

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

FRED DAVIS, *Applicant*

vs.

**SOUTHERN CALIFORNIA EDISON,
permissibly self-insured and self-administered, *Defendant***

**Adjudication Number: ADJ10239095
Fresno District Office**

**OPINION AND DECISION
AFTER RECONSIDERATION**

Defendant, Southern California Edison, petitions for reconsideration of the Findings of Fact, Award and Orders issued by the workers' compensation administrative law judge (WCJ) in this matter on August 17, 2022. In that decision, the WCJ found that applicant sustained injury to his low back and neck and consisting of hypertension arising out of and in the course of his employment as a mail clerk by defendant on July 7, 2014, resulting in need for further medical treatment and permanent partial disability of 76%.

Defendant contends in its petition for reconsideration that the WCJ erred in finding permanent disability of 76%.

We granted reconsideration on September 29, 2022, to further study the factual and legal issues presented.¹

Subsequently, the parties participated in a commissioners' settlement conference at our request.

On March 24, 2025, the parties filed a Compromise and Release with open medical treatment in this case.

In order to expedite review and approval of the Compromise and Release, we will rescind the August 17, 2022 Findings of Fact, Award and Orders and return this matter to the trial level so

¹ Commissioner Marguerite Sweeney, who signed the Opinion and Order Granting Petition for Reconsideration dated September 29, 2022, is no longer on the WCAB. Accordingly, a new panel member has been substituted in her place.

that the WCJ can consider the Compromise and Release. The WCJ may conduct such further proceedings as they deem appropriate.

Our decision should not be construed as a ruling on the merits of the petition for reconsideration. If the WCJ does not approve the Compromise and Release, they can issue an order reinstating the decision and any aggrieved party may timely seek reconsideration from the reinstated decision.

Finally, we commend the parties for successfully resolving this matter without the need of further litigation.

For the foregoing reasons,

IT IS ORDERED as the Decision After Reconsideration of the Workers' Compensation Appeals Board that the Findings of Fact, Award and Orders issued on August 17, 2022 be **RESCINDED**.

IT IS FURTHER ORDERED that this matter be **RETURNED** to the workers' compensation administrative law judge for further proceedings consistent with this opinion.

WORKERS' COMPENSATION APPEALS BOARD

/s/ KATHERINE WILLIAMS DODD, COMMISSIONER

I CONCUR,

/s/ JOSEPH V. CAPURRO, COMMISSIONER

/s/ KATHERINE A. ZALEWSKI, CHAIR



DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

April 3, 2025

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

**FRED DAVIS
MITCHELL & POWELL
CHOU LAW GROUP**

DH/ara

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