

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

JOHNNY RAGASA, *Applicant*

vs.

**WASTE MANAGEMENT OF ALAMEDA COUNTY, INC.;
ACE AMERICAN INSURANCE COMPANY administered by
GALLAGHER BASSETT SERVICES, INC., *Defendants***

**Adjudication Numbers: ADJ15681350; ADJ14443227
Oakland District Office**

**OPINION AND DECISION
AFTER RECONSIDERATION**

Defendant Ace American Insurance adjusted by Gallagher Bassett Services (defendant) filed a Petition for Reconsideration (Petition) of the Findings and Award (F&A) issued by the workers' compensation administrative law judge (WCJ) in this matter on December 13, 2024. In that decision, the WCJ found that applicant, while employed as a mechanic during the period ending June 9, 2021, sustained industrial injury to bilateral knees. The WCJ found that applicant's injuries resulted in a period of temporary total disability commencing January 10, 2023 through the present and continuing.

Applicant filed an Answer to the Petition.

The WCJ issued a Report and Recommendation (Report) recommending that the Petition be dismissed.

On March 24, 2025, we issued an interim non-final order granting the petition and deferred a final decision pending 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.

Thereafter, the parties attended a status conference to discuss the issues raised.

On August 22, 2025, in an effort to conserve WCAB resources and expeditiously return this matter to the district office without withdrawing their positions or arguments, the parties agreed to and filed a signed Stipulation. The Stipulation reflects the parties' agreement to select Beth Bathgate, M.D., as the Agreed Medical Evaluator (AME). The Stipulation further reflects the

parties' agreement to return the matter to the trial level for further proceedings in order to create a complete record relating to the issues initially raised by the parties and as further noted in our March 24, 2025 interim Order.

Based upon this joint stipulation of the parties, and as our Opinion and Decision after Reconsideration, we will rescind the F&A of the workers' compensation administrative law judge dated December 13, 2024, and return this matter to the WCJ for further proceedings consistent with the parties' stipulation. The WCJ may conduct such further proceedings as is deemed appropriate.

Finally, we commend the parties for successfully resolving this matter by joint agreement, without the need for further action by the Appeals Board.

For the foregoing reasons,

IT IS ORDERED as the Decision After Reconsideration of the Workers' Compensation Appeals Board that the Stipulation of applicant and defendant to return this matter back to the trial level filed on August 22, 2025, is **APPROVED**.

IT IS FURTHER ORDERED that the Findings and Award of the workers' compensation administrative law judge dated December 13, 2024, is **RESCINDED**.

IT IS FURTHER ORDERED that this matter be **RETURNED** to the workers' compensation administrative law judge for further proceedings consistent with the stipulations of the parties and with this decision and the interim findings of the Appeals Board dated March 24, 2025.

WORKERS' COMPENSATION APPEALS BOARD

s/ JOSEPH V. CAPURRO, COMMISSIONER

I CONCUR,

/s/ KATHERINE WILLIAMS DODD, COMMISSIONER

/s/ KATHERINE A. ZALEWSKI, CHAIR



DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

September 23, 2025

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

**JOHNNY RAGASA
GEARHEART & SONNICKSEN
SLADE NEIGHBORS
EMPLOYMENT DEVELOPMENT DEPARTMENT**

SAR/abs

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