

WESTWOOD MEDICAL LEGAL CONSULTING
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July 19, 2024

Law Office of
Roger Fincher
1263 Southwest Topeka Boulevard
Topeka, Kansas 66612

Dear Mr. Fincher:

I had opportunity to perform an independent medical evaluation regarding Donavan Rakestraw on July 19, 2024. Mr. Rakestraw presented as a 58-year-old gentleman born on August 24, 1965. He indicated that he had been employed for approximately one year at Dots Pretzels, LLC as a forklift driver. He indicated that his employment ended at Dots Pretzels, LLC approximately one month before being seen in this office.

In preparation of this report, I had records as follows:

1. Kansas Department of Labor, an Application for Benefits form indicating that Mr. Rakestraw on March 28, 2024 developed symptoms affecting the right foot and associated body parts when he was not provided the required floor mat to stand on in carrying out job duties.

PREVIOUS HOSPITALIZATIONS AND/OR OPERATIVE PROCEDURES:

Approximately three years ago, Mr. Rakestraw reported that he had surgical management for a pilonidal cyst in Paola, Kansas.

He reported approximately 4 years ago and again 1 ½ years ago that he had coronary artery stents placed at the Olathe Medical Center.

He indicated when he was in the 4th or 5th grade that he had a cyst removed from the left thumb which required a skin graft from his left forearm.

He reported approximately 10 years ago that he had a cholecystectomy at the Olathe Medical Center.

CHIEF COMPLAINT: Pain and discomfort affecting the distal right foot.

HPI: Mr. Rakestraw developed pain and discomfort affecting the distal right foot when he was moved from his usual work area to a special projects area at his place of employment on or about March 28, 2024.

He indicated when standing in the special projects area for approximately 12 hours on a cement surface that he developed pain and discomfort affecting the distal right foot associated the

This IME report was created and routed through my attorney and based on records he controlled, including a workers' compensation benefits application. The findings, assumptions, and legal implications were never discussed with me. I relied on my attorney to explain my rights, but his exclusive control over medical evidence confined the case to workers' compensation and delayed my discovery of other available legal remedies, supporting equitable tolling.