

EVANS & DIXON^{PC}

ATTORNEYS AT LAW

Hunting & Fishing in Workers' Comp Defense

Patrick Patterson, Member
Evans & Dixon, LLC
ppatterson@evans-dixon.com

Ron Buretta, Owner and Investigator
Ron R. Buretta & Associates
ronburetta@ronburetta.com

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Hunting/Trapping Seasons (MO)

Game	Area	Season Dates	Daily Limit	Possession Limit
Badger		11/15/2015 - 01/31/2016	Any number	Any number
Bobcat		11/15/2015 - 01/31/2016	Any number	Any number
Fox (Red or Gray)		11/15/2015 - 01/31/2016	Any number	Any number
Opossum		11/15/2015 - 01/31/2016	Any number	Any number
Rabbit: Hunting		10/01/2015 - 03/31/2016	6	12
Rabbit: Trapping		11/15/2015 - 03/31/2016	6	12
Raccoon		11/15/2015 - 03/31/2016	Any number	Any number
Striped Skunk		11/15/2015 - 03/31/2016	Any number	Any number

Game	Area	Season Dates	Daily Limit	Possession Limit
Rattlesnake and Green Frog		08/23/2015 - 10/31/2015	6	16

Game	Area	Season Dates	Daily Limit	Possession Limit
Deer: Archery		09/15/2015 - 11/13/2015		
Deer: Firearms (Main Portage)		11/29/2015 - 01/15/2016		
Deer: Firearms (Main Portage)		11/29/2015 - 01/15/2016		
Deer: Firearms (Main Portage)		12/19/2015 - 12/29/2015		
Deer: Firearms (Urban)		11/25/2015 - 12/08/2015		
Deer: Firearms (Urban)		12/09/2015 - 10/31/2015		

Game	Area	Season Dates	Daily Limit	Possession Limit
Quail		10/01/2015 - 03/31/2016	8	16
Quail: Youth		10/01/2015 - 03/31/2016	8	16
Squirrel		09/29/2015 - 03/31/2016	10	20
Turkey: Archery		11/15/2015 - 11/15/2015		
Turkey: Archery		11/29/2015 - 01/25/2016		
Turkey: Fall Firearms		10/01/2015 - 10/31/2015		
Turkey: Spring		05/12/2015 - 04/12/2015		
Turkey: Youth		04/12/2015 - 04/12/2015		

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Fishing Seasons (MO)

Game	Area	Season Dates	Daily Limit	Possession Limit
Black: White, yellow, striped and hybrid		Open All Year	15	30
Black Bass: largemouth, smallmouth, spotted/Kentucky	Impoundments	Open All Year	6	12
Black Bass: largemouth, smallmouth, spotted/Kentucky	From other streams	Open All Year	6	12
Catfish: Blue		Open All Year	5	10
Catfish: Channel		Open All Year	10	20
Catfish: Flathead		Open All Year	5	10
Crayfish: Black and white		Open All Year	30	60
Double-creel Rock Bass		Open All Year	15	30
Muskellunge		Open All Year	1	2
Mussels and Clams		Open All Year	5	10
Nongame Fish (Bow): Bow	Streams, select portions of Missouri, Mississippi, St. Francis Rivers	Open All Year	20	40
Nongame Fish (Bow): Bow	Temporary overflow of a river or ditch	Open All Year	20	40
Nongame Fish (Bow): Bow	Portions of Missouri, Mississippi and St. Francis Rivers	Open All Year	20	40
Nongame Fish (Bow): Bow	Impounded waters	Open All Year	20	40
Nongame Fish (Bow): Bow	Temporary overflow of a river or ditch	Open All Year	20	40

Game	Area	Season Dates	Daily Limit	Possession Limit
Nongame Fish (Lure): Pike and muskellunge, muskellunge, sea loach, sea trout, sea bass, sea herring, sea scorpion	Streams and impounded waters	Open All Year	50	100
Nongame Fish (Lure): Shad, sea herring, sea scorpion	Streams and impounded waters	Open All Year	20	40
Nongame Fish (Lure): Sea scorpion, sea herring, sea trout, sea bass, sea loach, sea herring	Streams and impounded waters	Open All Year	20	40
Nongame Fish (Lure): Sea scorpion, sea herring, sea trout, sea bass, sea loach, sea herring	Streams and impounded waters	Open All Year	20	40
Nongame Fish (Lure): Sea scorpion, sea herring, sea trout, sea bass, sea loach, sea herring	Streams and impounded waters	Open All Year	20	40
Nongame Fish (Lure): Sea scorpion, sea herring, sea trout, sea bass, sea loach, sea herring	Streams and impounded waters	Open All Year	20	40

Game	Area	Season Dates	Daily Limit	Possession Limit
Nongame Fish (Lure): Sea scorpion, sea herring, sea trout, sea bass, sea loach, sea herring	Streams and impounded waters	Open All Year	20	40
Nongame Fish (Lure): Sea scorpion, sea herring, sea trout, sea bass, sea loach, sea herring	Streams and impounded waters	Open All Year	20	40
Nongame Fish (Lure): Sea scorpion, sea herring, sea trout, sea bass, sea loach, sea herring	Streams and impounded waters	Open All Year	20	40

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Important Notes about Seasons

September 1 - Dove, very short time of activity-ID with migratory bird stamp. Upside is a lot of shooting-one to three boxes of shells in common.

September 15 - Start of the archery deer season which runs until January 15. Involvement is identified by the purchase of archery tags. This sport requires frequent practice and most of hunting is done from tree stands plus lots of work when you get one or try to get one. You are using fingers, hands, wrists, arms, shoulders and back doing so after hours of sitting in the cold or damp.

November 1 - November 27- Waterfowl Starts depending on north, central or southern zone runs to end of December or late January depending on the zone. You identify this involvement by the purchase of a hunting license and a migratory bird stamp. The sport is usually done in bad weather, shooting magnum loads, loading bags of decoys and maybe using a heavy jon boat. It is a lot of work and very physical. Think about the jolt in looking upward, swinging the shotgun in a smooth motion and then firing magnum loads. Think of the body parts involved.

November 14 - November 24 - Deer firearm, followed by November 25-December 6 antlerless only followed by December 19 to December 29, alternative weapons primarily muzzle loaders. Upside are seasons lasting the better part of two months. You might have a managed hunt to add to the hunting season. You want to show an ongoing pattern of the person staying outdoors in a physically demanding activity.

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Hunting/Trapping Seasons (IL)

- **Rabbit** – First Saturday in November through Feb. 15.
- **Pheasant, Quail and Partridge** –
 - North – First Saturday in November through Jan. 8.
 - South – First Saturday in November through Jan. 15.
- **Squirrel** – Aug. 1-Feb. 15, except closed during firearm deer seasons.
- **Woodchuck** – June 1-March 31, except closed during firearm deer seasons.
- **Deer** –
 - Archery – Oct. 1 through the first Sunday after Jan. 13 (closed during firearm deer season except in Cook, DuPage, Kane [that portion east of Hwy. 47] and Lake counties).
 - Firearm – The Friday, Saturday and Sunday immediately before Thanksgiving and the first four-day week- end (Thursday-Sunday) after Thanksgiving.
- **Youth Firearm Deer Season** – The Saturday, Sunday, and Monday that includes the second Monday of October.
- **Muzzleloader** – The third three-day weekend (Friday, Saturday and Sunday) following Thanksgiving. Hunting also allowed during the second firearm deer season.
- **Late Winter Antlerless Deer and Special CWD Deer** –The first Thursday-Sunday after Dec. 25; and the first Friday-Sunday after Jan. 11.

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Hunting/Trapping Seasons Cont'd (IL)

- **Turkey – Spring Youth Turkey** – The weekend nine days prior to the opening of each zone's first season.
 - Spring South Zone – Begins on the first Monday in April after April 2 and ends 32 days later. Lengths for each season (in days) are 5, 6, 6, 7 and 8, respectively.
 - Spring North Zone – Same as South Zone except one week later.
 - Fall Grouse – The nine days beginning on Saturday of the second complete two-day weekend (Saturday and Sunday) after Oct. 11.
 - Fall Archery – Oct. 1 through the first Sunday after Jan. 13 (closed during firearm deer seasons).
- **Early Canada Goose** – Sept. 1-15
- **Teal** – nine or 16 days, opens on 1st or 2nd Saturday in Sept. **Rail** – Opens with teal season and runs for 70 days.
- **Snipe** – Opens with teal season and runs for 107 days.
- **Woodcock** – 45 days beginning on the third Saturday in October.
- **Furbearer Hunting and Trapping** – Season dates listed for the 2014-2015 season will be used as guidelines.
- **Crow** – Oct. 28-Feb. 28.

For Illinois Fishing information, visit www.ifishillinois.org

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Equipment

- Weights
 - Averages:
 - Shotgun = 6 to 8 lbs.
 - Rifle = 6 to 8 lbs.
 - Bow = average draw weight varies.
 - Deer
 - Turkey
 - Climbing Stand = 45 lbs.
 - How are they used?
 - Parts of the body involved?
- Weapons
 - Shotguns
 - Rifles
 - Bows

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Shotguns, Rifles, Bows



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Equipment (cont'd)

- Other Miscellaneous
 - Pull Carts
 - Four Wheelers
 - Deer and Turkey Stand



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“Going into the Field”

- Physical activity
 - Fishing and Fly Fishing
- Deer Hunting
- Turkey Hunting
- Duck and Goose



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Licenses

- What do they look like?
- Where were they purchased?
 - The significance?

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STATE OF MISSOURI }
 COUNTY OF COLE } ss.

AFFIDAVIT

Before me, the undersigned authority, personally appeared Lisa Wehmeyer, who, being by me duly sworn, deposed as follows:

My name is Lisa Wehmeyer. I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:


I am the custodian of records for the Missouri Department of Conservation. Attached hereto are 1 pages of records from the Missouri Department of Conservation. These 1 pages of records are kept by the Missouri Department of Conservation in the regular course of business, and it was the regular course of business of the Missouri Department of Conservation for an employee or representative of the Missouri Department of Conservation with knowledge of the act, event, condition, opinion or diagnosis recorded to make the record or to transmit information thereof to be included in such record; and the record was made at or near the time of the act, event, condition, opinion or diagnosis. The records attached hereto are the original or exact duplicate of the original.

Lisa Wehmeyer
 LISA WEHMEYER

I, Paul A. Gaudin
 Notary Public

My commission expires April 12, 2016

NOTARY PUBLIC
 STATE OF MISSOURI
 My Commission Expires April 12, 2016



MISSOURI DEPARTMENT OF CONSERVATION
REQUESTED INFORMATION FOR RONALD R. BURETTA, BOB 491951 Page 1 of 1
BYORK_PRIVILEGES_C2012_TO_3/18/2013

Permit Number	Description	Vendor	Date and Time
1425262	PRESIDENT SPRING TURKEY HUNTING	STATE COLLEGE MO	20140512 12:30
1425261	PRESIDENT FISHING	STATE COLLEGE MO	20140512 12:30
1425264	PRESIDENT FISHING AND FISHING	STATE COLLEGE MISSOURI STATE	20140504 07:11
1425265	PRESIDENT SPRING TURKEY HUNTING	STATE COLLEGE MISSOURI STATE	20140504 09:33
1425263	PRESIDENT FISHING AND FISHING	STATE COLLEGE MISSOURI STATE	20140504 14:44
1425267	PRESIDENT FISHING AND FISHING	STATE COLLEGE MISSOURI STATE	20140503 12:07
1425268	PRESIDENT SPRING TURKEY HUNTING	STATE COLLEGE MISSOURI STATE	20140503 12:07
1425269	PRESIDENT FISHING AND FISHING	STATE COLLEGE MISSOURI STATE	20140503 12:07
1425270	PRESIDENT SPRING TURKEY HUNTING	STATE COLLEGE MISSOURI STATE	20140503 12:07
1425271	PRESIDENT FISHING AND FISHING	STATE COLLEGE MISSOURI STATE	20140503 12:07
1425272	PRESIDENT SPRING TURKEY HUNTING	STATE COLLEGE MISSOURI STATE	20140503 12:07
1425273	PRESIDENT SPRING TURKEY HUNTING	STATE COLLEGE MISSOURI STATE	20140503 12:07
1425274	PRESIDENT SPRING TURKEY HUNTING	STATE COLLEGE MISSOURI STATE	20140503 12:07
1425275	PRESIDENT SPRING TURKEY HUNTING	STATE COLLEGE MISSOURI STATE	20140503 12:07
1425276	PRESIDENT SPRING TURKEY HUNTING	STATE COLLEGE MISSOURI STATE	20140503 12:07
1425277	PRESIDENT SPRING TURKEY HUNTING	STATE COLLEGE MISSOURI STATE	20140503 12:07
1425278	PRESIDENT SPRING TURKEY HUNTING	STATE COLLEGE MISSOURI STATE	20140503 12:07
1425279	PRESIDENT SPRING TURKEY HUNTING	STATE COLLEGE MISSOURI STATE	20140503 12:07
1425280	PRESIDENT SPRING TURKEY HUNTING	STATE COLLEGE MISSOURI STATE	20140503 12:07

TELEPHONE CALLS_C2012_TO_3/18/2013

ID	Animal Type	County	Check OutTime	Definition Number	Author Points	Urban Zone	PL Value	Change Type
886289858	Doe	Linn	2014-10-21 06:48:10 PM	8204204	0	N	N	
641710883	Adult Oubler	Linn	2014-09-04 09:47:40 AM	8206152	0	S	N	
639607385	Female Oubler	Linn	2013-04-21 03:03:20 PM	8457390	0	S	N	
627922774	Doe	Linn	2013-11-26 02:21:20 AM	8979004	0	N	N	
638502794	Female Oubler	Linn	2013-04-29 10:00:30 AM	8624420	0	S	N	

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Harvest Records

- What did they harvest?
- Retrieving it from the field?
- How to review Harvest Records
- Why do you need the records?
 1. To show a physical activity level beyond what is claimed
 2. To prepare or verify statements or depositions
 3. To throw a claimant off their mental track in front of a judge or jury

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Issues with the Investigator

- Issues with surveillance for hunting and fishing
- What additional information might be retrieved by an investigator?

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Staying Out of the Woods and Out of Trouble

In 2002 there was an Illinois court case allowing punitive damages for trespass and invasion of privacy in a rural setting. Land can be posted by signs, purple paint or publication in a newspaper. In 2014 a lawsuit was filed in Missouri for trespass and invasion of privacy on rural property. Seven defendants include two investigators, an investigative agency, the insurance adjuster, the third party insurance administrator, the insurance company and the holding company. Missouri is an absolute liability state on trespassing.

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