

**STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS  
OFFICE OF THE JUDGE OF COMPENSATION CLAIMS  
Judge of Compensation Claims District**

**EMPLOYEE:**

Fequiert Devariste  
3100 Congress Park Drive, Apt 1031  
Lake Worth, FL 33461

**EMPLOYER:**

Columbia HCA JFK Medical Center 5301  
South Congress Avenue  
Atlantis, FL 33462

**CARRIER:**

Broadspire, a Crawford Company - Tampa  
Tampa Office  
P.O. Box 14345  
Lexington, KY 40512

**ATTORNEY FOR EMPLOYEE:**

Lyle B. Masnikoff, Esquire  
Lyle B. Masnikoff & Associates, P.A.  
1645 Palm Beach Lakes Blvd., Suite 550  
West Palm Beach, FL 33401

**ATTORNEY FOR  
EMPLOYER/CARRIER:**

Paul L. Luger, Esquire  
Hurley, Rogner, Miller, Cox, Waranch and  
Westcott, P.A.  
603 North Indian River Drive, Suite 200  
Fort Pierce, FL 34950

**OJCC CASE NO.:** 12-017421TMB

**D/A:** 7/5/2012

---

**ORDER ON CLAIMANT'S MOTION FOR ADVANCE**

---

THIS CAUSE was submitted on the Motion for Advance.

Having heard all of the evidence at the Motion for Advance I find the following:

1. The claimant has an impairment based on the potential surgery;
2. The claimant has had no substantial reduction in wages based on offers of light duty work that began almost immediately after his date of accident;
3. Based on *Kuhn* case the claimant is not a proper claimant in the absence of a pending petition.

WHEREFORE, it is the Order of the undersigned Judge of Compensation Claims that said Motion is hereby granted  denied  granted in part based upon the following disposition:


---

OJCC Case No. 12-017421TMB  
Florida Bar No.: 0961371

DONE and ORDERED in Chambers.

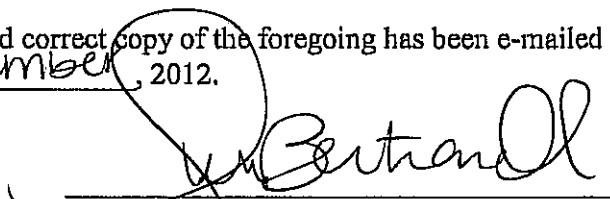
I HEREBY certify that a true and correct copy of the foregoing has been e-mailed to Counsel ([icruz@workerscompfl.net](mailto:icruz@workerscompfl.net) & [imasnikoff@workerscompfl.net](mailto:imasnikoff@workerscompfl.net)) on 20<sup>th</sup> day of December, 2012.



  
Honorable Timothy M. Basquill  
Judge of Compensation Claims

**CERTIFICATE OF SERVICE**

I HEREBY certify that a true and correct copy of the foregoing has been e-mailed to Counsel on 21<sup>st</sup> day of December, 2012.

  
Assistant to Judge of Compensation Claims