

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

JOHN EVANS, *Applicant*

vs.

**LIEBMAN, QUIGLEY & SHEPPARD;
TWIN CITY FIRE INSURANCE COMPANY ADMINISTERED BY THE HARTFORD;
CITIZENS INSURANCE COMPANY OF AMERICA, ADMINISTERED BY HANOVER
INSURANCE GROUP, *Defendants***

**Adjudication Number: ADJ11729082
Pomona District Office**

**OPINION AND ORDER
DISMISSING PETITIONS
FOR REMOVAL**

Defendant Twin City Fire Insurance Company, administered by the Hartford (Hartford) has filed a May 10, 2022 petition for removal from the WCJ's April 20, 2022 minute order setting this matter for Mandatory Settlement Conference (MSC). Co-defendant Citizens Insurance Company of America, administered by Hanover Insurance Group (Hanover) has also filed a May 10, 2022 petition for removal from the same minute order. On May 25, 2022, the matter was ordered taken off calendar by the WCJ. As a result, both Petitions for Removal have been rendered moot and will be dismissed.

While the issue is now moot, we observe that defendant the Hartford has filed a "Response to Judge's Report and Recommendation," without first seeking leave of the Workers' Compensation Appeals Board. We remind defendant the Hartford that supplemental petitions or pleadings or responses other than the answer will be considered only when specifically requested or approved by the Appeals Board. (Cal. Code Regs., tit. 8, § 10964(a).) In addition, Board Rule 10964 provides that "a party seeking to file a supplemental pleading shall file a petition setting forth good cause for the Appeals Board to approve the filing of a supplemental pleading and shall attach the proposed pleading." (Cal. Code Regs., tit. 8, § 10964(b).) Accordingly, the response will not be considered.

For the foregoing reasons,

IT IS ORDERED that the Petition for Removal of Mandatory Settlement Conference set for May 25, 2022, filed by Twin City Fire Insurance Company, administered by the Hartford, dated May 10, 2022 is **DISMISSED**.

IT IS FURTHER ORDERED that the Petition for Removal, filed by Citizens Insurance Company of America, administered by Hanover Insurance Group, dated May 10, 2022, is **DISMISSED**.

WORKERS' COMPENSATION APPEALS BOARD

/s/ JOSÉ H. RAZO, COMMISSIONER

I CONCUR,

/s/ KATHERINE WILLIAMS DODD, COMMISSIONER

/s/ KATHERINE A. ZALEWSKI, CHAIR



DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

August 9, 2022

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

**JOHN EVANS
CHARLES EDWARD CLARK
ALBERT MACKENZIE
THE HANOVER LAW OFFICE**

SAR/abs

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