

**WORKERS' COMPENSATION APPEALS BOARD
STATE OF CALIFORNIA**

JOSE SALAZAR PARIAS, *Applicant*

vs.

**DMS FACILITY SERVICES; LIBERTY MUTUAL INSURANCE COMPANY,
*Defendants***

**Adjudication Numbers: ADJ16957497, ADJ16957542
Van Nuys District Office**

**OPINION AND ORDER
DISMISSING PETITION FOR
RECONSIDERATION**

We have considered the allegations of the Petition for Reconsideration and the contents of the report of the workers' compensation arbitrator with respect thereto. Based on our review of the record, and for the reasons stated below, we will dismiss the petition.

WCAB Rule 10842 states as follows:

All requests for an increase in attorney's fee shall be accompanied by proof of service on the applicant of written notice of the attorney's adverse interest and of the applicant's right to seek independent counsel. Failure to notify the applicant may constitute grounds for dismissal of the request for increase in fee.

(Cal. Code Regs., tit. 8, § 10842.)

Here, the Petition for Reconsideration seeks an increase in attorney fees but is not accompanied by proof of service on applicant of notice of applicant's attorney's adverse interest and of applicant's right to seek independent counsel. Therefore, the Petition is subject to dismissal.

For the foregoing reasons,

IT IS ORDERED that the Petition for Reconsideration is **DISMISSED**.

WORKERS' COMPENSATION APPEALS BOARD

/s/ JOSEPH V. CAPURRO, COMMISSIONER

I CONCUR,

/s/ CRAIG SNELLINGS, COMMISSIONER

/s/ JOSÉ H. RAZO, COMMISSIONER



DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

July 22, 2024

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

**JOSE SALAZAR PARIAS
ROBERT OZERAN
HIRSCHLE MULLEN
LEONARD SILBERMAN**

PAG/pm

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