

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

NANETTE SPENCER, *Applicant*

vs.

LEGACY NURSING AND REHABILITATION, *Defendant*

**Adjudication Numbers: ADJ12997932
Oakland District Office**

**OPINION AND ORDER
DISMISSING PETITION
FOR REMOVAL**

Defendant has filed a petition for removal from the order setting the matter for trial issued on June 2, 2025, by the workers' compensation administrative law judge (WCJ).

Defendant contends that discovery is not yet complete on applicant's Labor Code section 132a claim.

We have received an Answer from applicant. The WCJ filed a Report and Recommendation on Petition for Removal (Report) recommending that we deny removal.

On September 10, 2025, the parties filed a proposed settlement and requested approval of the settlement. Accordingly, we will dismiss the petition for removal as moot and return this matter to the trial level for further proceedings including review of the proposed settlement.

For the foregoing reasons,

IT IS ORDERED that defendant's Petition for Removal from the order setting the matter for trial issued on June 2, 2025, by the WCJ is **DISMISSED**.

WORKERS' COMPENSATION APPEALS BOARD

/s/ CRAIG SNELLINGS, COMMISSIONER

I CONCUR,

/s/ ANNE SCHMITZ, DEPUTY COMMISSIONER

KATHERINE WILLIAMS DODD, COMMISSIONER
CONCURRING, NOT SIGNING



DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

September 24, 2025

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

**NANETTE SPENCER
LAW OFFICE OF CHRISTINA LOPEZ
LAW OFFICE OF JANET ZAMECKI
BRADFORD & BARTHEL, LLP
LAW OFFICE OF TIMOTHY D. TIMMONS
EMPLOYMENT DEVELOPMENT DEPARTMENT, UI**

EDL/mc

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