

STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
WORKERS COMPENSATION DIVISION

IN THE MATTER OF THE COMPLIANCE OF
David G. Clelland, Employer

**STATE OF OREGON, Acting by and through
Michael Greenfield, Director, Department of
Consumer and Business Services
Plaintiff v.**

David G. Clelland, Individually
Defendant.

STATE OF OREGON
County of Klamath

**AFFIDAVIT SUPPORTING ENTRY
OF ORS 656.735 and 205.125
MONEY JUDGMENT AND LIEN**

I, Larry D. Sisson, being first duly sworn, say: I am the Collection Manager of the Business Administration Division for the plaintiff and custodian of plaintiff's Workers' Compensation Division Accounts Receivable records. Plaintiff's records show that "Proposed and Final Order Assessing a Civil Penalty", Number 23834-C was issued to defendant. A certified true copy of the Order is attached.

More than 20 days have elapsed since the defendant received the Order and the defendant has not requested a hearing to contest any matter therein. The penalty proposed in the Order became final on June 8, 1999, by operation of ORS 656.740(1).

Pursuant to ORS 656.735(5) and 82.010, there is now due and owing to the plaintiff by the defendants jointly and severally a civil penalty in the amount of \$1,000.00 plus interest thereon at the rate of nine percent per annum from June 18, 1999, until paid, plus the costs of recording the Order, less any payments made.

MONEY JUDGMENT

- MONEY JUDGMENT**
- 1) Judgment Creditor: State of Oregon, acting by and through Michael Greenfield, Director, Department of Consumer and Business Services.
 - 2) Judgment Creditor's Attorney: None.
 - 3) Judgment Debtors: David G. Clelland, Individually
 - 4) Principal Amount of Judgment: \$1,000.00
 - 5) Prejudgment Simple Interest: None.
 - 6) Attorney Fees: None.
 - 7) Costs: \$15.00
 - 8) Postjudgment Simple Interest at the rate of 9% per annum on the principal amount of the judgment which consists of Item 4 from June 18, 1999.

Larry D. Sisson Date
Collection Manager, Business Administration Division

Subscribed and sworn to before me this 13 day of August, 1999.

NOTARY PUBLIC FOR OREGON
My Commission Expires: 3/01

**KYRI**

RETURN TO: DCBS, Business Admin. Division - NCE
350 Winter St. NE, Room 300, Salem, OR 97310 (503) 947-7914

10/11

DAVID G CLELLAND

PROPOSED AND FINAL ORDER
ASSESSING A CIVIL PENALTY
(Noncomplying Employer,
Compensable Injury)

Employer.

Order No. 23834-C

To: DAVID G CLELLAND

VIOLATION: A noncomplying employer is subject to a civil penalty as provided by ORS 656.735(3), (4), if a subject worker receives a compensable injury while in the employ of the noncomplying employer.

FINDINGS: On July 7, 1997, the Department issued an Order declaring DAVID G CLELLAND to be noncomplying from June 1, 1996 to June 17, 1997. The Order became final on December 8, 1997.

During the period the above-named employer was a Noncomplying Employer, a subject worker, Joseph L Cillione, on May 21, 1997, sustained a compensable injury; and such determination of compensable injury was final on April 29, 1999.

ORDER: Therefore, a civil penalty in the amount of \$1,000.00 is hereby assessed against DAVID G CLELLAND.

NOTICE

If you disagree with the above findings, order, or assessment, you may request a hearing. Your request must be in writing, directed to the Department of Consumer and Business Services, Workers' Compensation Division, Labor & Industries Building, Salem, OR 97310. The request should state your grounds for disagreement and must be received by the department within 20 days after you receive this order. If you do not file a request for a hearing within the time allowed, this order will become final by operation of ORS 656.740 and thereafter shall not be subject to review by any agency or court.

DATED May 17, 1999

DEPARTMENT OF CONSUMER & BUSINESS SERVICES
WORKERS' COMPENSATION DIVISION

By David A. Nelson
Compliance Section

000211-WCDOUTNC/SUP
39210/0500

cc: CLELLAND TRUCKING file

State of Oregon, County of Klamath
Recorded 8/19/99, at 2:28 p. m.
In Vol. M99 Page 33565
Linda Smith,
County Clerk Fees 10 - KR