

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

GUSTAVO SANCHEZ, *Applicant*

vs.

**PINNACLE COMPANY, INC.; STARR INDEMNITY,
administered by YORK RISK SERVICES GROUP, INC.,
a SEDGWICK COMPANY, *Defendants***

**Adjudication Number: ADJ9987175
Santa Ana District Office**

**OPINION AND DECISION
AFTER RECONSIDERATION**

We previously granted reconsideration in this matter in order to allow us time to further study the factual and legal issues in this case. By letter dated December 27, 2023, defendant withdrew its Petition for Reconsideration and requested that jurisdiction be returned to the district office for the approval of the parties' settlement. Accordingly, we now issue our Opinion and Decision After Reconsideration vacating our order granting reconsideration and dismissing defendant's Petition for Reconsideration.

Since the District Office was precluded from acting on this case while it was pending on reconsideration (Cal. Code Regs., tit. 8, § 10961), the December 29, 2023 Order Approving Compromise and Release was void *ab initio* and should be reissued by the WCJ.

For the foregoing reasons,

IT IS ORDERED as the Decision after Reconsideration of the Workers' Compensation Appeals Board, that our October 21, 2022 Opinion and Order Granting Petition for Reconsideration is **VACATED**.

IT IS FURTHER ORDERED that defendant's Petition for Reconsideration filed on August 22, 2022 is **DISMISSED**.

WORKERS' COMPENSATION APPEALS BOARD

/s/ CRAIG SNELLINGS, COMMISSIONER

I CONCUR,

/s/ KATHERINE A. ZALEWSKI, CHAIR

/s/ KATHERINE WILLIAMS DODD, COMMISSIONER



DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

February 14, 2024

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

**GUSTAVO SANCHEZ
BENTLEY & MORE
BRADFORD & BARTHEL
TAPPIN & ASSOCIATES**

PAG/abs

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