WORKERS' COMPENSATION APPEALS BOARD
STATE OF CALIFORNIA

JUAN CARLOS HERNANDEZ, *Applicant*

vs.

YMCA OF THE FOOTHILLS;
INSURANCE COMPANY OF THE WEST, *Defendants*

Adjudication Number: ADJ14649906
Van Nuys District Office

OPINION AND ORDER GRANTING PETITION FOR RECONSIDERATION AND PETITION FOR REMOVAL

We have considered the allegations of the June 9, 2025 Petition for Removal, Defendant's June 20, 2025 Response and Objection to Applicant's Petition for Removal, and the Report of the workers' compensation administrative law judge (WCJ) with respect to the removal petition[1]. We have also reviewed the June 27, 2025 Petition for Reconsideration, Defendant's July 15, 2025 Response and Objection to Applicant's Petition for Reconsideration, and the WCJ's Report with respect to the Petition for Reconsideration of the WCJ's Findings and Orders of June 10, 2025, which found and ordered that defendant is entitled to a third-party credit of $147,625.51 from all species of future benefits based on unrebutted evidence that applicant Juan Carlos Hernandez received a net recovery in that amount.

Based upon our preliminary review of the record, we will grant applicant's Petition for Reconsideration as well as the Petition for Removal and defer a final decision on both. Our order granting the Petitions 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 Petitions 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 section 5950 et seq.

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[1] Commissioner Sweeney, who was on the panel that issued a prior decision in this matter, no longer serves on the Appeals Board. Another panelist was appointed in her place.

I.

Preliminarily, we note that former Labor Code 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, Labor Code 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.
>
> (b) (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 Labor Code 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 July 8, 2025 following the June 27, 2025 Petition for Reconsideration, and 60 days from the date of transmission is Saturday, September 6, 2025. The next business day that is 60 days from the date of transmission is Monday, September 8, 2025. (See Cal. Code Regs., tit. 8, § 10600(b).)[2] This decision is issued by or on Monday, September 8, 2025, so that we have timely acted on the Petition for Reconsideration as required by Labor Code section 5909(a).

Labor Code 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 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

[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.

Board to act on a petition. Labor Code 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 of Workers' Compensation Administrative Law Judge on Petition for Reconsideration, the Report was served on July 8, 2025, and the case was transmitted to the Appeals Board on July 8, 2025. Service of the Report and transmission of the case to the Appeals Board occurred on the same day. Thus, we conclude that the parties were provided with the notice of transmission required by Labor Code section 5909(b)(1) because service of the Report in compliance with Labor Code section 5909(b)(2) provided them with actual notice as to the commencement of the 60-day period on July 8, 2025.

II.

The WCJ stated following in the Report and Recommendation on Petition for Removal:

> **INTRODUCTION:**
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> On June 10, 2025, Applicant filed a verified untimely removal of a non-existent April 16, 2025 order setting the above captioned case for trial on the issue of Defendant's entitlement for third party credit.
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> The Applicant contends:
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> a) Closing discovery on the issue of third party credit and setting the matter for trial denied Applicant's due process right to discovery;
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> b) The undersigned WCJ should have not proceeded with trial on the issue of third party credit because the Applicant is not permanent and stationary; and,
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> c) Defendant acted improperly by serving his exhibits on Applicant's attorney after the MSC. WCJ Pollak comments in the MSC minutes that Applicant's Attorney complained that the exhibits were served at his former address and that Applicant's Attorney never filed a change of address.
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> **STATEMENT OF FACTS:**
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> On February 13, 2025, at a mandatory settlement conference before WCJ Pollak, this matter was set for trial on March 26, 2025 before the undersigned WCJ. In the comment area of the February 13, 2025 minutes, WCJ Pollak states "Set for trial on Defendant's petition for third party credit over objection of AA. Per AA, petition not served on its current address. However, AA concedes that it did not serve a notice of change of address but that the change is reflected in EAMS under party participant." On March 14, 2025, the Defendant notified the court that his wife was scheduled to undergo a medical procedure on the date of trial and requested a continuance, which was granted by the undersigned WCJ. The matter was reset for April 16, 2025. On March 27, 2025, the undersigned WCJ issued an order denying Applicant's unilateral request for a

continuance. On April 7, 2025, the undersigned WCJ issued an order granting a joint request to continue the April 16, 2025, trial. On May 28, 2025, the matter was heard and submitted on the documentary evidence. In the conclusion of the petition for removal, on page 7, the Applicant's Attorney states the same issues raised at the MSC were raised at trial. There is no record of the issues raised at the MSC being raised at trial. If Applicant had raised the issue of whether or not the record needs to be developed on the issue of third party credit, the undersigned WCJ would have commented on the issue. Maybe the Applicant's Attorney is requesting the submission be vacated.

On June 9, 2025, the undersigned WCJ drafted a Findings and Orders and it was dated, filed and served by email by the undersigned WCJ's secretary on June 10, 2025 at 7:32 a.m.. The petition for removal was filed June 10, 2025 at 12:31 p.m..

The first page of the petition for removal states "seeking removal of the order issued by Workers' Compensation Administrative Law Judge Bushin on April 16, 2025 proceeding with trial and denying Applicant's discovery rights on the issue of the third-party settlement credit." The undersigned WCJ did not issue any order dated April 16, 2025. Discovery was closed and the matter set for trial by WCJ Pollak on February 13, 2025. This undersigned WCJ does not understand which order is being challenged and cannot answer on the merits.

RECOMMENDATION:

The undersigned WCJ respectfully recommends that Applicant's Petition for Removal filed June 10, 2025, be dismissed as untimely

III.

The WCJ stated following in the Report and Recommendation on Petition for Reconsideration:

INTRODUCTION:

On June 27, 2025, Applicant filed a verified timely petition for reconsideration of the Findings and Orders issued on June 10, 2025. The Applicant contends:

a) The decision to award third-party credit of $147,625.51 is not supported by substantial evidence;

b) The undersigned WCJ violated Applicant's due process rights; and,

c) Applicant is substantially prejudiced by the award of third-party credit.

A document that is not part of the adjudication file shall not be attached to or filed with a petition for reconsideration or answer unless a ground for the petition for reconsideration is newly discovered evidence. (8 CCR 10945(c)(2).) In this case, Applicant attached documents that are not new or are already part of the adjudication file. The following documents were attached as exhibits "A" to "F" to the petition for reconsideration:

A. Settlement and Disbursement Record dated May 24, 2024;

B. Release in Full Settlement and Compromise dated April 29, 2024;

C. A Certified Copy of Applicant's Deposition Volume II dated September 17, 2021;

D. The Findings and Orders regarding third party credit issued by WCJ Bushin on June 10, 2025;

E. Applicant's objection to defendant's declaration of readiness to proceed dated December 30, 2024; and,

F. A single page with "EXHIBIT F" written on it. The above attached documents should be detached from the petition and discarded.

STATEMENT OF FACTS:

On December 11, 2024, Defendant filed and served a declaration of readiness to proceed on the issue of third-party credit. On December 30, 2024, Applicant filed an objection to the declaration of readiness to proceed on the grounds that there was no statement of specific, genuine, good faith efforts to resolve the dispute(s) and on the grounds that medical discovery was ongoing. On February 13, 2025, at a mandatory settlement conference before WCJ Pollak, this matter was set for trial on March 26, 2025 before the undersigned WCJ. In the comment area of the February 13, 2025 minutes, WCJ Pollak states "Set for trial on Defendant's petition for third party credit over objection of AA. Per AA, petition not served on its current address. However, AA concedes that it did not serve a notice of change of address but that the change is reflected in EAMS under party participant." On March 14, 2025, the Defendant notified the court that his wife was scheduled to undergo a medical procedure on the date of trial and requested a continuance, which was granted by the undersigned WCJ. The matter was reset for April 16, 2025. On March 27, 2025, the undersigned WCJ issued an order denying Applicant's unilateral request for a continuance. On April 7, 2025, the undersigned WCJ issued an order granting a joint request to continue the April 16, 2025, trial. On May 28, 2025, the matter was heard and submitted on the documentary evidence. On June 10, 2025, the undersigned WCJ issued a Findings and Orders which found defendant was entitled to third party credit in the amount of $147,625.51. It is from this award that Applicant seeks relief.

DISCUSSION:

THE AWARD OF THIRD-PARTY CREDIT WAS SUPPORTED BY SUBSTANTIAL EVIDENCE

The finding of entitlement to third party credit was supported by the stipulation that the net recovery by applicant was $147,625.51 (Minutes of Hearing dated May 28, 2025, hereinafter "MOH", at 2:13.) and by the settlement and Disbursement Sheet. (Exhibit A.)

The Applicant sites Bailey v. Reliance Insurance Co, 79 Cal.App.4th 449, which stands for the principle that if the settlement between appellants and the

third-party tortfeasors was entered into in bad faith, it cannot be a basis for third party credit. The issue of the underlying civil settlement being entered into in bad faith was not raised. However, in review of the entire file and the evidence submitted at trial, it appears the underlying settlement was entered into in good faith.

The Applicant sites Swanson v. Workers Compensation Appeals Board of California, 59 Cal. Comp. Cases 806, which stands for the public policy that Applicant cannot stand behind a non-disclosure / confidentiality agreement to defeat third party credit. The findings in Swanson are not relevant to this case.

The Applicant sites Martinez v. Associated Eng'g & Constr. Co., 44 Cal. Comp. Cases 1012, which establishes that the Employer has the burden of proof to show there has been a settlement between the injured employee and a third-party tortfeasor plus the employer has furnished some benefits and the injured worker has the burden to establish the total amount of his damages and any employer's negligence. In this case, the Defendant met his burden of proof and showed Applicant had received a third-party settlement and the parties stipulated that Defendant has provided some medical treatment. (MOH at 2:10.) Applicant stipulated to the amount of damages and failed to show any employer negligence. Each party met their respective burdens.

IT WAS REASONABLE AND RATIONAL TO AWARD CREDIT IN THE AMOUNT RECEIVED BY THE APPLICANT FROM THE THIRD-PARTY CASE

It is contrary to the third-party credit statutes' policy of preventing an injured employee from receiving a double recovery, i.e., receiving both full civil damages and full workers' compensation benefits for the same injury. (American Home Assurance Co. v. Hagadorn (1996) 48 Cal.App.4th 1898, 1907, 56 Cal. Rptr. 2d 536.) An important, policy of the California workers' compensation statutes is to prevent double recovery by an employee. It is thought to be unfair to have the employee recover fully for his injury against a negligent third party while keeping for himself the workers' compensation payments which the employer has made to him. (Popovich v. United States (C.D. Cal. 1987) 661 F. Supp. 944, 951].) In this case, the parties stipulated to the net amount received by Applicant. The settlement agreement, exhibit B. is unambiguous in that Applicant received a lump sum for his claim of wage loss, loss of use of property, hospital and medical expenses, general damage, property damage, and loss of earning capacity. The damages requested are in Exhibit C at PDF page 6. Applicant is claiming loss of consortium is included in the settlement. In California, a loss of consortium is the spouse's claim. Applicant's spouse did not sign the settlement agreement and we can conclude that loss of consortium is not in the settlement agreement. Applicant's civil attorney drafted and/or reviewed the settlement and could have enumerated the amount set aside for general damages. General damages are not part of Workers' Compensation benefits and any recovery for general damages would not be double recovery. However, we can only assume that Applicant's civil attorney did the best he could for Applicant. Civil actions are generally not civil

and if Applicant's civil attorney had asked for a breakdown between special damages and general damages, the defendant would have asked for something in return, possibly a reduced total settlement. The settlement agreement is unambiguous and parole evidence as to an amount designated for general damages would not be admitted over objection. The undersigned WCJ could not even imagine what that could be, settlement correspondence stating separate amounts for different types of damages would be insufficient because in the end, the parties agreed on a lump sum.

THERE WAS NO VIOLATION OF APPLICANT'S DUE PROCESS RIGHTS

It is a maxim of jurisprudence in California that, "No one can take advantage of his wrong." (Civ. Code, § 3517.) In this case there was a delay in service because Applicant's Attorney changed his address and did not send out a notice of change of address. (Minutes of Hearing dated February 13, 2025, EAMS Doc ID 78940000.) Applicant Attorney is now claiming his due process rights are violated because there was a delay in service of the exhibits. Furthermore, all Defendant's exhibits were in Applicant's possession and obtained from Applicant's civil attorney. The exhibits could not have been a surprise to Applicant.

Prior to the court reporter being called, the parties reviewed the pre-trial conference statement, framing the issues to be read into the record. Applicant did not raise the issue "The record needs to be developed." Even if raised, the undersigned WCJ sees no reason to develop the record.

THERE IS NO INDICATION OF EMPLOYER NEGLIGENCE

In this case, employer negligence would be failure to maintain the vehicle, if the vehicle involved in the underlying motor vehicle accident was owned by or under the control of the employer. Employer negligence may also have been failure to provide defensive driver training if the reasonable employer would have provided driver training. Applicant could have put on an expert witness to show an employer breach of a duty that caused injury to the Applicant. The Applicant could have testified that the vehicle was under the control of the employer and because of poor maintenance the stopping distance increased, or uneven tire ware cause the car to veer to one side or the other, but this was not done. Applicant's Attorney walked into the MSC without a discovery plan. The objection did not go into what further discovery was needed regarding the third-party credit issue. If a thought-out plan was presented to WCJ Pollak, he probably would not have set the trial. If there was a plan, discovery cut off may have irreparably harmed applicant and a removal could have been granted. Even in the petition for reconsideration, there is no indication of what discovery would be done to show employer negligence.

LIBERAL CONSTRUCTION OF THE LABOR CODE DOES NOT APPLY

Petitioner fails to state which Labor Code should be liberally construed.

THE SETTLEMENT WAS ALREADY REDUCED BY THE WORKER'S COMPENSATION LIEN OF $1,744.92

Applicant requests that the credit be reduced by $1,744.92, for the Workers Comp Lien. Exhibit A is the settlement and disbursement sheet. The math is really easy, the award was for an even $250,000.00, the attorney fee was an even $100,000.00 leaving $150,000.00. $150,000.00 credit was not requested, the Workers Comp Lien was subtracted, leaving a net of $147,625.51. The credit awarded was $147,625.51.

RECOMMENDATION:

The undersigned WCJ respectfully recommends that Applicant's Petition for Reconsideration filed June 27, 2025, be denied.

As noted in the Report and Recommendation on the Petition for Reconsideration, documents that were received in evidence and are already part of the adjudication file were attached to the Petition in violation of WCAB Rule 10945 subsection (c)(1). (Cal. Code Regs., tit. 8, § 10945(c)(1).) We admonish applicant's counsel not to disregard the WCAB Rules in the future.

IV.

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

California Labor Code section 5310 provides in part that the Appeals Board may "refer, *remove to itself*, or transfer to a workers' compensation administrative law judge the proceedings on any claim…" (Lab. Code § 5310 (emphasis added).)

Labor Code section 3861 mandates that the Appeals Board "shall allow, as a credit to the employer to be applied against his liability for compensation, such amount of any recovery by the employee for his injury, either by settlement or after judgment…" (Lab. Code § 3861.)

All parties to a workers' compensation proceeding retain the fundamental right to due process and a fair hearing under both the California and United States Constitutions. (*Rucker v. Workers' Comp. Appeals Bd.* (2000) 82 Cal.App.4th 151, 157-158.) A fair hearing is ". . . one of 'the rudiments of fair play' assured to every litigant . . ." (*Id.* at p. 158.) As stated by the California Supreme Court in *Carstens v. Pillsbury* (1916) 172 Cal. 572, "the commission, . . . must find facts and declare and enforce rights and liabilities, -- in short, it acts as a court, and it must observe the mandate of the constitution of the United States that this cannot be done except after due process of law." *(Id.* at p. 577.) A fair hearing includes but is not limited to the opportunity to call and cross-examine witnesses; introduce and inspect exhibits; and to offer evidence in rebuttal. (See

Gangwish v. Workers' Comp. Appeals Bd. (2001) 89 Cal.App.4th 1284, 1295; *Rucker*, *supra*, at pp. 157-158 citing *Kaiser Co. v. Industrial Acci. Com.* (*Baskin*) (1952) 109 Cal.App.2d 54, 58; *Katzin v. Workers' Comp. Appeals Bd.* (1992) 5 Cal.App.4th 703, 710.)

The WCJ is charged with the duty to make determinations on all issues in controversy. (Lab. Code, §§ 5313, 5815.)[1] However, the WCJ's decision must be supported by substantial evidence. (Lab. Code, §§ 5903, 5952(d); *Lamb v. Workmen's Comp. Appeals Bd.* (1974) 11 Cal.3d 274 [39 Cal.Comp.Cases 310]; *Garza v. Workmen's Comp. Appeals Bd.* (1970) 3 Cal.3d 312 [35 Cal.Comp.Cases 500]; *LeVesque v. Workmen's Comp. Appeals Bd.* (1970) 1 Cal.3d 627 [35 Cal.Comp.Cases 16].) Based on our review, we are concerned about the lack of evidence in this case. 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]; see *McClune v. Workers' Comp. Appeals Bd*. (1998) 62 Cal.App.4th 1117 [63 Cal.Comp.Cases 261].)

Taking into account the statutory time constraints for acting on the petition, and based upon our initial review of the record, we believe reconsideration must be granted to allow sufficient opportunity to further study the factual and legal issues in this case. We believe that this action is necessary to give us a complete understanding of the record and to enable us to issue a just and reasoned decision. Reconsideration is therefore granted for this purpose and for such further proceedings as we may hereafter determine to be appropriate.

V.

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 14 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 Labor Code sections 5950 et seq.

VI.

Accordingly, we grant applicant's Petition for Reconsideration, as well as the Petition for Removal, and order that a final decision after reconsideration and removal 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. While this matter is pending before the Appeals Board, we encourage the parties to participate in the Appeals Board's voluntary mediation program. Inquiries as to the use of our mediation program can be addressed to WCABmediation@dir.ca.gov.

For the foregoing reasons,

IT IS ORDERED that applicant's Petition for Reconsideration is **GRANTED**, and that applicant's Petition for Removal is **GRANTED**.

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

WORKERS' COMPENSATION APPEALS BOARD

/s/ JOSEPH V. CAPURRO, COMMISSIONER

I CONCUR,

/s/ ANNE SCHMITZ, DEPUTY COMMISSIONER

/s/ KATHERINE A. ZALEWSKI, CHAIR

DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

SEPTEMBER 8, 2025

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

JUAN CARLOS HERNANDEZ
ACCIDENT DEFENDERS
TOBIN LUCKS

CWF/*cs*

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