

**IN THE IOWA DISTRICT COURT FOR POLK COUNTY**

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**ROYAL PLUMBING, LLC and  
EMCASCO INSURANCE COMPANY,**

Petitioners,

vs.

**TIMOTHY KONO,**

Respondent.

**Case No. CVCV062892****RULING ON PETITION FOR  
JUDICIAL REVIEW**

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**INTRODUCTION**

Before the court is a petition for judicial review filed by petitioners Royal Plumbing and Emasco Insurance Company (hereinafter “Royal Plumbing”) on December 13, 2021. Royal Plumbing filed its brief on February 11, 2022, and respondent Timothy Kono (hereinafter “Kono”) filed his brief on March 14, 2022. Royal Plumbing filed its reply brief on March 29, 2022. A hearing was held on April 8, 2022. Attorney Lori Brandau represented royal Plumbing. Attorney Saffin Parrish-Sams represented Kono.

After hearing the arguments of counsel and reviewing the court file, including the briefs filed by both parties and the administrative record, the court now enters the following ruling on the petition for judicial review.

**FACTUAL BACKGROUND**

This matter comes before the court as an administrative appeal by Royal Plumbing and Emasco Insurance Company from the Iowa Workers’ Compensation Commission’s final agency action. Kono filed an Application for Alternate Care on October 20, 2021, with the Iowa Workers’ Compensation Commissioner. Kono filed the application to prevent Royal Plumbing

from interfering with his care with PAC Cunningham. The alternate medical care claim was heard on November 2, 2021.

On April 9, 2019, Kono sustained multiple injuries when a 10 to 11-foot-deep trench collapsed on him. Kono sustained multiple physical injuries, including injuries to his hips, legs, knees, ankles, and low back. Kono also sustained mental health injuries, including post-traumatic stress disorder (PTSD), anxiety, and depression. Royal Plumbing accepted liability for the injury and has provided medical care as well as workers' compensation benefits. The alternate medical care dispute involves a transition of the management of Kono's mental health care from an internist, Dr. Steven Reeves, to a board-certified psychiatrist, Dr. Koithan.

Kono's mental health care was previously authorized with Dr. Amy Mooney and Dr. Terry Augspurger. In July 2019, Kono objected to Dr. Mooney's care and requested care be transferred to a licensed psychologist or psychiatrist with experience and expertise in treating PTSD. Kono's mental health care was transitioned to Dr. James Gallagher in October 2019. Dr. Gallagher recommended Royal Plumbing authorize counseling services with social worker Shannon Sandahl. Kono continued under Dr. Gallagher's care until his retirement in July 2021. Dr. Gallagher discontinued his practice and transitioned Kono's care to physician assistant Laura Cunningham. Iowa law requires Cunningham to be supervised by a physician. After Dr. Gallagher's retirement, Dr. Reeves assumed the supervision of PA-C Cunningham related to Kono's care.

In January 2021, Royal Plumbing had Kono seen by Dr. C. Scott Jennisch. Dr. Jennisch issued a report in August 2021 with one of his recommendations being a transition of care to a psychiatrist. Dr. Jennisch subsequently recommended that board-certified psychiatrist Dr. Koithan assume this role. Dr. Koithan agreed to accept Kono as a patient. Royal Plumbing

consulted with Dr. Reeves by sending him a letter from its attorney regarding the transition of care to Dr. Koithan based on Dr. Jennisch's recommendation. Dr. Reeves checked "agree" under the statement "I concur with the recommendation that the management of Mr. Kono's mental health care be transitioned from me to Dr. Thomas Koithan."

On October 18, 2021, Royal Plumbing sent Kono a letter authorizing the transition from Dr. Reeves to Dr. Koithan and instructed Kono to call Dr. Koithan's office to schedule an appointment. Royal Plumbing also stated that services with PA-C Cunningham and Shannon Sandahl remained authorized. Kono objected to the transition of care to Dr. Koithan and filed a petition for alternate medical care.

An alternate medical care hearing was held on November 2, 2021, before Deputy Workers' Compensation Commissioner Jessica Cleereman. Deputy Cleereman granted Kono's petition for alternate medical care on November 3, 2021. Deputy Cleereman based this on: (1) there was no "rational justification" for the transfer of care because the previous authorized treating physician, Dr. Gallagher, referred Kono to PA-C Cunningham for this continuing treatment; (2) bringing in Dr. Koithan at this time may the ultimate effect of the withdrawing Kono's treatment with PA-C Cunningham; (3) PA-C Cunningham has serious concerns about the transfer of Kono's care at this time and he is currently stable and showing improvement; and (4) no authorized treating provider has suggested a change from Dr. Reeves to Dr. Koithan as medically necessary or even in his best interest. Ultimately, Deputy Cleereman found Royal Plumbing's attempt to transition Kono's mental health care to Dr. Koithan is an unreasonable interference with Kono's medical care at this point, given that there is no rational justification for the change.

On November 19, 2021, Royal Plumbing filed a request for reconsideration of the decision. The Deputy entered an order denying this request without further analysis on November 22, 2021. On December 13, 2021, Royal Plumbing filed a petition for judicial review, which is presently before the court. Additional facts are set forth below as necessary.

### **LEGAL STANDARD**

The Iowa Administrative Procedure Act codifies a court's judicial review of agency action in Iowa Code section 17A.19. Pursuant to this section, a district court has the power to "affirm the agency action or remand to the agency for further proceedings." Iowa Code § 17A.19(10). Additionally, "[t]he court shall reverse, modify, or grant other appropriate relief from agency action . . . if it determines that substantial rights of the person seeking judicial relief have been prejudiced because the agency action" falls within any of the categories enumerated in subsection ten, paragraphs "a" through "n." *Id.*

"District courts exercise appellate jurisdiction over agency actions on petitions for judicial review." *Christiansen v. Iowa Bd. of Educ. Exam'rs*, 831 N.W.2d 179, 186 (Iowa 2013) (citation omitted). Furthermore, the court's "decision is controlled in large part by the deference we afford to decisions of administrative agencies." *Cedar Rapids Cmty. Sch. Dist. v. Pease*, 807 N.W.2d 839, 844 (Iowa 2011). For example, when an agency's findings of fact are supported by substantial evidence, "the courts should broadly and liberally apply those findings to uphold rather than to defeat the agency's decision." *IBP, Inc. v. Al-Gharib*, 604 N.W.2d 621, 632 (Iowa 2000) (citation omitted).

"Because of the widely varying standards of review, it is essential for counsel to search for and pinpoint the precise claim of error on appeal." *Jacobsen Transp. Co. v. Harris*, 778 N.W.2d 192, 196 (Iowa 2010) (citation and internal quotations omitted). If the agency's alleged

“error is one of fact, [the court] must determine if the [agency’s] findings are supported by substantial evidence.” Id. (citing Iowa Code § 17A.19(10)(f)). “If the error is one of interpretation of law, [the court] will determine whether the [agency’s] interpretation is erroneous and substitute [its] judgment for that of the” agency. Id. (citing Iowa Code § 17A.19(10)(c)). “If, however, the claimed error lies in the [agency’s] application of the law to the facts, we will disturb the [agency’s] decision if it is ‘[b]ased upon an irrational, illogical, or wholly unjustifiable application of law to fact.’” Id. (quoting Iowa Code § 17A.19(10)(m)).

Regarding section 17A.19(10)(f), “[e]vidence is not insubstantial merely because different conclusions may be drawn from the evidence.” Pease, 807 N.W.2d at 845. See also Arndt v. City of Le Claire, 728 N.W.2d 389, 393 (Iowa 2007) (“Just because the interpretation of the evidence is open to a fair difference of opinion does not mean the [agency’s] decision is not supported by substantial evidence.”). “Under chapter 17A, a court’s task on judicial review is not to determine whether the evidence might support a particular factual finding; rather, it is to determine whether the evidence supports the finding made.” Burton v. Hilltop Care Ctr., 813 N.W.2d 250, 263–64 (Iowa 2012).

### **ANALYSIS**

Royal Plumbing asserts six arguments in its judicial review brief: (1) the agency’s alternate medical care decision in IWCC file no. 1633131.02 does not preclude the transition of medical care at issue in IWCC file no. 1633131.03; (2) the agency erred in admitting Kono’s affidavit into evidence; (3) the agency erred by applying an improper legal standard to Kono’s petition for alternate medical care; (4) the agency erred as a matter of law in characterizing the proposed transition of care as unreasonable and without rational justification; (5) the agency’s decision to grant Kono’s petition for alternate medical care is without substantial support; and (6)

the agency erred in refusing to allow the employer an opportunity to choose a different specialist than originally proposed. The petition suggests Royal Plumbing seeks a reversal of the agency's action pursuant to Iowa Code sections 17A.19(10)(a), (c), (f)-(j), and (l)-(n).

**A. Whether the Agency's Alternate Medical Care Decision in IWCC File No. 1633131.02 Precludes the Transition of Medical Care at Issue in IWCC File No. 1633131.03.**

Royal Plumbing argues the alternate care ruling entered in IWCC file no. 1633131.02 does not preclude the transition of care from Dr. Reeves to Dr. Koithan. Specifically, Royal Plumbing states issue preclusion does not apply because the issue is not identical to the issue presented in this proceeding. The court understands Royal Plumbing is asserting this argument because in Kono's answer to the petition for judicial review he asserted the transition of care at issue as "an impermissible collateral attack" on the agency's alternate medical care ruling on August 13, 2021.

However, the court declines to rule on this issue. If the district court were to make a finding on this issue, it would be exceeding the scope of permissible judicial review of an agency decision. Meyer v. IBP, Inc., 710 N.W.2d 213, 225 (Iowa 2006). The deputy commissioner never addressed this claim or made a finding in its ruling. See id.; see also KFC Corp. v. Iowa Dep't of Revenue, 792 N.W. 308, 329 (Iowa 2010) (finding "we decline to entertain issues not ruled upon by an agency when the aggrieved party failed to follow available procedures to alert the agency of the issue."). Kono also did not file a motion for rehearing when the agency did not rule on this affirmative defense, therefore, the issue is waived. See Stark Const. v. Lauterwasser, No. 15-1786, 888 N.W.2d 902 (Table), 2016 WL 6270256, at \*3 (Iowa Ct. App. Oct. 26, 2016). The court's consideration of issues on judicial review is "limited to questions considered by the agency" and any issues not decided by the agency are deemed waived on judicial review. Office of Consumer Advocate v. Iowa State Commerce Comm'n, 465 N.W.2d 280, 283 (Iowa 1991).

**B. Whether the Agency Erred in Admitting Kono's Affidavit into Evidence.**

Royal Plumbing asserts the deputy erred in admitting Kono's affidavit into evidence. Royal Plumbing objected to the admission of the affidavit because Kono would not be subject to cross-examination. Royal Plumbing argues it was prejudicial and due process requires that the testimony be subject to cross-examination. Ultimately, the deputy admitted the affidavit but gave it less weight than the live testimony of PA-C Cunningham. The court finds no merit in Royal Plumbing's argument that the deputy erred in admitting Kono's affidavit evidence.

Royal Plumbing alleges a due process violation but this argument will be addressed simply in terms of the admissibility of the evidence in question. Royal Plumbing provides no Iowa authority that establishes a constitutional right to confront and cross-examine adverse witnesses. See Butt v. Iowa Bd. of Medicine, No. 12-1118, 836 N.W.2d 152 (Table), 2013 WL 2637283, at \*9-10 (Iowa Ct. App. June 12, 2013). Additionally, Royal Plumbing was given notice of the affidavit on November 1, 2021. Royal Plumbing was also given an opportunity to defend and notice that Kono was not going to testify live at the alternate medical care hearing on November 2, 2021. See Carr v. Iowa Employment Sec. Comm'n, 256 N.W.2d 211, 214 (Iowa 1974) ("basic or fundamental elements of due process of law are notice and opportunity to defend.").

Under section 17A.14(1), administrative agencies are not bound by the technical rules of evidence. Hy-Vee, Inc. v. Employment Appeal Bd., 710 N.W.2d 1, 4 (Iowa 2005); IBP, Inc. v. Al-Gharib, 604 N.W.2d 621, 630 (Iowa 2000). The agency's fact-finder may base its decision upon evidence that would ordinarily be deemed inadmissible under the rules of evidence, as long as the evidence is not immaterial or irrelevant. Clark v. Iowa Dep't of Revenue, 644 N.W.2d 310, 320 (Iowa 2002). Hearsay evidence is admissible at administrative hearings and may

constitute substantial evidence. Gaskey v. Iowa Dep't of Transp., 537 N.W.2d 695, 698 (Iowa 1995). Admission or exclusion of evidence in administrative proceedings are reviewed for abuse of discretion. Al-Gharib, 604 N.W.2d at 630.

Here, the affidavit submitted by Kono was material and relevant to the case. Additionally, evidence may be “submitted in verified written form” when a hearing “will be expedited *and the interests of the parties will not be prejudiced substantially*.” Iowa Code § 17A.14(1) (emphasis added). The agency record reflects that the deputy did not solely rely on hearsay evidence in its alternate care ruling. See Butts, No. 12-1118, 836 N.W.2d 152 (Table), 2013 WL 2637283, at \*12 (Iowa Ct. App. June 12, 2013) (“when an agency relies solely on hearsay evidence, we must examine the evidence closely in light of the entire record to see whether it rises to necessary levels of trustworthiness, credibility, and accuracy required by reasonably prudent persons in the conduct of their serious affairs.”) (internal quotations omitted). The deputy admitted the affidavit but gave it less weight due to Royal Plumbing not having the opportunity to cross-examine Kono. The deputy relied upon the live testimony of PA-C Cunningham and the exhibits submitted by both parties. Royal Plumbing has failed to show how the deputy admitting Kono’s affidavit prejudiced it substantially and that the deputy abused its discretion.

**C. Whether the Agency Erred by Applying an Improper Legal Standard to Kono’s Petition for Alternate Medical Care.**

Royal Plumbing argues the deputy applied an improper legal standard to Kono’s petition for alternate medical care. Royal Plumbing’s argument relies on the deputy’s ruling where it stated, “he does not want to explain the events leading to his injuries to someone new, that he does not know or trust, and did not choose . . . .” Royal Plumbing takes that language in the ruling to mean the deputy allowed Kono’s preference to guide the analysis. However, the court



does not find this language in the deputy's ruling to mean it solely relied upon Kono's preference in determining what care is reasonable under Iowa Code section 85.27(4). Determining what care is reasonable under the statute is a question of fact. Pirelli-Armstrong Tire Co. v. Reynolds, 562 N.W.2d 433, 436 (Iowa 1997). The record reflects the deputy considered a variety of facts, including the fact that transitioning care to Dr. Koithan could be harmful to Kono's mental health, when granting Kono's alternate medical care petition. Therefore, the deputy's factual findings were not an application of an improper legal standard for Kono's petition for alternate medical care.

**D. Whether there is Substantial Evidence in the Agency's Decision to Grant Kono's Petition for Alternate Medical Care Consisting of an Order Preventing Royal Plumbing from Requiring Kono to Treat with Dr. Koithan.**

The court will condense Royal Plumbing's arguments in its brief numbered IV and V into one issue that will be addressed by the court under this section. The two arguments outlined in Royal Plumbing's brief under IV and V concern the overall issue of whether there was substantial evidence to support the deputy's ruling.

Under the alternate medical care statute, the employer is permitted to choose the care. Iowa Code § 85.27; Harned v. Farmland Foods, Inc., 331 N.W.2d 98, 101 (Iowa 1983). By Kono challenging the employer's choice of treatment—and seeking alternate care—Kono [the employee] assumes the burden of proving that the authorized care is unreasonable. Pirelli-Armstrong, 562 N.W.2d at 436. Determining what care is reasonable under the statute is a question of fact. Id. The employer's obligation turns on the question of reasonable necessity, not desirability. Long v. Roberts Dairy Co., 528 N.W.2d 122, 124 (Iowa 1995).

The court's review of the agency's findings of fact is subject to substantial evidence review. See Iowa Code § 17A.19(10)(f); Pirelli—Armstrong Tire Co., 562 N.W.2d at 436.

“Substantial evidence” means the

quantity and quality of evidence that would be deemed sufficient by a neutral, detached, and reasonable person, to establish the fact at issue when the consequences resulting from the establishment of that fact are understood to be serious and of great importance.

Iowa Code § 17A.19(10)(f)(1). Though the review is to be “intensive,” this standard is a highly deferential one. See Pease, 807 N.W.2d 839, 844 (Iowa 2011) (“Our decision is controlled in large part by the deference we afford to decisions of administrative agencies.”).

The deputy in its seven-page alternate medical care decision, having weighed the evidence on the question of reasonableness, found that Royal Plumbing's transfer of care to Dr. Koithan as unreasonable and an interference of care, given that there is no rational justification for the change. Royal Plumbing takes issue with the deputy's conclusion that there was no rational basis or justification for the proposed transition from Dr. Reeves to Dr. Koithan. Royal Plumbing lays out almost two pages of facts from the record to show that there were rational justifications to transfer this care.

The problem with Royal Plumbing's argument is that reasonableness is a question of fact and the deputy found Kono proved the transfer of care to Dr. Koithan was unreasonable based on the evidence. “It is the commissioner's duty as the trier of fact to determine the credibility of witnesses, weigh the evidence, and decide the facts in issue.” Arndt v. City of Le Claire, 728 N.W.2d 389, 394–95 (Iowa 2007) (citation omitted). “It is not the role of the court to reassess the evidence or make its own determination of the weight to be given the various pieces of evidence.” Cargill Meat Sols. Corp. v. DeLeon, 847 N.W.2d 612 (Table), 2014 WL 1496091, at

\*4 (Iowa Ct. App. Apr. 16, 2014) (citing Burns v. Bd. of Nursing, 495 N.W.2d 698, 699 (Iowa 1993)).

The deputy found:

In this case, it is clear from both evidentiary documents and the arguments of defense counsel that this transition of care is based solely on the recommendation of Dr. Jennisch, who is not an authorized treating physician and saw claimant one time, in January of 2021. There is no “rational justification” for the transfer of care. The prior authorized treating physician, Dr. Gallagher, specifically referred claimant to PA-C Cunningham for his continuing treatment following Dr. Gallagher’s retirement. While defendants are not withdrawing authorization for claimant to continue treating with PA-C Cunningham or Shannon Sandahl, bringing Dr. Koithan in at this time may have that ultimate effect. As claimant points out, this agency has no authority to force PA-C Cunningham to enter a supervisory contract with Dr. Koithan, and she has expressed that she is not willing to do so.

PA-C Cunningham testified that claimant’s condition is currently stable, and he continues to show improvement. Many of Dr. Jennisch’s treatment suggestions had already been implemented prior to receipt of his report. She is qualified, competent, and capable of managing claimant’s mental health treatment. More importantly, she has serious concerns about a transfer of care at this time, given claimant’s PTSD triggers. No authorized treating provider has suggested a change from Dr. Reeves as supervising physician to Dr. Koithan is medically necessary, or even in claimant’s best interest. Dr. Reeves’ signature on a letter authored by defense counsel, without first discussing the details with PA-C Cunningham, is given very little weight. Dr. Reeves has never treated or even met claimant, and is not, in fact, “managing” claimant’s mental health care. Rather, PA-C Cunningham is managing his mental health care. Under Iowa law she must have a licensed physician in a supervisory role, but that role appears to be very limited in this case. Any potential benefit to claimant of forcing him to treat with Dr. Koithan is outweighed by the risk of a potential relapse or exacerbation of his mental health condition. Defendants’ attempt to transition claimant’s mental health care to Dr. Koithan is an unreasonable interference with claimant’s medical care at this point, given that there is no rational justification for the change.

(Alternate Medical Care Decision at 6-7).

This court finds there is substantial evidence to support the deputy’s conclusion that transitioning Kono’s mental health care to Dr. Koithan is unreasonable. It was Royal Plumbing’s prior authorized care physician, Dr. Gallagher, who recommended PA-C Cunningham for

Kono's continuing treatment after Dr. Gallagher's retirement. The court understands that Royal Plumbing is not de-authorizing PA-C Cunningham but is merely transitioning the supervision to Dr. Koithan. However, the problem with this argument is that PA-C Cunningham has stated she will not enter into a supervisory agreement with Dr. Koithan. (Hr. Tr. at 54: 10-11). Therefore, ultimately, PA-C Cunningham will not be able to continue treating Kono. The court also understands why Royal Plumbing wants to transition the care to Dr. Koithan. However, the intent of section 85.27 is to balance the right of the employers to choose care while safeguarding the ability of employees to make decisions regarding the course of the care they receive. Ramirez-Trujillo v. Quality Egg, L.L.C., 878 N.W.2d 759, 772-773 (Iowa 2016).

In this case, Royal Plumbing authorized the care with PA-C Cunningham under the supervision of Dr. Reeves from July 2021 (Dr. Gallagher's retirement) until October 2021 (Royal Plumbing's letter to Kono). PA-C Cunningham and Kono have stated this care has been effective and reasonably suited for his mental health. See Pirelli-Armstrong, 562 N.W.2d at 437 (stating "the test for the commissioner to order alternate care is whether the care authorized by the employer was effective, that is, reasonably suited to treat the claimant's injury."). PA-C Cunningham testified Kono's mental health condition is stable and that it is improving. (Hr. Tr. at 48: 14-22). PA-C Cunningham also testified that changing it might exacerbate Kono's condition to transition his care. (Id.). This statement was also supported by Kono's affidavit. (Pet. Exh. 8). Royal Plumbing disputes this and states these claims are unfounded. However, the deputy as the fact-finder is given deference and, in this case, the deputy found PA-C Cunningham's testimony that Kono is currently stable and showing improvement as credible. See Pease, 807 N.W.2d at 844-45.

In applying the above standard-of-review precepts and in giving the due deference the court is statutorily obligated to afford the deputy's findings of fact, specifically with regard to what expert testimony to give more weight and credibility determinations, the court approves of the reasons and conclusions in the deputy's alternate care decision. Although there may be evidence here to support a different finding, there clearly is evidence in the record to support the findings actually made by the deputy that Kono met his burden to prove the authorized care is unreasonable. See St. Luke's Hosp. v. Gray, 604 N.W.2d 646, 649 (Iowa 2000).

**E. Whether the Agency Erred in Refusing to Allow the Employer an Opportunity to Choose a Different Specialist than Originally Proposed.**

Royal Plumbing argues that Kono did not satisfy section 85.27(4) by not communicating the basis of his dissatisfaction to the employer. The response letter dated October 19, 2021, states: "we are asking EMC promptly rescind their October 18, 2021 letter, directing Tim Kono to obtain mental health treatment from Dr. Koithan. Otherwise, please be advised that I will be filing another Alternate Medical care petition, to stop EMC from interfering with PAC Cunningham's treatment recommendations . . . ." (Pet. Exh. 6 at 5). However, Section 85.27(4) only states, "if the employee has reason to be dissatisfied with the care offered, the employee should *communicate the basis of such dissatisfaction* to the employer . . . ." (Emphasis added). Kono did communicate the basis of such dissatisfaction in the letter from October 19, 2021. It is irrelevant under section 85.27 whether Royal Plumbing believes these objections or bases are unfounded. See Univ. of Iowa Hosps. & Clinics v. Waters, 674 N.W.2d 92, 96-97; See also Disbrow v. Deering Implement Co., 9 N.W.2d 378, 384 (1943) ("its beneficent purpose should not be defeated by reading something into a section which is not there, or by a narrow or strained construction.").

It should come as no surprise to Royal Plumbing that Kono was objecting to the transition of care from Dr. Reeves to Dr. Koithan. (See Pet. Exh. 6; Application for Alternate Care at ¶¶ 8, 9). “The key to pleading in an administrative process is nothing more than opportunity to prepare and defend.” Waters, 674 N.W.2d at 97 (internal citation omitted). The “Original Notice & Petition Concerning Application for Alternate Care” bears little resemblance to a formal pleading. See id. Instead, the form consists of 12 paragraphs, in which Kono was asked to supply basic information about his claim. See id. It simply states “claimant’s reason(s) for dissatisfaction.” Here, Kono filled out and stated in paragraph 8 the reason for his dissatisfaction. Royal Plumbing was sufficiently apprised that the issue was the transition of Kono’s mental health care from Dr. Reeves to Dr. Koithan and what relief he seeks under Iowa Code section 85.27. (See Original Notice & Petition Concerning Application for Alternate Care at ¶¶ 8, 9). Therefore, the court finds no merit in Royal Plumbing’s argument that the agency decision should be reversed because the agency failed to require compliance with Iowa Code section 85.27 and Rule 876 IAC 4.48(4).

### **CONCLUSION**

Based on the foregoing, the court concludes petitioners’ petition for judicial review is **DISMISSED** and the agency’s action is affirmed in its entirety. The costs of this proceeding are assessed to the petitioners.

In addition to all other persons entitled to a copy of this order, the Clerk shall provide a copy to the following:

Workers’ Compensation Commissioner  
1000 E. Grand Ave.  
Des Moines, IA 50319-0209  
Re: File No. 1663131.03



State of Iowa Courts

**Case Number**  
CVCV062892  
**Type:**

**Case Title**  
ROYAL PLUMBING ET AL VS TIMOTHY KONO  
OTHER ORDER

So Ordered

A handwritten signature in black ink, appearing to read "Michael D. Huppert", written over a horizontal line.

Michael D. Huppert, District Court Judge,  
Fifth Judicial District of Iowa

Electronically signed on 2022-05-11 10:46:06