

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

Michael Lutz,  
Employee/Claimant,

OJCC Case No. 18-015138WWA

vs.

Accident date: 6/1/2017

Flagler County Sheriff's Office/Florida  
Sheriffs Risk Management Fund (FSRMF),  
Employer/Carrier/Service Agent

Judge: Wilbur W. Anderson

**ORDER GRANTING EMPLOYER/CARRIER'S MOTION TO APPROVE FLAGLER  
COUNTY INSPECTION AND DISCHARGE PRESERVATION ORDER**

The Employer/Carrier filed a Motion to Approve Flagler County Inspection and to Discharge Preservation Order on December 6, 2018. The motion states Claimant has no objection to the motion. At a hearing on the motion on December 10, 2018, however, Claimant's counsel requested that a ruling on the motion be deferred until Claimant's expert inspected the Operations Center. The Employer/Carrier did not object to the deferral.

Claimant has now informed the undersigned and the Employer/Carrier that there is no objection to immediate entry of an order granting the motion. It is therefore,

**ORDERED AND ADJUDGED** that the September 20, 2018, Order on Motion to Set Time Parameters for Inspection and Testing, and the August 30, 2018, Order Granting Claimant's Motion Requesting the E/C/SA Preserve Evidence and Grant Entry onto Land, are vacated.

**FURTHER ORDERED** that Flagler County may implement the CDC/NIOSH recommendations with respect to the Operations Center, and engage in any other activities affecting the Operations Center that it deems appropriate, including destructive testing.

**DONE AND ELECTRONICALLY TRANSMITTED VIA EMAIL TO THE ATTORNEYS AND CARRIER LISTED BELOW** this 21<sup>st</sup> day of December, 2018, in Daytona Beach, Volusia County, Florida.



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Wilbur W. Anderson  
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Division of Administrative Hearings  
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