

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

FRANCISCO CRUZ RICO, *Applicant*

vs.

**TWR ENTERPRISES, INC.; STARR INDEMNITY & LIABILITY COMPANY,
administered and adjusted by SEDGWICK, *Defendants***

**Adjudication Number: ADJ11124930
Riverside District Office**

**OPINION AND DECISION
AFTER RECONSIDERATION**

Lien claimant, Edwin Haronian, M.D., by and through his representatives Synapse Lien Unit, petitioned for reconsideration of the Findings and Order issued by the workers' compensation administrative law judge (WCJ) in this matter on March 13, 2023. In that decision, the WCJ found that lien claimant failed to prove applicant sustained industrial injury arising out of and in the course of his employment, and disallowed petitioner's lien in its entirety.

Petitioner, Edwin Haronian, M.D., contends in his petition for reconsideration that the WCJ erred in finding that lien claimant failed to prove industrial injury based upon the submitted evidence, and requests that the WCAB grant reconsideration, reverse the decision of the WCJ, and remand the matter for further proceedings, including addressing the issue of defendant's post-termination defense.

The WCJ issued a report recommending that the petition for reconsideration be denied in part, and granted in part in order to remand the matter to develop the record on the post termination issue.

We granted reconsideration to further study the factual and legal issues presented.

Subsequently, the parties participated in a commissioners' settlement conference at our request and agreed to resolve this matter by stipulation.

On August 1, 2023, the parties filed a fully executed Stipulation to pay lien claimant Edwin Haronian, M.D., the sum of \$6,000.00 as full and final satisfaction of Dr. Haronian's lien. The

stipulation, signed on August 1, 2023, by representative Hans Castro for petitioner Edwin Haronian, M.D., and by Mina Jafary, attorney for defendant Starr Indemnity & Liability Company, administered and adjusted by Sedgwick, provides as follows:

Lien Claimant, Edwin Haronian, M.D., retains an outstanding balance of \$ 22,708.30, not inclusive of potential penalty and interest for the services provided in the above referenced case.

Lien Claimant being represented by Hans Castro from Synapse, and defendant being represented by Mina Jafary from Bradford & Barthel, agree to resolve the above referenced amount for a total sum of \$ 6,000.00 as full and final satisfaction of Edwin Haronian M.D.'s Lien.

This settlement resolves any and all dates of service for Edwin Haronian M.D. in the case at bar along with all penalty, interests and costs involving the same.

Payment will be made upon receipt of WCAB approval (Order/Award) of these stipulations.

P&I waived if paid within 30 days from the Order/Award by WCAB.

We conclude that the Stipulations filed by lien claimant and defendant should be approved.

Finally, we commend the parties for engaging in good faith negotiations and successfully resolving this matter without the need for further litigation.

For the foregoing reasons,

IT IS ORDERED as the Decision After Reconsideration of the Workers' Compensation Appeals Board that the Findings and Order issued by the workers' compensation administrative law judge (WCJ) in this matter on March 13, 2023, be **RESCINDED**.

IT IS FURTHER ORDERED as the Decision After Reconsideration of the Workers' Compensation Appeals Board that the Stipulations of petitioner Edwin Haronian, M.D., and defendant Starr Indemnity and Liability Company, executed and filed on August 1, 2023, is **APPROVED**.

WORKERS' COMPENSATION APPEALS BOARD

/s/ KATHERINE A. ZALEWSKI, CHAIR

I CONCUR,

/s/ ANNE SCHMITZ, DEPUTY COMMISSIONER

/s/ NATALIE PALUGYAL, COMMISSIONER



DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

August 14, 2023

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

**EDWIN HARONIAN, M.D.
SYNAPSE LIEN UNIT
LAW OFFICES OF BRADFORD & BARTHEL**

LAS/ara

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