

ANOTHER INSTALLMENT IN THE *GEORGE THE BARTENDER* SERIES

For past installments of the *George the Bartender* series, please visit our web site at: <http://www.kttlaw.us/memos.html>

**RE: GEORGE THE BARTENDER MEETS THE KEGEL, TOBIN &
 TRUCE WEBSITE**

FROM THE LOBBY BAR AT THE HYATT:

George was upset!

As soon as George slammed my martini glass down on the bar in front of me I could tell something was wrong. George did not say anything but resumed his hushed conference with his attorney, Ron Summers, and George's two workers' compensation doctors, Dr. Nickelsberg and Dr. Ratbar.

This had all the appearances of a council of war.

Finally George and his attorney came over to talk with me and Ron wanted to know why I had not told him that I was publishing what he considered to be privileged conversations at the Hyatt bar with respect to George's workers' compensation cases.

George told me that he had recently found out that I had been sending e-mails to all of our attorneys, friends and clients concerning what he felt were "privileged communications" at the Hyatt lobby bar.

George explained that he had learned about this from the claims adjuster on his case in a conversation yesterday as his adjuster is apparently on my "George the Bartender list."

Ron then accused me of breaching the attorney-client privilege and I explained to Ron that I did not think the privilege applied to conversations in a public bar. With a hurt look on his face, George wanted to know whether or not his conversations would be covered by the "bartender privilege" which is universally accepted and he did not appear to be convinced when I told him that the bartender privilege had no basis in statutory or case law.

Dr. Nickelsberg and Dr. Ratbar then joined our conversation and wanted to know if they could get copies of all of my e-mails as to the conversations I overheard at the lobby bar.

I brightened considerably at my chance to give a commercial announcement on behalf of our firm and I explained to George and his friends that all they had to do was log in to the Kegel, Tobin & Truce website <http://www.kttlaw.us> and they would be able to read all of the George the Bartender e-mails. In answer to a question from George's attorney I explained not only how to access our website but pointed out the bonanza of information that could be obtained through the various links.

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From our **Home** page you can access links to the **Location** of our offices in Southern California, a listing and biography of our **Attorneys**, our favorable **Decisions** over the last decade, **Links** to our legal memoranda including the George the Bartender series and other truly useful information, a printable **Referral** form and also a quick way to **Contact us**.

Our "attorney link" includes not only a brief biography of each attorney, along with a direct link to the attorney's e-mail, but also the attorney's picture. I would like to go on record right now that I was totally against the picture idea!

We have included on our website a listing of our favorable decisions obtained over the last decade including Findings and Awards, decisions of the Appeals Board, published decisions of the Court of Appeal and Supreme Court and en banc decisions of the Board.

Although these decisions are not citable as precedent, they can be brought to the attention of any trial judge or for that matter the Board and entered into evidence pursuant to Labor Code Section 5703(g) which provides in relevant part as follows:

The Appeals Board may receive as evidence. . .and use as proof of any fact in dispute the following matters, . . .(g) . . . prior decisions of the Appeals Board upon similar issues.

Each of our decisions is categorized by such issues as injury AOE/COE, temporary disability, permanent disability, jurisdiction, etc., and by utilizing the Decisions/F&A button you may find a decision that can be brought to the attention of the Workers' Compensation Judge pursuant to Labor Code Section 5703(g).

The KT&T Decisions include decisions of the Supreme Court and published decisions of the Court of Appeal which can be cited as authority. Our decisions also include panel decisions of the Board as well as decisions of trial judges. En banc decisions are binding on all panels of the Board as well as on all Workers' Compensation Judges.

The most important informational tool in the KT&T website is links to California public records as follows:

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CALIFORNIA APPELLATE COURTS

This link provides the user with the status of cases currently on appeal and which have been appealed. User can search the Supreme Court or the particular appellate district (by case number, name of party or attorney, or caption) and if interested, user can enter their e-mail address in order to be kept apprised of further developments. (Remember to verify your e-mail address for each case for which you request notice or you will not receive the updates.)

CALIFORNIA BOARD OF CHIROPRACTIC EXAMINERS

This link can be utilized to determine whether a chiropractor is currently licensed and/or has a disciplinary history. Many applicants' primary treating physicians utilize chiropractors and the usual inference is that the chiropractor works out of the office of the treating physician. This link can establish the business address of the chiropractor in question and often the chiropractor has not only a different business address but may have examined your applicant at that address. This information could be very important regarding billing issues.

CALIFORNIA BOARD OF PHARMACY

The Board of Pharmacy link is a treasure trove of information. In this day and age of "prescriptions are us" pharmacies we may want to access information as to whether the particular pharmacy is licensed and the address of the pharmacy, as well as whether it is open to the general public.

Many pharmacies use a Post Office Box and this link allows us to get the actual physical address of the pharmacy.

CALIFORNIA BOARD OF PSYCHOLOGY

This link will verify the license, address and discipline history of the psychologists. Like chiropractors, psychologists usually come to our attention in the report of the treating psychiatrist and the inference is they work out of the same office. However pulling up the license information will give the business address of the psychologist in question and this address is often where the applicant was examined. Again, this information can be valuable with respect to billing issues.

This link also gives us access to the laws and regulations governing psychologists.

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**CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS,
PROFESSIONAL LICENSING LOOK-UP**

Any professional who works in an occupation covered by the California Department of Consumer Affairs must be licensed with this department.

From time to time we will discover that an applicant has his own business and this link will give us access to his licensing information. This is also useful in finding previous employers and other witnesses needed for the defense of the case.

CALIFORNIA LEGISLATIVE INFORMATION

This link will give us immediate access to current events in Sacramento, information with respect to a particular Bill, access to California laws and our legislation as well as legislative publications.

CENTERS FOR MEDICARE & MEDICAID SERVICES

As we all deal on a day-to-day basis with Medicare Set-Aside Trusts, we can go to the CMS Home Page for updated information on Medicare Set-Aside issues.

MEDICAL DICTIONARY

As defense attorneys and claims professionals we spend a great deal of time reading medical reports. When we come across a medical term that we do not fully understand, accessing this link will give us an immediate description with respect to the word or phrase that has puzzled us.

PHARMACY FEE SCHEDULE

This link allows us to determine the allowable fee under the Fee Schedule for a simple prescription by going to <http://www.dir.ca.gov/dwc/pharmeesched/pfs.asp>. Just fill in the boxes.

Example: Pills Galore, Inc. fills a prescription from Dr. Ratbar for 60 Ibuprofen Tablets, 800 mg (NDC 49884046905) on October 19, 2004 and charges \$75.00.

Step 1: Fill in the NDC (National Drug Code) number (eliminate dashes; if there are zeros at the beginning of the number, those must be included);

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Step 2: Fill in the numeric - 60 - for the number of tablets issued (the NDC number already identifies the strength);

Step 3: Fill in the price billed;

Step 4: Fill in the date prescribed in the following format: MM/DD/YYYY;

Step 5: Click the price button.

A page will appear identifying the value of the product plus the Medi-Cal dispensing fee.

Title 8, California Code of Regulations, Rule 9789.40 states that for services rendered after January 1, 2004 the maximum resale fee is 100% of the fees prescribed in the Medi-Cal payment system. Bingo, the price is reduced from \$75.00 to \$13.64 (\$6.39 for ingredients and \$7.35 for dispensing).

QME DATABASE

This link will permit the user to search for a doctor by name or specialty and area. Allows some insight into which panel doctors are likely to be on a requested panel based on claimant's zip code and medical specialty selected. Therefore, if a number of potential specialties could be used, you can select the one most likely to engender a defense-oriented panel.

STATE BAR OF CALIFORNIA

Find out if an attorney is actually licensed with the State Bar of California, when the attorney was admitted to the Bar and whether said attorney has a history of discipline.

WCAB DECISIONS

This link will not only give you immediate access to all en banc decisions of the Board as well as significant Board decisions, it also provides the ability to download and print the desired decision.

I could tell George, his attorney and Drs. Nickelsberg and Ratbar had lost interest midway through my explanation of our website. Attorney Ron Summers finally blurted out that he would not be interested in any of the links on our website. He used to like to read the en banc decisions of the Board but they are just "too depressing now."

KEGEL, TOBIN & TRUCE

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DISCLAIMER:

Okay, okay!

I admit that the above was a shameless commercial announcement for our firm. However, the information that can be accessed using the links on our website can be invaluable with respect to obtaining critical information with respect to your particular case.

Not only is George the Bartender a real person but George Copeland was a world class athlete in another life with the L.A. Thunderbirds on the roller derby circuit and rubbed elbows with celebrities such as Ray Charles, Jayne Mansfield and Ginger Rogers. I am enclosing a feature article on George by Doug Krikorian that appeared on page 1 of the Sports Section of the *Press Telegram* on September 10, 2007.

Happy litigating.

Make mine a Double, George

Joe Truce

Venus returns to top 20 rankings
SPORTS WIRE B2

Vlad powers to a Home Run Derby win
MLB B6

SPORTS

www.presstelegram.com

B1

TUESDAY, JULY 10, 2007

'Little Georgie' still rolling right along

It's all so different now than it was when he was young and when he could scoot around a rink on roller skates in a blur and when he heard the cheers of the adoring multitudes.

"Would you believe I actually had a fan club," he says with a chuckle. "Really, I did. It was called the Little Georgie Copeland Fan Club. Had about 50 members. We'd meet, and I'd sign pictures and give a little talk. It was a different time, a beautiful time, a memorable time."

They called him Little Georgie Copeland because he was a mere 15 and still



**DOUG
KRIKORIAN**

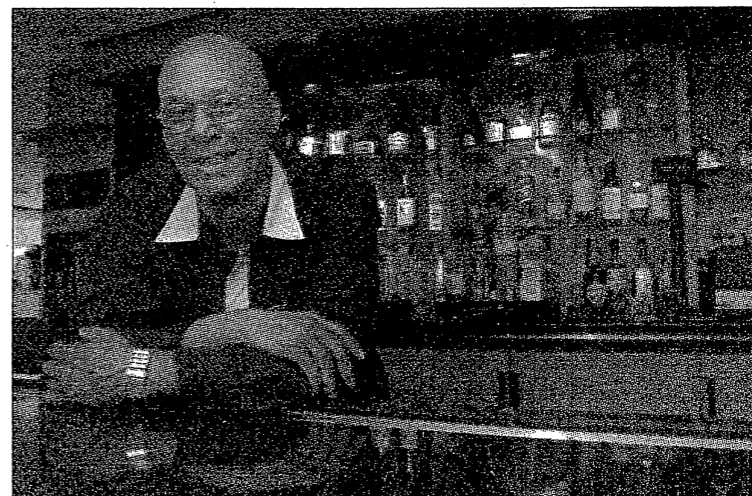
attending Los Angeles High School when he began earning wages on the roller derby circuit performing for the L.A. Braves back in 1956 when the sport was at its peak and when an

announcer named Dick Layne was regaling local television viewers with his trademark "Whoaaaa Nelly" line.

But it was with another team, the fabled L.A. Thunderbirds, where he gained widespread popularity along with such teammates as Ralphie Valladares and Billy Bogash and Red Smart and Russ Massro.

He also was a racial trailblazer, as he was the first African-American to perform in roller derby and often has been referred to as the Jackie Robinson of

PLEASE SEE **DOUG / B5**



George Copeland was only 15 when he was signed to play roller derby by the L.A. Braves. He went on to become a star with the L.A. Thunderbirds.

Photo by Diandra Jay/
Press-Telegram

DOUG: Copeland considered a pioneer in roller derby

CONTINUED FROM B1

the sport.

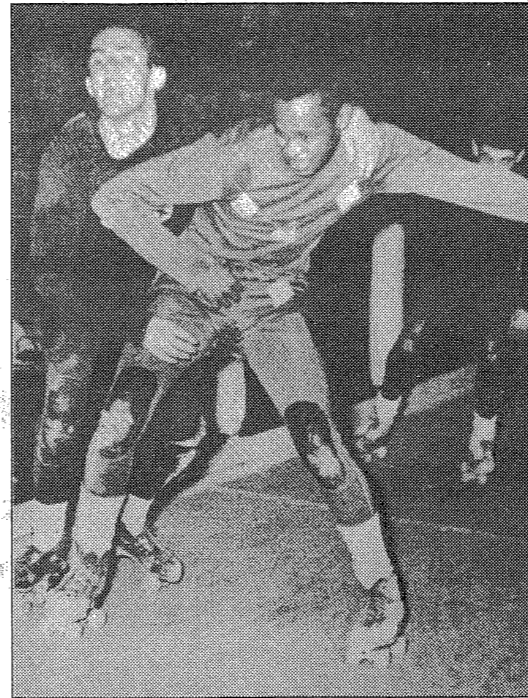
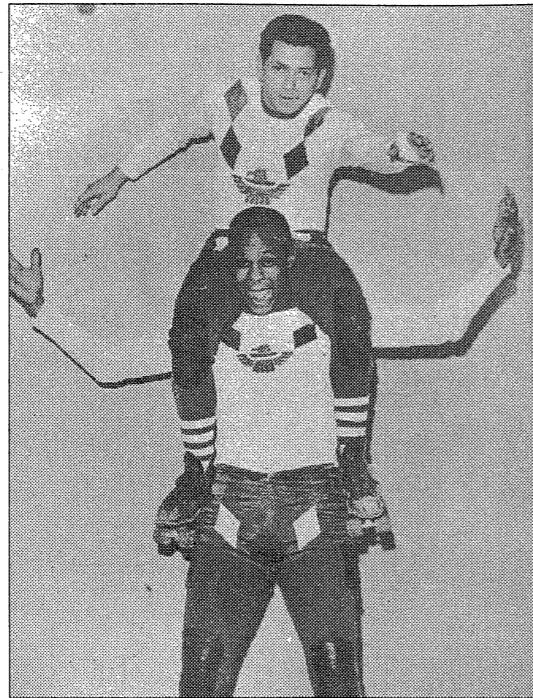
"It really was not that big a thing when I started my roller derby career," says George Copeland, now 66. "By that time, blacks were playing in all professional sports. I had no problems with anyone. Oh, I heard the angry boos, especially in San Francisco where the fans hated me. But they booed my teammates, too."

He is smiling in recollection at those long ago days when the Thunderbirds' bitterest rival was the San Francisco Bay Bombers of Charlie O'Connell and Joanie Weston and Ann Calvello and when Copeland was his team's most prolific scorer.

He is at his usual evening post, standing behind the lobby bar at the Long Beach Hyatt Regency mixing drinks and chatting amiably with customers.

"Been a bartender here for 22 years," he says. "Love Long Beach. Great community. I think it's the best-kept secret in Southern California. Only I guess it's not a secret anymore with all the people moving into the condominiums that have gone up on Ocean Boulevard."

As a kid growing up in West L.A. — his father was a wrecking company foreman and his mother was a housekeeper for an actor named Steve Cochran — he was so adept at roller skating that his parents enrolled him at a training school called Leeward.



Photos contributed

George Copeland, bottom left and far right, was once a standout roller derby star with the Los Angeles Thunderbirds from 1956-1975. After his career, Copeland became a bartender with Hyatt in Long Beach, a temporary job that turned in to a second career for 22 years.

"I guess in looking back, I was just a natural," he says. "The Braves heard about me, gave me a tryout, and signed me. Since I was only 15 and still in high school, I'd play only on the weekends for them. And they'd pay me \$50. That was big money for a 15 year old kid in those days."

Within a few years, George Copeland was earning \$800 a week, and tooling around L.A. in an El Dorado Cadillac and then a Buick Riviera.

"Oh, was I living life!" he says.

"I was hanging out with the Hollywood people because of Steve Cochran, whose career was going big at the time and who had known me since I was a kid because of my mom.

"He'd invite me to parties at his house, and I remember meeting Jayne Mansfield and Ginger Rodgers and people like that.

"I also became good friends with Ray Charles through my late sister Sadie Shepard, who wrote six songs for Ray who was living in Baldwin Hills at the

time. I have remained friends with Ray's family through the years, and at their invitation attended the movie premier of 'Ray' at the Kodak Theater in Hollywood."

When the roller derby crazy diminished in the early 1970s, George Copeland reluctantly hung up his skates.

"I had a great run, a lot of fun and tremendous memories," he says. "But it was a grueling existence. We'd play matches one night in L.A. at the Olympic, then

the next at the Orange Show in San Bernardino, then down to San Diego, then to Bakersfield and then up to the Bay Area. It was a frenzied existence."

Copeland also once took a two-week tour with the Thunderbirds to Japan.

"We filled every arena we played in for 14 straight days," he says. "It was wild and crazy."

Of course, roller derby itself was wild and crazy with its feigned feuds and fights — pro wrestling on roller skates.

"I played both the good guy and the bad guy depending on the circumstances," says Copeland.

He still retains vestiges of his roller derby persona, especially when it comes to spewing hype.

"Please, if you're going to write about me, you've got to mention people I work with like Kim Lemond, the greatest waitress in America," he says, as though he's doing an interview with Dick Layne. "And don't forget our doorman, Jacob Faddoul. Or our catering manager Nancy Frye. And our great general manager Steve Smith."

George Copeland is just warming up.

He can't shed his roller derby raiment even though he hasn't skated competitively for 36 years.

"There are so many people in this town who own taverns who do so much for so many people who never receive any credit," says Copeland. "People like Joe

Carswell at the V Room and Jimmy Mountain at O'Connell's and David and Jackie Hayden at my home away from home, the House of Hayden where the great Vince Jordan works. Please mention them. They deserve recognition. They do a lot for this community without people knowing it."

"Have you been retained to do public relations by these people?" I wonder.

George Copeland is laughing, this nice man who has had such an interesting existence and who actually lives in Glendale when he and his wife Alicia aren't at their vacation home in Ensenada.

"You know my wife and I went roller skating with one of our granddaughters, Kylie, the other day at her birthday party, and my wife fell and broke her arm," says Copeland, who has four sons.

"And to be honest with you, I found the skating to be very hard. I'm not Little Georgie Copeland any longer. I weighed 160 when they called me that. Unfortunately, I weigh a few more pounds now."

George Copeland might be older and might be heavier, but he still retains the charismatic persona that once made him such a popular figure in a sport that sadly has disappeared.

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