

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS
OFFICE OF THE JUDGES OF COMPENSATION CLAIMS
DAYTONA BEACH DISTRICT OFFICE

Sheila Battaglino,
Employee/Claimant,

OJCC Case No. 11-023560WWA

vs.

Accident date: 7/7/2011

State of Florida Department of
Corrections/The Division of Risk
Management,
Employer/Carrier/Servicing Agent.

Judge: Wilbur W. Anderson

**ORDER DENYING CLAIMANT'S
EMERGENCY MOTION TO PREVENT EX PARTE DOCTOR CONFERENCE**

Claimant's Emergency Motion to Prevent Ex Parte Doctor Conference, filed on February 20, 2019, is denied because the 1994 and 2003 amendments to section 440.13(4)(c), Florida Statutes, have effectively overruled the holding in *Holiday Inn vs. Re. 643 So. 2d 13 (Fla. 1st DCA 1994)*. See JCC Lewis's July 24, 2012, order in *Kelly-Olayemi v. Broward County School Board*, OJCC No: 10-027527DAL. Of course, any ex parte doctor conference must be limited to a discussion of conditions relating to the workplace injury as required by section 440.13(4)(c).

DONE AND ELECTRONICALLY TRANSMITTED VIA E-MAIL TO THE ATTORNEYS AND CARRIER LISTED BELOW this 20th day of February, 2019, in Daytona Beach, Volusia County, Florida.



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COPIES FURNISHED

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