WORKERS' COMPENSATION APPEALS BOARD

STATE OF CALIFORNIA

EMILIO VALENCIA, ***Applicant***

vs.

BLUEWATER ENVIRONMENTAL SERVICES;
ZURICH AMERICAN INSURANCE COMPANY, ***Defendants***

Adjudication Number: ADJ11073230
Lodi District Office

OPINION AND ORDER GRANTING PETITION FOR RECONSIDERATION

Defendant Bluewater Industries, Inc. and Zurich American Insurance Company (defendant) seeks reconsideration of the December 13, 2024 Findings of Fact and Award (F&A), wherein the workers' compensation arbitrator (WCA) found that applicant, while employed as an asbestos removal worker on September 25, 2017, sustained industrial injury to his lumbar spine resulting in permanent and total disability.

Defendant contends the WCA should have followed the reporting of defendant's vocational expert which found that applicant could reenter the open labor market, and that the WCA did not have a valid legal basis on which to order development of the record after the initial Findings of Fact and Award issued on April 8, 2024.

We have received an Answer from applicant. The WCA prepared a Report and Recommendation on Petition for Reconsideration (Report), recommending that the Petition be denied.

We have considered the Petition for Reconsideration, the Answer, and the contents of the Report, and we have reviewed the record in this matter. Based upon our preliminary review of the record, we will grant defendant's Petition for Reconsideration. Our order granting the Petition for Reconsideration is not a final order, and we will order that a final decision after reconsideration is deferred pending further review of the merits of the Petition for Reconsideration and further consideration of the entire record in light of the applicable statutory and decisional law. Once a

final decision after reconsideration is issued by the Appeals Board, any aggrieved person may timely seek a writ of review pursuant to Labor Code[1] section 5950 et seq.

I.

Former section 5909 provided that a petition for reconsideration was deemed denied unless the Appeals Board acted on the petition within 60 days from the date of filing. (Lab. Code, § 5909.) Effective July 2, 2024, section 5909 was amended to state in relevant part that:

> (a) A petition for reconsideration is deemed to have been denied by the appeals board unless it is acted upon within 60 days from the date a trial judge transmits a case to the appeals board.
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> (b)
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> (1) When a trial judge transmits a case to the appeals board, the trial judge shall provide notice to the parties of the case and the appeals board.
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> (2) For purposes of paragraph (1), service of the accompanying report, pursuant to subdivision (b) of Section 5900, shall constitute providing notice.

Under section 5909(a), the Appeals Board must act on a petition for reconsideration within 60 days of transmission of the case to the Appeals Board. Transmission is reflected in Events in the Electronic Adjudication Management System (EAMS). Specifically, in Case Events, under Event Description is the phrase "Sent to Recon" and under Additional Information is the phrase "The case is sent to the Recon board."

Here, according to Events, the case was transmitted to the Appeals Board on January 22, 2025 and 60 days from the date of transmission is Sunday, March 23, 2025. The next business day that is 60 days from the date of transmission is Monday, March 24, 2025. (See Cal. Code Regs., tit. 8, § 10600(b).)[2] This decision is issued by or on March 24, 2025, so that we have timely acted on the petition as required by section 5909(a).

Section 5909(b)(1) requires that the parties and the Appeals Board be provided with notice of transmission of the case. Transmission of the case to the Appeals Board in EAMS provides

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[1] All further references are to the Labor Code unless otherwise noted.

[2] WCAB Rule 10600(b) (Cal. Code Regs., tit. 8, § 10600(b)) states that:

> Unless otherwise provided by law, if the last day for exercising or performing any right or duty to act or respond falls on a weekend, or on a holiday for which the offices of the Workers' Compensation Appeals Board are closed, the act or response may be performed or exercised upon the next business day.

notice to the Appeals Board. Thus, the requirement in subdivision (1) ensures that the parties are notified of the accurate date for the commencement of the 60-day period for the Appeals Board to act on a petition. Section 5909(b)(2) provides that service of the Report and Recommendation shall be notice of transmission.

Here, according to the proof of service for the Report and Recommendation by the workers' compensation administrative law judge, the Report was served on January 21, 2025, and the case was transmitted to the Appeals Board on January 22, 2025. Service of the Report and transmission of the case to the Appeals Board did not occur on the same day. Thus, we conclude that service of the Report did not provide accurate notice of transmission under section 5909(b)(2) because service of the Report did not provide actual notice to the parties as to the commencement of the 60-day period on January 22, 2025.

No other notice to the parties of the transmission of the case to the Appeals Board was provided by the district office. Thus, we conclude that the parties were not provided with accurate notice of transmission as required by section 5909(b)(1). While this failure to provide notice does not alter the time for the Appeals Board to act on the petition, we note that as a result the parties did not have notice of the commencement of the 60-day period on January 22, 2025.

II.

We highlight the following legal principles that may be relevant to our review of this matter:

Applicant sustained admitted injury to his lumbar spine while employed as an asbestos removal worker by defendant Bluewater Industries on September 25, 2017.

The parties to this matter are subject to an Alternative Dispute Resolution (ADR) agreement authorized under section 3201.5, entitled the Basic Crafts Workers' Compensation Program. (Lab. Code, § 3201.5.) Pursuant to the ADR agreement, applicant has selected Adam Stoller, M.D., as his Qualified Medical Evaluator (QME), while defendant has selected Steven Feinberg, M.D., as the defense QME. Applicant has obtained reporting from vocational expert Scott Simon, while defendant has obtained reporting from vocational expert James Westman.

On March 8, 2024, the parties proceeded to arbitration pursuant to their ADR agreement and framed for decision, in relevant part, the issues of permanent disability and apportionment.

(Transcript of Arbitration Hearing, dated March 8, 2024, at p. 9:11.) The WCA heard testimony from applicant and ordered the matter submitted for decision.

On April 8, 2024, the WCA issued his Amended findings of Fact and Award, and in relevant part, determined that the record required development with respect to the issue of whether applicant's permanent disability was partial or total. (Findings of Fact and Award, dated April 8, 2024, Finding of Fact No. 5.) The WCA awarded interim permanent disability of 54 percent and entered additional orders regarding development of the record with respect to the Supplemental Job Displacement Voucher benefit (SJDV). (Order No. "a".)

On June 3, 2024, the WCA issued additional orders allowing development of the record with an "external VR counselor" within sixty days and further ordering that any resulting report be moved into evidence absent objection from either party. (Order Allowing Augmentation of Record and Order Re-Submitting Matter for Decision, dated June 3, 2024, Order Nos. 1-4.)

On September 23, 2024, the WCA issued a further Order, noting that applicant had begun a vocational program pursuant to his SJDV, but that applicant was unable to participate in the program after approximately two weeks due to spinal complaints. (Order Reopening Discovery & Order Setting Matter for Further Arbitration, dated September 23, 2024, paras. 2 & 3.) Following receipt of a report from vocational expert Mr. Simon opining as to applicant's amenability to employment, defendant requested the opportunity to have its vocational expert prepare a rebuttal report, and to confirm applicant's accounting of events with the vocational services facility. (*Id.* at para. 5.) The WCA issued a discovery order allowing for the development of the record as requested by defendant and further ordered that the matter be returned for further arbitration proceedings on November 14, 2024.

On November 14, 2024, the WCA conducted further arbitration proceedings, and received in evidence the vocational expert reporting for both applicant and defendant. The parties framed the issue of permanent disability for decision, and the WCA ordered the matter submitted without additional testimony.

On December 13, 2024, the WCA issued the F&A, determining in relevant part that applicant's disability was both permanent and total. (Findings of Fact No. 5; Award no. "a".) The WCA's Opinion on Decision observed that while both applicant and defense QMEs identified "extensive work restrictions as a result of [applicant's] injury," neither medical provider opined that applicant was permanent precluded from all aspects of work. (Opinion on Decision, at p. 10.)

The WCA thus reviewed the reporting of the parties' vocational experts and determined that the reporting of applicant's expert Mr. Simon was the more substantial and persuasive. (*Ibid*.) Based on Mr. Simon's opinion that applicant was precluded from a return to the open labor market, the WCA concluded that applicant's disability was permanent and total. (*Ibid*.)

Defendant's Petition avers the reporting of defense vocational expert Mr. Westman is the more persuasive and substantial, and that the reporting provides evidence that applicant's disability, although significant, is not total. (Petition, at p. 4:14.) Defendant further contends that the WCA did not have a valid legal basis upon which to order or allow additional vocational evidence following the issuance of the initial Findings and Award on April 8, 2024.

Applicant's Answer responds that the WCA appropriately determined applicant's disability to be permanent and total based on "the real-world impact" of applicant's injuries as discussed and analyzed by vocational expert Mr. Simon. Applicant further contends that "the Labor Code grants arbitrators broad authority to oversee discovery and evaluate evidence necessary to resolve disputes fairly and effectively." (Answer, at p. 5:16.)

The WCA's Report discusses the respective analyses offered by applicant's vocational expert Mr. Simon, as well as that of defense expert Mr. Westman. The WCA notes that in addition to misconstruing the reasons why applicant was participating in a vocational training program, Mr. Westman concluded that applicant was amenable to various positions that are not currently available in the open labor market or in California. The WCA deems this to be a substantial defect in the reporting and further notes that the methodology used in the defense expert's reporting to identify preexisting factors of disability has been rejected by the Appeals Board in similar cases. (Report, at p. 9.) Accordingly, the WCA concludes that the finding of permanent and total disability is appropriately based on the medical-legal reporting coupled with the persuasive vocational reporting of Mr. Simon.

Section 4660.1 provides that "[i]n determining the percentages of permanent partial or permanent total disability, account shall be taken of the nature of the physical injury or disfigurement, the occupation of the injured employee, and the employee's age at the time of injury," and further requires that "nature of the physical injury or disfigurement" incorporate the "descriptions and measurements of physical impairments and the corresponding percentages of impairments published in the American Medical Association (AMA) Guides to the Evaluation of

Permanent Impairment (5th Edition) with the employee's whole person impairment, as provided in the Guides, multiplied by an adjustment factor of 1.4." (Lab. Code, § 4660.1(a)-(b).)

However, the scheduled rating is not absolute. (*Department of Corrections & Rehabilitation v. Workers' Comp. Appeals Bd.* (*Fitzpatrick*) (2018) 27 Cal. App. 5th 607, 619-20 [238 Cal. Rptr. 3d 224, 83 Cal.Comp.Cases 1680].) A rating obtained pursuant to the PDRS may be rebutted by showing an applicant's diminished future earning capacity is greater than that reflected in the PDRS. (*Ogilvie v. Workers' Comp. Appeals Bd.* (2011) 197 Cal.App.4th 1262 [129 Cal. Rptr. 3d 704, 76 Cal.Comp.Cases 624] (*Ogilvie*); *Contra Costa County v. Workers' Comp. Appeals Bd.* (*Dahl*) (2015) 240 Cal.App.4th 746 [193 Cal. Rptr. 3d 7, 80 Cal.Comp.Cases 1119] (*Dahl*).) In analyzing the issue of whether and how the PDRS could be rebutted, the Court of Appeal has observed:

> Another way the cases have long recognized that a scheduled rating has been effectively rebutted is when the injury to the employee impairs his or her rehabilitation, and for that reason, the employee's diminished future earning capacity is greater than reflected in the employee's scheduled rating. This is the rule expressed in LeBoeuf v. Workers' Comp. Appeals Bd. (1983) 34 Cal. 3d 234 [193 Cal. Rptr. 547, 666 P.2d [*750] 989].7 In LeBoeuf, an injured worker sought to demonstrate that, due to the residual effects of his work-related injuries, he could not be retrained for suitable meaningful employment. (Id. at pp. 237–238.) Our Supreme Court concluded [**16] that it was error to preclude LeBoeuf from making such a showing, and held that "the fact that an injured employee is precluded from the option of receiving rehabilitation benefits should also be taken into account in the assessment of an injured employee's permanent disability rating."

(*Ogilvie, supra*, at p. 1274.)

Thus, "an employee may challenge the presumptive scheduled percentage of permanent disability prescribed to an injury by showing a factual error in the calculation of a factor in the rating formula or application of the formula, the omission of medical complications aggravating the employee's disability in preparation of the rating schedule, or by demonstrating that due to industrial injury the employee is not amenable to rehabilitation and therefore has suffered a greater loss of future earning capacity than reflected in the scheduled rating." (*Ogilvie, supra*, at p. 1277.) The court in *Ogilvie* thus affirmed the continued relevance of vocational evidence with respect to the determination of permanent disability. (*Applied Materials v. Workers' Comp. Appeals. Bd.* (*Chadburn*) (2021) 64 Cal.App.5th 1042 [86 Cal.Comp.Cases 331].)

In *Nunes v. State of California, Dept. of Motor Vehicles* (2023) 88 Cal.Comp.Cases 741 [2023 Cal. Wrk. Comp. LEXIS 30] (Appeals Bd. en banc), we observed:

> In addition to the applications for vocational evidence contemplated in Ogilvie, supra, vocational reporting may also be admitted as evidence and considered by the WCJ under other circumstances. (Lab. Code, §§ 5703(j), 5307.7; Cal. Code Regs., tit. 8, § 10685.)
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> Pursuant to section 4663(c), evaluating physicians play an integral role in the determination of permanent disability. It is therefore appropriate and often necessary that evaluating physicians consider the vocational evidence as part of their determination of permanent disability, including factors such as whether applicant is feasible for vocational rehabilitation, and whether the reasons underlying applicant's non-feasibility for vocational retraining arise solely out of the present industrial injury or are multifactorial. As is noted in *Guzman, supra*, it is the physician that must exercise their "skill, knowledge and experience as well as other considerations" in formulating an opinion on permanent disability. (*Guzman, supra*, at p. 828.) Thus, vocational evidence is often relevant and appropriately considered by the reporting physician in their evaluation of issues pertaining to permanent disability. (See, e.g., *Qualcomm, Inc. v. Workers' Comp. Appeals Bd.* (*Brown*) (2019) 84 Cal. Comp. Cases 531 [2019 Cal. Wrk. Comp. LEXIS 35] (writ den.) [WCJ appropriately relied on agreed medical evaluator opinion that injured employee was precluded from gainful employment and vocational rehabilitation].)
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> The same considerations used to evaluate whether a medical expert's opinion constitutes substantial evidence are equally applicable to vocational reporting. In order to constitute substantial evidence, a vocational expert's opinion must detail the history and evidence in support of its conclusions, as well as "how and why" any specific condition or factor is causing permanent disability. (*Escobedo, supra*, at p. 611; see also *E.L. Yeager v. Workers' Comp. Appeals Bd.* (*Gatten*) (2006) 145 Cal. App. 4th 922 [71 Cal. Comp. Cases 1687].)

(*Id.* at p. 750.)

Here, the WCA has entered an interim finding that applicant sustained 54 percent permanent disability, while simultaneously ordering development of the record regarding applicant's ability to participate in vocational retraining. (Findings of Fact and Award, dated April 8, 2024, Finding of Fact No. 5; Award No. "a".) In addition, the WCA observed that during the arbitration proceeding, applicant had "expressed strong and credible concerns over his future," and that "[t]hese concerns lead me to make certain that he has availed himself of all remedies for returning to the labor market prior to a finding that he is permanent and totally disabled." (Opinion On Decision, dated April 8, 2024, at p. 8.) Following a careful review of both the medical-legal

and vocational evidence, the WCA observed that applicant had not yet completed a vocational retraining program, and therefore concluded that "applicant should be given all necessary time and rights to complete a review of a potential job retraining benefit … Only after the SJDV is issued and applicant avails himself of that benefit can complete determination be made as to whether or not applicant is precluded from all forms of employment." (*Ibid*.) Accordingly, the WCA's April 8, 2024 decision deferred the issue of applicant's employability pending an assessment of applicant's participation in a vocational program under the auspices of the SJDV.

Defendant avers the WCA exceeded his authority in ordering development of the record because he "did not have a valid legal basis on which to order and then follow additional vocational discovery…." (Petition, at p. 6:13.)

We observe, however, that section 5272 provides, with two exceptions not applicable here, that arbitrators shall have "all of the statutory and regulatory duties and responsibilities of a workers' compensation judge." (Lab. Code, § 5272.)

It is well-established that the Board may not leave matters undeveloped where it is clear that additional discovery is needed. (*Kuykendall v. Workers' Comp. Appeals Bd.* (2000) 79 Cal.App.4th 396, 404 [65 Cal.Comp.Cases 264] (*Kuykendall*).) Accordingly, the Appeals Board has the discretionary authority to develop the record when the medical record is not substantial evidence or when appropriate to provide due process or fully adjudicate the issues. (Lab. Code, §§ 5701, 5906; *Tyler v. Workers' Comp. Appeals Bd.* (1997) 56 Cal.App.4th 389 [62 Cal.Comp.Cases 924] (*Tyler*); see *McClune v. Workers' Comp. Appeals Bd.* (1998) 62 Cal.App.4th 1117 [63 Cal.Comp.Cases 261] (*McClune*).) In our en banc decision in *McDuffie v. Los Angeles County Metropolitan Transit Authority* (2001) 67 Cal.Comp.Cases 138 (Appeals Board en banc) (*McDuffie*), we stated that "[s]ections 5701 and 5906 authorize the WCJ and the Board to obtain additional evidence … at any time during the proceedings (citations) [but] [b]efore directing augmentation of the medical record…the WCJ or the Board must establish as a threshold matter that specific medical opinions are deficient, for example, that they are inaccurate, inconsistent or incomplete." (*McDuffie, supra*, at p. 141.)

Thus, pursuant to sections 5272 and 5701, the WCA's statutory and regulatory duties include the responsibility of basing his decisions *on an adequate and fully developed record*. Here, the WCA appropriately identified the specific areas in the record which required development in his initial Findings and Award of April 8, 2024, and exercised his authority under section 5272 to

direct the parties to further address issues pertinent to applicant's feasibility for vocational retraining. (Order, dated April 8, 2024, Nos. (a)(1)-(a)(5).) We therefore conclude that the WCA appropriately exercised his authority under sections 5701 and 5272 to defer the issue of applicant's feasibility for vocational rehabilitation and to direct the development of the record.

However, to the extent that defendant asserts the WCA erred in determining that the vocational evidence successfully rebutted applicant's scheduled rating, we must consider whether the vocational reporting relied upon by the WCA in reaching his conclusions appropriately details the history and evidence in support of its conclusions, as well as "how and why" any specific condition or factor is causing permanent disability. (*Ogilvie, supra*, at p. 1274; *Escobedo, supra*, at p. 611.)

Decisions of the Appeals Board "must be based on admitted evidence in the record." (*Hamilton v. Lockheed Corporation* (*Hamilton*) (2001) 66 Cal.Comp.Cases 473, 476 (Appeals Board en banc).) An adequate and complete record is necessary to understand the basis for the WCJ's decision. (Lab. Code, § 5313.) "It is the responsibility of the parties and the WCJ to ensure that the record is complete when a case is submitted for decision on the record. At a minimum, the record must contain, in properly organized form, the issues submitted for decision, the admissions and stipulations of the parties, and admitted evidence." (*Hamilton, supra,* 66 Cal.Comp.Cases at p. 475.) The WCJ's decision must "set[] forth clearly and concisely the reasons for the decision made on each issue, and the evidence relied on," so that "the parties, and the Board if reconsideration is sought, [can] ascertain the basis for the decision[.] . . . For the opinion on decision to be meaningful, the WCJ must refer with specificity to an adequate and completely developed record." (*Id.* at p. 476 (citing *Evans v. Workmen's Comp. Appeals Bd*. (1968) 68 Cal.2d 753, 755 [33 Cal.Comp.Cases 350]).)

Additionally, the WCA and the Appeals Board have a duty to further develop the record where there is insufficient evidence on an issue. (*McClune, supra,* 62 Cal.App.4th at pp. 1121-1122.) The Appeals Board has a constitutional mandate to "ensure substantial justice in all cases." (*Kuykendall, supra,* 79 Cal.App.4th at p. 403.) And as we have noted, above, the Board may not leave matters undeveloped where it is clear that additional discovery is needed. (*Id*. at p. 404.) Here, based on our preliminary review, it appears that further development of the record may be appropriate.

III.

In addition, under our broad grant of authority, our jurisdiction over this matter is continuing.

A grant of reconsideration has the effect of causing "the whole subject matter [to be] reopened for further consideration and determination" (*Great Western Power Co. v. Industrial Acc. Com*. (*Savercool*) (1923) 191 Cal.724, 729 [10 I.A.C. 322]) and of "[throwing] the entire record open for review." (*State Comp. Ins. Fund v. Industrial Acc. Com*. (*George*) (1954) 125 Cal.App.2d 201, 203 [19 Cal.Comp.Cases 98].) Thus, once reconsideration has been granted, the Appeals Board has the full power to make new and different findings on issues presented for determination at the trial level, even with respect to issues not raised in the petition for reconsideration before it. (See Lab. Code, §§ 5907, 5908, 5908.5; see also *Gonzales v. Industrial Acci*. *Com*. (1958) 50 Cal.2d 360, 364.) ["[t]here is no provision in chapter 7, dealing with proceedings for reconsideration and judicial review, limiting the time within which the commission may make its decision on reconsideration, and in the absence of a statutory authority limitation none will be implied."]; see generally Lab. Code, § 5803 ["The WCAB has continuing jurisdiction over its orders, decisions, and awards. . . . At any time, upon notice and after an opportunity to be heard is given to the parties in interest, the appeals board may rescind, alter, or amend any order, decision, or award, good cause appearing therefor.].)

"The WCAB . . . is a constitutional court; hence, its final decisions are given res judicata effect." (*Azadigian v. Workers' Comp. Appeals Bd*. (1992) 7 Cal.App.4th 372, 374 [57 Cal.Comp.Cases 391; see *Dow Chemical Co. v. Workmen's Comp. App. Bd*. (1967) 67 Cal.2d 483, 491 [32 Cal.Comp.Cases 431]; *Dakins v. Board of Pension Commissioners* (1982) 134 Cal.App.3d 374, 381 [184 Cal.Rptr. 576]; *Solari v. Atlas-Universal Service, Inc.* (1963) 215 Cal.App.2d 587, 593 [30 Cal.Rptr. 407].) A "final" order has been defined as one that either "determines any substantive right or liability of those involved in the case" (*Rymer v. Hagler* (1989) 211 Cal.App.3d 1171, 1180; *Safeway Stores, Inc. v. Workers' Comp*. *Appeals Bd.* (*Pointer*) (1980) 104 Cal.App.3d 528, 534-535 [45 Cal.Comp.Cases 410]; *Kaiser Foundation Hospitals v. Workers' Comp. Appeals Bd*. (*Kramer*) (1978) 82 Cal.App.3d 39, 45 [43 Cal.Comp.Cases 661]), or determines a "threshold" issue that is fundamental to the claim for benefits. Interlocutory procedural or evidentiary decisions, entered in the midst of the workers' compensation proceedings, are not considered "final" orders. (*Maranian v. Workers' Comp*. *Appeals Bd.* (2000) 81 Cal.App.4th 1068, 1070, 1075

[65 Cal.Comp.Cases 650].) ["interim orders, which do not decide a threshold issue, such as intermediate procedural or evidentiary decisions, are not 'final' "]; *Rymer, supra,* at p. 1180 ["[t]he term ['final'] does not include intermediate procedural orders or discovery orders"]; *Kramer, supra*, at p. 45 ["[t]he term ['final'] does not include intermediate procedural orders"].)

Section 5901 states in relevant part that:

> No cause of action arising out of any final order, decision or award made and filed by the appeals board or a workers' compensation judge shall accrue in any court to any person until and unless the appeals board on its own motion sets aside the final order, decision, or award and removes the proceeding to itself or if the person files a petition for reconsideration, and the reconsideration is granted or denied. …

Thus, this is not a final decision on the merits of the Petition for Reconsideration, and we will order that issuance of the final decision after reconsideration is deferred. Once a final decision is issued by the Appeals Board, any aggrieved person may timely seek a writ of review pursuant to sections 5950 et seq.

IV.

Accordingly, we grant defendant's Petition for Reconsideration, and order that a final decision after reconsideration is deferred pending further review of the merits of the Petition for Reconsideration and further consideration of the entire record in light of the applicable statutory and decisional law.

For the foregoing reasons,

IT IS ORDERED that defendant's Petition for Reconsideration of the Findings and Order issued by a workers' compensation arbitrator on December 13, 2024, is **GRANTED**.

IT IS FURTHER ORDERED that a final decision after reconsideration is **DEFERRED** pending further review of the merits of the Petition for Reconsideration and further consideration of the entire record in light of the applicable statutory and decisional law.

WORKERS' COMPENSATION APPEALS BOARD

/s/ ANNE SCHMITZ, DEPUTY COMMISSIONER

I CONCUR,

/s/ KATHERINE A. ZALEWSKI, CHAIR

/s/ CRAIG SNELLINGS, COMMISSIONER

DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

March 24, 2025

SERVICE MADE ON THE ABOVE DATE ON THE PERSONS LISTED BELOW AT THEIR ADDRESSES SHOWN ON THE CURRENT OFFICIAL ADDRESS RECORD.

EMILIO VALENCIA
LAW OFFICES OF NADEEM MAKADA
WITKOP LAW GROUP
ZURICH NORTH AMERICA
JEFFREY FRIEDMAN, ARBITRATOR
ARTHUR SCEARS, OMBUDSMAN

SAR/abs

I certify that I affixed the official seal of the Workers' Compensation Appeals Board to this original decision on this date. *abs*