because she did not
speak English. She called her husband's mother. An
21 ambulance and police came to the applicant's house.

22 The witness knows that Jack drank on the day he died.
She saw 2 beer cans on the table. One can was about half
23 full and the other can was not opened.

24 The witness arranged for and paid for her husband's
funeral.

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1 CROSS-EXAMINATION BY MS. ZAYLIA:

2 The witness testified that her husband did not drink
3 at work. The witness testified that when her husband was
4 not working, he spent his time at home. She testified that
5 she spent her time at home.

6 The witness and her deceased husband typically bought
7 30 cans of beer at a time. They purchased beer one time
8 every two weeks.

9 The deceased worker did not have a history of
10 seizures as far as the witness knows.

11 REDIRECT EXAMINATION BY MR. CHAMPON:

12 The witness was not present during an incident at a
13 gas station when a motorcycle fell on her husband's legs.
14 As far as the witness knows, her husband lost consciousness
15 because of the heat. He said it was very hot and he
16 fainted.

17 The truck driven by the deceased worker was connected
18 to a refrigerator trailer by a jack which provides
19 electrical supply. The witness testified that her husband
20 told her that the jack was rusty.

21 The witness testified that she and her husband bought
22 30 cans of beer together. He did not buy beer without his
23 wife. They always went to the market together.

24 RECROSS-EXAMINATION BY MS. ZAYLIA:

25 The witness testified that she knows how the jack
works because her husband talked to her about it. Also, she
could see him connect and disconnect the jack through the
back window of the truck. The witness accompanied her
husband as a passenger while he drove the truck for
CR England. She would be present the entire shift.

The witness does not know if her husband suffered
from any liver problems. He went to a doctor because one of
his legs became swollen. The witness did not know the
reason why his leg became swollen.

FURTHER DIRECT EXAMINATION BY MR. CHAMPON:

The witness testified that to connect or remove the
jack the injured worker had to climb up the truck. The
witness never saw a rusted area on the jack. Her husband

1 told her that he fell because he had to pull harder than
2 usual on the jack because it was rusted.

3 * * * * *

4 *PHK*

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6 PETER H. HINK
7 WORKERS' COMPENSATION
8 ADMINISTRATIVE LAW JUDGE
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STATE OF CALIFORNIA
DEPARTMENT OF INDUSTRIAL RELATIONS
DIVISION OF WORKERS' COMPENSATION

06-11-2014

PROOF OF SERVICE FOR 6/2/14 MINUTES OF HEARING SUMMARY OF EVIDENCE

(Reporter)

Case Number: ADJ3550549

ANYAWAN DUPONT Dependent, 1352 W 5TH ST APT C23 ONTARIO CA 91762

ANYAWAN DUPONT Other Applicant, 1352 W 5TH ST APT C23 ONTARIO CA 91762

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I declare under penalty of perjury that I am over age 18, not a party in this proceeding, and am employed by the State of California, DWC, Los Angeles, District Office of the WCAB, located at 320 W. 4th Street, Los Angeles, CA 90013. On 6/11/14, I emailed or deposited in the United States mail at 320 W. 4th Street, Los Angeles, CA 90013, a sealed envelope containing a copy of the 6/2/14 Minutes of Hearing Summary of Evidence (Reporter) with postage fully paid, addressed to the party or parties listed above.

Signed by: *Stan L. Ferge-Washburn*