EXHIBIT F

	Case 13-10367-MFW	Doc 526-7	Filed 11/26/14	Page 2 of 18
1	LAW OFFICES OF HOKE A 4340 Campus Drive, Suite 1			
2	Newport Beach, California 9 (949) 475-0025			
3				
4 5	EAMS NO: 5223100			
6	Attorneys for Defendants Conexant/Rockwell Semi-Co	onductor		
7				a second a second second
8	BEFORE THE V	VORKERS' C	OMPENSATION	APPEALS BOARD
9	(OF THE STA	TE OF CALIFOR	NIA
10	Lloyd Lewis) CAS	E NO: ADJ2874770;
11				ADJ4027847; ADJ1164217
12		Applicant,)	
13	VS.			ION FOR ORDER/DISMISSAL
	43.			
14	Conexant Systems;) OF CO) SEMI-	NEXANT/ROCKWELL CONDUCTOR
15) OF CO) SEMI-	NEXANT/ROCKWELL
15 16	Conexant Systems;	Defendant(s) OF CO) SEMI-) RE: B	NEXANT/ROCKWELL CONDUCTOR
15 16 17	Conexant Systems; Carl Warren & Associates) OF CO) SEMI-) RE: B)).)	NEXANT/ROCKWELL CONDUCTOR ANKRUPTCY
15 16 17 18	Conexant Systems; Carl Warren & Associates COMES NOW DEF	ENDANT, C) OF CO) SEMI-) RE: B)).)).) onexant System	NEXANT/ROCKWELL CONDUCTOR ANKRUPTCY
15 16 17 18 19	Conexant Systems; Carl Warren & Associates COMES NOW DEF Rockwell Semi-Conduct	ENDANT, Co) OF CO) SEMI-) RE: B)).) onexant System ons the Workers'	NEXANT/ROCKWELL CONDUCTOR ANKRUPTCY
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15 16 17 18 19 20 21 22 23 24 25 26 27	Conexant Systems; Carl Warren & Associates COMES NOW DEF Rockwell Semi-Conduct Board for a Stay Order as t of California as against Conexant/Rockwell Semi-C to this matter on the grou Court has exclusive jurisdi	ENDANT, Co or and petition to any claims the Conexant/ onductor also nds of Feder iction to any e workers' co) OF CO) SEMI-) RE: B)).).).).).) onexant System ons the Workers' a under the Workers' b a under the Workers'	NEXANT/ROCKWELL CONDUCTOR ANKRUPTCY ns, previously known as Compensation Appeals ers' Compensation Laws Conductor. Defendant, be dismissed as a party and that the Bankruptcy inst Conexant/Rockwell tem of California. [See
15 16 17 18 19 20 21 22 23 24 25 26	Conexant Systems; Carl Warren & Associates COMES NOW DEF Rockwell Semi-Conduct Board for a Stay Order as t of California as against Conexant/Rockwell Semi-C to this matter on the grou Court has exclusive jurisdi Semi-Conductor within the	ENDANT, Co or and petition to any claims the Conexant/ onductor also nds of Feder iction to any e workers' co) OF CO) SEMI-) RE: B)).).).).).) onexant System ons the Workers' a under the Workers' b a under the Workers'	NEXANT/ROCKWELL CONDUCTOR ANKRUPTCY ns, previously known as Compensation Appeals ers' Compensation Laws Conductor. Defendant, be dismissed as a party and that the Bankruptcy inst Conexant/Rockwell tem of California. [See

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1	the Second Modified Joint Plan of Reorganization of Conexant
2	Systems, Inc. and its Debtor Affiliates pursuant to Chapter 11 of the
4	Bankruptcy Code]
5	In support of its Petition, defendant offers the follow:
6	STATEMENT OF FACTS
7	The applicant has filed three Claim Forms alleging two specific injuries
8	and a cumulative trauma against Kimco, a temporary agency.
9	The first Employee Claim Form alleged a specific injury on 1/11/95
10	involving a hernia and psyche while lifting. The applicant was allegedly employed
11	as a photocopy person by the temporary agency, Kimco.
12	A second specific injury claim was filed alleging a second injury on
13	
14	11/27/96 to the applicant's back, legs, psyche, knees and neck while working on a
15	photocopy machine also while employed with Kimco.
16	A third Employee Claim Form alleged a cumulative trauma for the period
17	from 11/27/95 to 11/27/96 involving the applicant's back, knees, left leg, psyche
18 19	and neck while working as a photocopier for Kimco.
20	Subsequent to the filing of the workers' compensation claims, the
21	insurance carrier for Kimco [California Compensation] proceeded through
22	bankruptcy and subsequently liquidated.
23	The California Insurance Guarantee Association [CIGA] then was joined
24	by applicant's counsel as a party to both the specific injury claims and the
25	cumulative trauma.
26	
27	Subsequent thereto on or about 6/24/02, CIGA had Rockwell Semi-
28	Conductor joined under a General/Special Employment Relationship. California
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1					
2	Compensation Insurance had become insolvent on 6/26/00.				
3	CIGA claimed that Rockwell Semi-Conductor/Conexant was responsible				
4	for all workers' compensation benefits under the theory that Rockwell Semi-				
5	Conductor/Conexant was a special employer.				
6	Subsequent thereto that on or about 2/28/13, Conexant/Rockwell Semi-				
7	Conductor commenced a case under Chapter 11 of the Bankruptcy Code.				
8	In approximately May of 2013, the United States Bankruptcy Court for the				
9	District of Delaware confirmed the joint plan of reorganization for Conexant				
10	Systems/Rockwell Semi-Conductor.				
11					
12	ARGUMENT				
13	Defendant contends that all claims filed prior to the Application for the				
14	Chapter 11 plan are within the exclusive jurisdiction and venue of the Bankruptcy				
15	Court.				
16	The exclusive jurisdiction is in the Bankruptcy Court in which defendant				
17	filed under Chapter 11 as set forth in 28 USC 157 and 1334.				
18 19	In the present case it is clear that the Joinder of Conexant/Rockwell Semi-				
20	Conductor by CIGA in 2002 was prior to the Application for Bankruptcy Relief				
21	under Chapter 11 of the Bankruptcy Code and as such, any and all claims by				
22	either CIGA or the applicant are within the exclusive jurisdiction of the bankruptcy				
23	trustee.				
24	In the present case, the applicant can still proceed directly against CIGA				
25	although it is defendant's contention that based upon the Chapter 11 filing that				
26					
27	CIGA has no cause of action against Conexant/Rockwell Semi-Conductor other				
28	than within the Bankruptcy Court.				

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1	To the best of defendant's knowledge, CIGA never objected to the
2	Bankruptcy Plan and is bound by the findings of the Bankruptcy Court.
3	Defendant would refer the court to page 46 of the Findings of Fact of the
4	Bankruptcy Court and specifically Section 106 which is referred to as Discharge
5 6	of Claims and Termination of Interest. The Bankruptcy Court specifically
7	stated that as provided in Article VIII.B of the Plan, pursuant to §1141(d) of the
8	Bankruptcy Code that the provision of the Plan with respect to the discharge of
9	Claims and termination of interest is approved in all respects. The Bankruptcy
10	Court went on to state that this Confirmation Order shall constitute a judicial
11	
12	determination of the discharge of all claims and interest subject to the occurrence
13	of the Effective Date.
14	Defendant refers the WCAB to page 47 of the Findings of Fact and
15	specifically to Section 111 entitled, Injunction.
16	The Bankruptcy Court stated that from and after the effective date and is
17	contemplated in Article VIII.H of the Plan, the Injunction shall be in full force and
18	effect.
19	Going further on page 55 of the Findings of Fact, under Section 133,
20	entitled Final Order the Bankruptcy Court stated that this Confirmation Order is
21	a Final Order.
22 23	
23	Under Section 135 entitled Retention of Jurisdiction the Bankruptcy
24	Court states that notwithstanding the entry of the Confirmation Order and the
26	occurrence of the effective date on or after the effective date, the Bankruptcy
27	Court shall retain exclusive jurisdiction over all matters arising out of, or related to,
28	the Chapter 11 cases and plan pursuant to Article X1 of the Plan. This was

n	Case 13-10307-101-10 D0C 320-7 Flied 11/20/14 Fage 0 01 18
1	signed by the Honorable Mary F. Walrath, United States Bankruptcy Judge on
2	6/6/13.
3	Based upon the fact that the Bankruptcy Court has exclusive jurisdiction
4	as to any and all claims filed prior to the Application for Chapter 11, defendant
5 6	respectfully requests that the WCAB issue a Stay as to any proceeding
7	commenced as against Conexant/Rockwell Semi-Conductor before the Workers'
8	Compensation Appeals Board and that it further dismiss defendant as a party to
9	this matter.
10	The prior objection as issued by CIGA to defendant's Petition for
11	Dismissal did not address the exclusivity issue of the Bankruptcy Court and that of
12	the federal preemption. In essence, CIGA could be found in contempt by the
13 14	United States Bankruptcy Court in that they were previously served with the Order
14	and now are attempting to circumvent jurisdiction of the Bankruptcy Court.
16	DATED: February 13, 2014 Respectfully submitted,
17	LAW OFFICES OF HOKE AND GRAY
18	LAW OFFICES OF HORE AND GRAT
19	BY:
20	Robert - Hoke, Jr.
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DOCUMENT SEPARATOR SHEET			
Product Delivery Unit	ADJ		
Document Type	LEGAL DOCS		
Document Title VERIFICATION			
Document Date	02/13/2014 MM/DD/YYYY		
Author	HOKE GRAY NEWPORT BEACH		
Office Use Only			
Received Date	MM/DD/YYYY		

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ſ	Case 13-10367-MFW Doc 526-7 Filed 11/26/14 Page 8 of 18				
1	(VERIFICATION - 446 AND 2015. C.C.P.)				
2	STATE OF CALIFORNIA, COUNTY OF ORANGE				
3	I, the undersigned, declare: I am the Attorney for the defendants in the				
4	above-entitled action.				
5	I have read the foregoing:				
6					
7 8	PETITION FOR STAY ORDER/DISMISSAL OF CONEXANT/ROCKWELL SEMI-CONDUCTOR RE: BANKRUPTCY				
9,	and know the contents thereof; and the same is true of my own knowledge, except				
10	as to the matters, which are therein stated upon my information and belief, and as				
11					
12	to those matters, I believe it to be true.				
13	I certify (or declare) under penalty of perjury under the laws of the State of				
14	California that the foregoing is true and correct.				
15	DATED: February 13, 2014				
16					
17	Robert Litcke, Jr. Attorney for Defendant				
10000					
18	Type or Print Full Name of Declarant and Title, if applicable				
19	Type or Print Full Name of Declarant and Title, if applicable				
19 20	Type or Print Full Name of Declarant and Title, if applicable				
19 20 21	Type or Print Full Name of Declarant and Title, if applicable				
19 20 21 22	Type or Print Full Name of Declarant and Title, if applicable				
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19 20 21 22 23 24 25	Type or Print Full Name of Declarant and Title, if applicable				
19 20 21 22 23 24 25 26	Type or Print Full Name of Declarant and Title, if applicable				
19 20 21 22 23 24 25 26 27	Type or Print Full Name of Declarant and Title, if applicable				
19 20 21 22 23 24 25 26	Type or Print Full Name of Declarant and Title, if applicable				

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DOCUMENT SEPARATOR SHEET			
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Author	HOKE GRAY NEWPORT BEACH		
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1	PROOF OF SERVICE BY MAIL (1013a, 2015.	5 C.C.P.)
2	STATE OF CALIFORNIA	
3) COUNTY OF ORANGE)	8
4	I am a citizen of the United States and	a resident of the aforementioned
5	County; I am over the age of eighteen years ar my business address is 4340 Campus Drive, S	id not a party to the within entitled action;
6	92660.	
7	On February 13, 2014 I served the with	nin:
8	C.	MISSAL OF CONEXANT/ROCKWELL
9	SEMI-CONDUCTOR RE: BANKRUPTCY	WITH ENCLOSURE [EXHIBIT "A"]
10	FINDING OF FACT; CONCLUSION OF LA SECOND MODIFIED JOINT PLAN OF R	EORGANIZATION OF CONEXANT
11	SYSTEMS, INC. AND ITS DEBTOR AFFILIA THE BANKRUP	TCY CODE
12	Re: Lloyd Lewis v. Conexant Systems, Inc; A	DJ2874770; ADJ4027847; ADJ1164217
13	on the parties in said action by placing a true c	opy thereof enclosed in a sealed
14	envelope with postage thereon fully prepaid, in Beach, California addressed as follows:	the Onlited States mail at Newport
15	Workers' Compensation Appeals Board	Davis Healthcare Management Group
16	28 Civic Center Plaza, #451	8502 E. Chapman Avenue, #458
17	Santa Ana, CA 92701	Orange, CA 92869
18	Lister, Martin & Thompson 700 N. Brand Blvd, #630	Neurology Medical Center 1203 E. Vermont Avenue
19	Glendale, CA 91203	Anaheim, CA 92805
20	[w/o enclspetition only- exhibits prev. sent]	Newport Coast Medical Center
21	Guilford, Sarvas & Carbonara	1441 Avocado Avenue, #103
22	2099 State College Blvd, #400 Anaheim, CA 92806	Newport Beach, CA 92660
23	[w/o enclspetition only- exhibits prev. sent]	OD Legal 320 W. 4 th Street, #600
24	Carl Warren & Associates	Los Angeles, CA 90013
25	P.O. Box 2422 Tustin, CA 92781	Ortho Med Group of Santa Ana
26	Conexant Systems	18102 Irvine Blvd, #107 Tustin, CA 92780
27	4311 Jamboree Road	
28	Newport Beach, CA 92658	Pyramid Peak 2415 Campus Drive, #110
		Irvine, CA 92612
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	u.	

ſ	Case 13-10307-WFW DOC 520-7 Filed 11/20/14 Page 11 01 18
1	Marthan Dhata ann Camina
2	Med Legal Photocopy Service P.O. Box 1288
	West Covina, CA 91793
3	I declare, under penalty of perjury, that the foregoing is true and correct.
4	Executed on February 13, 2014 at Newport Beach, California.
5	HA
6 7	Laura M. Knapp
8	Luura in himpp
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	DOCUMENT SEPARATOR SHEET		
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4	BEFORE THE WORKERS' COMPENSATION APPEALS BOARD
5	OF THE STATE OF CALIFORNIA
6	
7	Lloyd Lewis) CASE NO: ADJ2874770;) ADJ4027847;
8) ADJ1164217 Applicant,)
9) JOINT ORDER STAYING
10	vs.) ALL PROCEEDINGS AS) TO CONEXANT/ROCKWELL
11	Conexant Systems;) SEMI-CONDUCTOR AND Carl Warren & Associates) DISMISSING CONEXANT/
12) ROCKWELL SEMI-CONDUCTOR Defendant(s).) AS A PARTY TO THIS MATTER
13)
14	
15	GOOD CAUSING APPEARING, any and all actions commenced before
16	the Workers' Compensation Appeals Board as against Conexant/Rockwell Semi-
17	Conductor are thereby stayed and that Conexant/Rockwell Semi-Conductor is
18	hereby dismissed as a party to this matter based upon the exclusive jurisdiction of
19	the United States Bankruptcy Court.
20	
21	DATED. DV:
22	DATED: BY:
23 24	Workers' Compensation Judge
24	
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DOCL	IMENT SEPARATOR SHEET
Product Delivery Unit	ADJ
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THE SECOND MOL	NDING OF FACT, CONCLUSION OF LAW AND ORDER CONFIRMING DIFIED JOINT PLAN OF REORGANIZATION OF CONEXANT SYSTEMS, OR AFFILIATES PURSUANT TO CHAPTER 11 OF THE BANKRUPTCY THROUGH 25
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DOCU	IMENT SEPARATOR SHEET	
Product Delivery Unit	ADJ	
Document Type	MISC	
Document Title EXHIBIT "A" – FINDING OF FACT, CONCLUSION OF LAW AND ORDER CONFIRMING THE SECOND MODIFIED JOINT PLAN OF REORGANIZATION OF CONEXANT SYSTEMS, INC. AND IT DEBTOR AFFILIATES PURSUANT TO CHAPTER 11 OF THE BANKRUPTCY CODE: PAGES 26 THROUGH 50 Document Date		
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DOCU	MENT SEPARATOR SHEET
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THE SECOND MOL	NDING OF FACT, CONCLUSION OF LAW AND ORDER CONFIRMING DIFIED JOINT PLAN OF REORGANIZATION OF CONEXANT SYSTEMS, OR AFFILIATES PURSUANT TO CHAPTER 11 OF THE BANKRUPTCY THROUGH 76
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DOCU	MENT SEPARATOR SHEET
Product Delivery Unit	ADJ
Document Type	MISC
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DOCU	MENT SEPARATOR SHEET		
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