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8 Attorney for Applicant

6 **WORKERS COMPENSATION BOARD OF APPEAL**
7 **STATE OF CALIFORNIA**
8 **MARINA DEL REY DISTRICT OFFICE**

9 SHERRY CHOWDHUARY
10 Applicant

WCAB Case No: ADJ11965518

11 v.

**APPLICATION FOR BENEFITS UNDER
§132A OF THE LABOR CODE**

12 TARGET DISTRIBUTION CENTER
13 Defendant [s]

14 **APPLICANT ALLEGES:**

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17 1. The Defendant, TARGET DISTRIBUTION CENTER, is now, and at all
18 relevant times mentioned herein was, a business organization conducting business
19 in the State of California.

20 2. Applicant is ignorant of the true names and capacities of the Defendants
21 mentioned herein, and shall seek leave of the Board to amend this application when
22 said true names and capacities have been ascertained.

23 3. The Applicant was employed by the Defendant, TARGET
24 DISTRIBUTION CENTER.

25 4. Applicant SHERRY CHOWDHUARY sustained a cumulative trauma
26 injury on or about 10/01/2018 - 02/17/2019 occurring within the course and scope
27 of Applicant's employment.

28 5. Applicants' occupation with TARGET DISTRIBUTION CENTER was

1 that of a packer.

2 6. The Applicant began his employment with EMPLOYER on 09/05/2018.

3 7. The Applicant, SHERRY CHOWDHUARY , worked up to 8 (eight)
4 hours per day, 5 (five) days per week.

5 8. Her usual and customary duties included constantly working on her feet,
6 using her hands, pushing, pulling lifting, standing, walking, twisting her body and
7 maneuver.

8 9. On 2/15/2019 Applicant complained about pain in her hands and finger
9 to her manager, asking for medical help, and on 02/18/2019, Applicant was
10 terminated from employment at TARGET DISTRIBUTION CENTER.

11 10. Said conduct constitutes a discriminatory practice in direct violation of
12 §132a in that Applicant was terminated because he sustained injury in the course
13 and scope of his employment.

14 11. This violation of Labor Code §132a proximately caused Applicant to
15 lose his employment to which he would otherwise be entitled, and consequently, his
16 means of support.

17 12. These actions were committed by defendant with knowledge of the
18 serious consequences resulting therefrom.

19 WHEREFORE, Applicant requests that he be awarded benefits under Labor
20 Code §132a, including:

21 1. Reinstatement of benefits and employment status;

22 2. Reinstatement or reimbursement for all lost wages and employment
23 benefits;

24 3. Increase in compensation benefits by fifty percent for each cause of
25 action and not to exceed \$10,000.00 for each cause of action;

26 4. Reasonable costs and expenses;

27 5. Attorney's fees; and

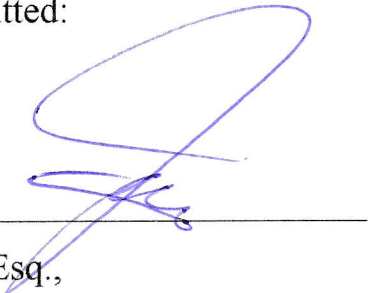
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6. For such other and further relief allowed by law, which the Board determines to be just and proper in carrying out the intent of Labor Code §132a.

Dated: 5/3/19

Respectfully submitted:



By Natalia Foley, Esq.,
Attorney for Applicant
LAW OFFICES OF NATALIA FOLEY

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6 **WORKERS COMPENSATION BOARD OF APPEAL**
7 **STATE OF CALIFORNIA**
8 **MARINA DEL REY DISTRICT OFFICE**

9 SHERRY CHOWDHUARY
10 Applicant

WCAB Case No: ADJ11965518

11 v.

VERIFICATION

12 TARGET DISTRIBUTION CENTER
13 Defendant [s]

14 I, Natalia Foley, declare as follows:

15 I am the attorney for Application in this action .

16 I have read the enclosed PETITION FOR DISCRIMINATION BENEFITS PURSUANT
17 TO LABOR CODE SECTION 132 (A) and know its content. All facts alleged in the PETITION
18 FOR DISCRIMINATION BENEFITS PURSUANT TO LABOR CODE SECTION 132 (A) are
19 true and correct to the best of my personal knowledge or with respect to those facts which are
20 alleged upon information and belief. I am informed of the same and believe the same to be true.

21 I declare under penalty of perjury that the foregoing is true and correct and that this
22 declaration was executed at Los Angeles, CA

23 Dated: 5/3/2019

24 Respectfully Submitted:
25 LAW OFFICES OF NATALIA FOLEY

26 
27 _____
28 BY NATALIA FOLEY, ESQ (SBN 295923)

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PROOF OF SERVICE BY MAIL
(CCP §1013(a) and 2015.5)
STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

SHERRY CHOWDHUARY

vs
TARGET DISTRIBUTION CENTER

WCAB CASE NO.: ADJ11965518

ss.

I am employed in the county aforesaid; I am over the age of eighteen years and not a party to the within entitled action; my business address is 5753-G616 E Santa Ana Cyn Rd Anaheim Hills, CA 92807

I am readily familiar with the business' practice for collection and processing of correspondence for mailing with the United States Postal Service, and the fact that the correspondence would be deposited with the United States Postal Service that same day in the ordinary course of business.

On 5/3/2019 , I served the foregoing document(s) described as:

APPLICATION FOR BENEFITS UNDER §132A OF THE LABOR CODE
10770.5 VERIFICATION

On all interested party(ies) in this action, by placing the true and correct copy(ies) thereof enclosed in a sealed envelope(s) with postage thereon fully prepaid, in the United States mail at Santa Ana, California, addressed as follows:

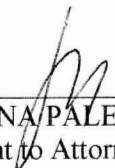
WCAB (AHM)
1065 N PACIFIC CENTER DR STE 170
ANAHEIM CA 92806

TARGET DISTRIBUTION CENTER
3105 MANGO AVE
RIALTO CA 92377

SEDGWICK CLAIMS MANAGEMENT SERVICES, INC.
PO BOX 14421
LEXINGTON, KY 40512-4421

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed 5/3/2019 in the City of Beverly Hills, County of Los Angeles, State of California.


Signed by IRINA PALEES,
Legal Assistant to Attorney Natalia Foley, Esq