

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

**JOHNNY HAMLETT, *Applicant***

**vs.**

**DAVID WALDSCHMIDT dba WOLF PERFORMANCE GOLD CARTS, illegally  
uninsured; UNINSURED EMPLOYERS BENEFITS TRUST FUND, *Defendants***

**Adjudication Numbers: ADJ7721850  
San Bernadino District Office**

**OPINION AND DECISION  
AFTER RECONSIDERATION**

We previously granted reconsideration in order to allow us time to further study the factual and legal issues in this case. We now issue our Opinion and Decision After Reconsideration.

Defendant David Waldschmidt dba Wolf Performance Gold Carts (Waldschmidt) seeks reconsideration of the Findings, Award and Orders (F&A) issued on February 12, 2021, wherein the workers' compensation administrative law judge (WCJ) found in pertinent part that (1) while employed on October 21, 2010 as a golf cart mechanic by Waldschmidt, who was illegally uninsured, applicant sustained injury arising out of and in the course of employment (AOE/COE) to his left arm, left hand, left wrist, left elbow, left shoulder, right hand, face, head and skin; (2) applicant's injury caused temporary total disability from October 21, 2010 through October 20, 2012, at the rate of \$400.00 per week, plus a ten percent penalty increase per Labor Code<sup>1</sup> 4554, payable by the employer, less attorney's fees of fifteen percent; (3) applicant's injury caused permanent disability of seventy-six percent, entitling applicant to indemnity payable at \$270.00 per week for 529.25 weeks and a life pension thereafter at \$123.69 per week, plus a ten percent penalty increase on each species of benefit pursuant to section 4554, payable by the employer, less attorney's fees of fifteen percent; and (4) applicant will require further medical treatment to cure or relieve from the effects of his injury.

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<sup>1</sup> Unless otherwise stated, all further statutory references are to the Labor Code.

The WCJ issued an award in favor of applicant and against Waldschmidt of temporary disability indemnity, permanent disability indemnity, and further medical in accordance with these findings.

The WCJ ordered the parties to negotiate all liens, costs, self-procured medical treatment and medical mileage, and ordered UEBTF to notify applicant and applicant's counsel of any action brought against Waldschmidt.

Waldschmidt contends that his previous attorney failed to enter his complete address into the Official Address Record (OAR), causing him to lack notice of the proceedings in violation of the right of due process and entitling him to the equitable remedy of rescission. Waldschmidt further contends that adjudication of applicant's claim is barred by the doctrine of res judicata.

We received an Answer from applicant but not from UEBTF.

The WCJ filed a Report and Recommendation on Reconsideration (Report) recommending that the Petition be dismissed as untimely or denied on the merits.

We have considered the allegations of the Petition, the Answer and the contents of the Report. Based on our review of the record, and for the reasons stated below, we will rescind the F&A and return the matter to the trial level to develop the record as to the issue of whether Waldschmidt was represented by Brian Collins of the Law Office of Brian Collins as of the date of trial herein and other issues as appropriate.

### **FACTUAL BACKGROUND**

On July 17, 2013, the matter proceeded to trial of the issue of whether applicant was an employee of Waldschmidt. (Minutes of Hearing and Summary of Evidence and Disposition, July 17, 2013, pp. 1-2.) Brian Collins of the Law Office of Brian Collins appeared on behalf of Waldschmidt. (*Id.*, p. 1.)

At trial, Waldschmidt sought to introduce a September 13, 2012 award of arbitrator from applicant's civil case against him. (*Id.*, p. 3:16.) Waldschmidt also testified that applicant's civil suit against him was "settled." (Minutes of Hearing and Summary of Evidence (Further), March 5, 2014, p. 6:13-16.)

On May 30, 2014, the WCJ found that applicant was "an employee of and not an independent contractor of [Waldschmidt], illegally uninsured, as a golf cart mechanic, on October

21, 2010, when he sustained injury.” (Findings of Fact, May 30, 2014.) The WCJ served notice of the finding on all parties shown on the OAR. (*Id.*)

A review of the record in EAMS reveals that no party sought reconsideration of the May 30, 2014 findings of fact.

On September 2, 2014, Waldschmidt filed a dismissal of attorney, asserting that he was dismissing the Law Office of Brian Collins as his attorney of record, that he lacked legal representation, and that he wished to have future documents served at his address of “74874 Joni Dr. #B5, Palm Desert, CA 92260” and not on his former attorney. (Dismissal of Attorney, September 2, 2014.)

A review of the record in EAMS reveals that Mr. Collins’s designation as a case participant ended on September 2, 2014 and his name was removed from the OAR.

On October 21, 2020, the matter proceeded to trial, and the WCJ stated that Waldschmidt did not appear “even though he was served notice by” UEBTF. (Minutes of Hearing and Summary of Evidence and Disposition, October 21, 2020, p. 2:2-3.) The WCJ ordered that trial would be continued to December 2, 2020 and that UEBTF would serve notice thereof on Waldschmidt. (*Id.* p. 1:21-22.)

Also on October 21, 2020, the WCJ entered into the minutes the order that trial be continued until December 2, 2020 and that UEBTF serve applicant’s employer with notice of the continued trial. (Minutes of Hearing, October 21, 2020.) The WCJ designated UEBTF to serve a copy of the October 21, 2020 Minutes of Hearing upon the parties of record. (*Id.*)

On October 22, 2020, UEBTF sent notice of the December 2, 2020 trial by mail to Waldschmidt at the address of “74874 Joni Drive Palm Desert CA 92260.” (Proof of Service-Notice of Trial, October 27, 2020, pp. 1-4.) UEBTF did not send notice of trial to the Law Office of Brian Collins. (*Id.*, p. 4.)

On October 27, 2020, the court served a copy of the October 21, 2020 Minutes of Hearing and Summary of Evidence and Disposition on all parties of record. (Minutes of Hearing and Summary of Evidence and Disposition, October 21, 2020, p. 25.)

In the Opinion on Decision, the WCJ states:

A prior proceeding and Finding of 5/30/2014 determined that Mr. Hamlett was an employee of . . . Waldschmidt . . . and not an independent contractor. Earning[s] are disputed and there is no stipulation as to indemnity rates for temporary or permanent

disability. The employer has paid no compensation. The employer has furnished no medical treatment. Applicant's treating physician was Dr. Ralph Steiger. No attorney fees have been paid and no attorney fee arrangements were made. The parties stipulated that David Wood, M.D. is the orthopedic Agreed Medical Examiner. The Uninsured Employers Benefits Trust Fund has been properly joined. Liens were deferred by agreement.

Raised in issue were the following:

1. Injury arising out of and in the course of employment.
2. Parts of body injured, with the left arm, left hand, left wrist, left elbow, left shoulder, right hand, face, head, skin, neck and body system disputed.
3. Earning[s], with applicant asserting \$600 per week based on the employer's trial testimony per the 3/5/2014 Minutes of Hearing, at Page 8, Lines 3 – 10.
4. Temporary disability, with the applicant asserting entitlement to 104 weeks from 10/21/2010 through 10/20/2012.
5. Permanent and stationary date, with the applicant asserting 10/20/2012, based on Dr. Steiger and with there being no assertion by defendant.
6. Permanent disability.
7. Need for further medical treatment.
8. Liability for self-procured medical treatment.
9. Attorney fees, with Mr. Rubel requesting 15% of benefits awarded, including retro temporary disability, permanent disability, and life pension, all payable per LC 4555 or 4554.
10. Applicant requests a general finding as to additional costs and medical transportation and there is currently a lien in EAMS for applicant's attorney's request for an Order of Costs in the amount of \$2,677.96, and it has been agreed by the parties that the issue of applicant's attorney's costs will be deferred, as will be the liens of Med-Legal Photocopy and Ralph Steiger, M.D.
11. Applicant's Petition for amendment of the exhibit list.

Applicant's attorney requested judicial notice be taken of all the prior exhibits admitted at the prior trial, as well as the Minutes of Hearing and Summary of Evidence from 7/17/2013 through 3/5/2014 for multiple days of trial, Findings and Orders and Opinion on Decision.  
(Opinion on Decision, pp. 4-5.)

In the Report, the WCJ states:

Title 8 CCR 10205.5(c) states that every party shall advise the district office and all parties of any change of mailing address and telephone numbers by furnishing the current information within five business days of any change. It is each person's or party's responsibility to ensure that the WCAB has the correct mailing address for each participant, and the Official Address Record is available online to each party to ensure that the WCAB has the correct address in their system for that person or party. If incomplete information or an incomplete address was given to the WCAB for the Official Address Record, then that is the information in our system until a person or party advises the WCAB of the correct information. EAMS is not intuitive and requires persons and parties to make a specific request to make a change in the Official Address Record.

Insofar as Mr. Waldschmidt participated in and testified at the initial trial in this matter to determine if applicant was an independent contractor or an employee, he certainly had access to the Official Address Record. He was represented by counsel, who also had access to the Official Address Record. If the address for Mr. Waldschmidt was never checked or corrected on the Official Address Record, that responsibility ultimately falls on Mr. Waldschmidt, who, once he dismissed his prior counsel (Dismissal of Attorney was filed 9/2/2014 – EAMS Doc. ID 12936522) became responsible for representing himself and making sure the WCAB had his correct address. Further, parties to a case have access to an online site to obtain Official Address Information and status of case  
...

No petition to change or correct Mr. Waldschmidt's address was made prior to the instant filing of the Petition for Reconsideration, which was accompanied by a separate Notice of Change of Address, and Notice of Representation filed by current counsel, English Lloyd & Armenta. Asserting an incorrect address nearly 11 years after the Application for Adjudication of Claim was filed and 7 years after dismissal of his prior attorney after 3 days of trial and a final determination as to an employee/employer relationship certainly does not show adherence to the Rules or due diligence.

...

[T]here is no information in the file that Mr. Brian Collins, Mr. Waldschmidt's prior counsel, withdrew from the case, as is asserted in the instant petition. There is no Petition for Leave to Withdraw as counsel, there is a Dismissal of Attorney, which infers that the attorney was dismissed or "fired" by the client and did not seek leave from the court to be allowed to withdraw.

...

Once Mr. Waldschmidt (1) submitted himself to the jurisdiction of the WCAB; (2) failed to object to WCAB jurisdiction; (3) participated in and testified at the threshold trial in this matter in 2013 and 2014; and (4) failed to appeal the adverse determination made on 5/30/2014 in the WCAB case as to the employer/employee relationship that was determined to exist, he has by his own actions waived his right to assert that res judicata should apply to vacate the WCAB determinations.

Only now, at this VERY late date, has Mr. Waldschmidt submitted evidence of a dismissal of the civil action filed by Mr. Hamlett in the Superior Court (dismissal issued with prejudice for failure to respond to an order to show cause re dismissal) and asserts this should bar Mr. Hamlett's finally adjudicated workers' compensation claim. By the time that Superior Court dismissal was entered (dated 4/22/2014), Mr. Hallett and Mr. Waldschmidt had already had 3 days in trial before the WCAB and the issue of employment was already submitted for decision. Thus, it appears clear by the actions of the parties that they preferred to adjudicate this matter before the WCAB and had, in fact, already submitted and acquiesced to the WCAB's jurisdiction in this matter by allowing the issue to proceed to trial and be submitted for decision.

...

It is disingenuous for Mr. Waldschmidt, through his new counsel, to now raise that Superior Court dismissal of the civil suit in April of 2014 should serve as res judicata to bar any workers' compensation determination, insofar as the WCAB had already invoked jurisdiction to adjudicate the threshold issue of employment, and the parties – both applicant and Mr. Waldschmidt - had submitted and acquiesced to WCAB jurisdiction.

(Report, pp. 3-6)

## **DISCUSSION**

A petition for reconsideration must be filed and received by the Appeals Board within

twenty days of the service of the final order (plus an additional five days if service of the decision is by any method other than personal service, including by mail, upon an address in California). (§ 5903; Cal. Code Regs., tit. 8, § 10605; *Oliver v. Structural Services* (1978) 43 Cal.Comp.Cases 596.) This time limit is jurisdictional and, therefore, the Appeals Board has no authority to consider or act upon an untimely Petition for Reconsideration. (*Maranian v. Workers' Comp. Appeals Bd.* (2000) 81 Cal.App.4th 1068, 1076 [65 Cal.Comp.Cases 650, 656]; *Rymer v. Hagler* (1989) 211 Cal.App.3d 1171, 1182; *Scott v Workers' Comp. Appeals Bd.* (1981) 122 Cal.App.3d 979, 984 [46 Cal.Comp.Cases 1008, 1011]; *U.S. Pipe & Foundry Co. v. Industrial Acc. Com. (Hinojoza)* (1962) 201 Cal.App.2d 545, 549 [27 Cal.Comp.Cases 73, 75-76].)

When there is a dispute as to whether service of an order was properly made, the timeliness of a subsequent petition depends on whether the service was defective. When an order is properly served, but a party merely contends that it did not receive the order, the risk of non-delivery is on the party, and a subsequent petition will be dismissed as untimely if not filed within the statutory period. (*City of Los Angeles v. Workers' Comp. Appeals Bd. (Opolak)* (1983) 48 Cal.Comp.Cases 89 (writ denied).) However, where service or the proof of service is defective, the time to file a petition is measured from the date the party receives the order in question. (*Hartford Accident & Indemnity Co. v. Workers' Comp. Appeals Board (Phillips)* (1978) 86 Cal.App.3d 1, 3-4 [43 Cal.Comp.Cases 1193].)

In this case, the record reveals that the WCJ served the F&A on all parties shown on the OAR on February 12, 2021, and we agree with the WCJ that the mere allegation that Waldschmidt did not receive it because his address in the OAR was incomplete may not serve as grounds for the Petition to be deemed timely. (F&A, p. 3; Report, p. 3.)

However, when a pleading or other statement of appearance is filed by an attorney on behalf of a party, the attorney's name and address is entered in the OAR and the attorney remains on record for that party until a subsequent substitution or dismissal is entered. In order for the substitution or dismissal to be entered, it must be made upon the filing of consent of the party and the attorney, or upon the application of either the party or the attorney and a court order granting the application. (Cal. Code Regs., tit. 8, § 10402; *In re White & Bunch* (1981) 46 Cal.Comp.Cases 810 (Appeals Board en banc); Cal. Code of Civil Proc. § 284.) Thus, where the pleadings fail to show substitution or dismissal, the attorney is generally deemed to remain the party's attorney of

record. (See, e.g., *Clay v. County of L.A.*, 2021 Cal. Wrk. Comp. P.D. LEXIS 295.)<sup>2</sup>

Here, the record suggests that Waldschmidt's attorney of record may have been improperly removed from OAR before the WCJ issued the F&A. Specifically, although the record contains Waldschmidt's dismissal of Brian Collins as his attorney of record, the record does not show that the dismissal was accompanied by a pleading showing consent to substitution or dismissal or an order relieving Mr. Collins as applicant's attorney of record. (Dismissal of Attorney, September 2, 2014; Report, p. 4.) Consequently, and as the WCJ observed in the Report, Mr. Collins's dismissal has not been entered into the record. (Report, p. 4.)

When a party is represented, service is generally required only upon a party's representative and not upon the party itself—and the WCAB is required to serve all parties of record with any final order, decision or award issued by it on a disputed issue after submission. (Cal. Code Regs., tit. 8, §§ 10625(a), 10628(a).)

Inasmuch as the record before us suggests that the court improperly removed Mr. Collins's name from the OAR and that it did not serve him as a consequence of its own error, we conclude that service of the F&A was defective. Accordingly, we will treat the Petition as timely.

Turning to the contention that Waldschmidt lacked notice of the proceedings in violation of the right to due process and is therefore entitled to the equitable remedy of rescission, we observe that determination of an issue without providing a party notice and a fair opportunity to be heard is a denial of due process. (See *Gangwish v. Workers' Comp. Appeals Bd.* (2001) 89 Cal.App.4th 1284 [66 Cal.Comp.Cases 584] (due process violated when case decided on new rationale not addressed at trial); *Rucker v. Workers' Comp. Appeals Bd.* (2000) 82 Cal.App.4th 151 [65 Cal.Comp.Cases 805] (same).) All parties are entitled to due process in a workers' compensation proceeding. (*Beverly Hills Multispecialty Group, Inc. v. Workers' Comp. Appeals Bd. (Pinkney)* (1994) 26 Cal.App.4th 789 [59 Cal.Comp.Cases 461]; *Abron v. Workmen's Comp. Appeals Bd.* (1973) 34 Cal.App.3d 232 [38 Cal.Comp.Cases 591]; *Cedeno v. American National Ins. Co.* (1997) 62 Cal.Comp.Cases 939.) "An elementary and fundamental requirement of due process in any proceeding which is to be accorded finality is notice reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them

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<sup>2</sup> We note that the California Rules of Professional Conduct prohibit an attorney from terminating a representation without first obtaining permission from the tribunal where the matter is pending if the tribunal's rules require its permission. (See Cal. Rules of Prof. Conduct, Rule 1.16(c).)



an opportunity to present their objections." (*Fortich v. Workers' Comp. Appeals Bd.* (1991) 233 Cal.App.3d 1449 [56 Cal.Comp.Cases 537].)

Here, the record shows that Waldschmidt failed to appear at the October 21, 2020 trial of this matter "even though he was served notice by" UEBTF. (Minutes of Hearing and Summary of Evidence and Disposition, October 21, 2020, p. 2:2-3.) Nonetheless, the WCJ continued the trial until December 2, 2020 and issued an order on the record for UEBTF to serve notice of the continued trial on Waldschmidt. (*Id.*, p. 1:21-22.) The WCJ also entered the order that trial be continued until December 2, 2020 into the minutes and designated UEBTF to serve the minutes upon Waldschmidt. (Minutes of Hearing, October 21, 2020.) Thereafter, on October 22, 2020, UEBTF sent notice of the December 2, 2020 trial by mail to Waldschmidt at the address of "74874 Joni Drive Palm Desert CA 92260" and the court served a copy of the October 21, 2020 Minutes of Hearing and Summary of Evidence and Disposition on the parties of record, including Waldschmidt at the same address as that used by UEBTF. (Proof of Service-Notice of Trial, October 27, 2020, pp. 1-4; Minutes of Hearing and Summary of Evidence, October 21, 2020, p. 25.)

Based upon this record that service was effected upon Waldschmidt at his address of record, and because we agree with the WCJ's reasoning that Waldschmidt was required to ensure that his address in the OAR was complete, we are unable to discern merit to Waldschmidt's argument that his alleged lack of receipt of notice of trial herein constitutes a violation of the right to due process.

However, as explained above, in the absence of a substitution, dismissal or order relieving Mr. Collins as Waldschmidt's attorney of record entered into the record, the record is unclear as to whether or not a failure to serve notice of trial upon Mr. Collins may have violated Waldschmidt's right to due process.

The WCJ is required to "make and file findings upon all facts involved in the controversy and an award, order, or decision stating the determination as to the rights of the parties. Together with the findings, decision, order or award, there shall be served upon all the parties to the proceedings a summary of the evidence received and relied upon and the reasons or grounds upon which the determination was made." (§ 5313; see also *Hamilton v. Lockheed Corporation* (*Hamilton*) (2001) 66 Cal.Comp.Cases 473, 476 (Appeals Board en banc).) The WCJ's opinion on decision "enables the parties, and the Board if reconsideration is sought, to ascertain the basis

for the decision, and makes the right of seeking reconsideration more meaningful." (*Hamilton, supra*, at p. 476, (citing *Evans v. Workmen's Comp. Appeals Bd.* (1968) 68 Cal.2d 753, 755 [33 Cal.Comp.Cases 350, 351]).)

In this regard, the Report includes two apparently contradictory conclusions without disclosing how the WCJ arrived at them. Specifically, the WCJ concluded that the file fails to support Waldschmidt's contention that Mr. Collins withdrew from the case and that Waldschmidt represented himself at the time of trial, but the record fails to state the reasons or grounds for the order that Waldschmidt be served with notice of the continued trial but not also Mr. Collins. (Report, pp. 3-4; Minutes of Hearing and Summary of Evidence and Disposition, October 21, 2020, p. 1:21-11.)

In our view, given the absence of a pleadings record showing Mr. Collins's substitution, dismissal, or order to be relieved as applicant's attorney of record, we are persuaded that the WCJ should have issued a Notice of Intention (NIT) to Waldschmidt and Mr. Collins to produce evidence regarding the substitution or dismissal of attorneys, or lack thereof. Upon the issuance of a NIT, the parties, would be in a procedural position from which they could develop the record regarding whether or not Mr. Collins was applicant's attorney of record—and thus whether any failure of notice to Mr. Collins could constitute a violation of the right to due process. Accordingly, we will rescind the F&A and return the matter to the trial level for development of the record as to whether or not Mr. Collins was Waldschmidt's attorney of record at the time of trial herein and further proceedings as appropriate. (See *Tyler v. Workers' Comp. Appeals Bd.* (1997) 56 Cal.App.4th 389 [62 Cal.Comp.Cases 924]; *McClune v. Workers' Comp. Appeals Bd.* (1998) 62 Cal.App.4th 1117 [63 Cal.Comp.Cases 261] (finding that the Appeals Board has the discretionary authority to develop the record when appropriate to fully adjudicate the issues); see also § 5313.)

Having determined that the F&A should be rescinded, we nevertheless address Waldschmidt's contention that the doctrine of res judicata bars adjudication of the issues determined therein. Specifically, Waldschmidt argues that evidence showing that applicant's civil action against him was dismissed with prejudice demonstrates that the applicant's claim is barred.

First, as the WCJ explained in the Report, the record reveals that the issue of whether applicant's claim was barred by res judicata was adjudicated at the April 2014 trial on the issue of whether applicant was employed by Waldschmidt on the date of his injury. (Report, pp. 5-6.)

After trial, the WCJ found that applicant was employed by Waldschmidt—a finding that became final when the time period for the parties to seek reconsideration expired. (Findings of Fact, May 30, 2014; Report, p. 5; *Scott v. Workers' Comp. Appeals Bd.* (1981) 122 Cal.App.3d 979, 984 [46 Cal.Comp.Cases 1008] (finding that when the time to file a petition for reconsideration expires, the underlying order or decision becomes final and the Board lacks the power to change it); see also *Marsh v. Workers' Comp. Appeals Bd.* (1968), 257 Cal.App.2d 574 (finding that a decision of the WCAB becomes final on the expiration of the time for review and the WCAB is required to give res judicata effect to its final decisions).) Since the May 30, 2014 finding is final, the issue of whether applicant's claim is barred is not subject to re-litigation and Waldschmidt's argument that res judicata applies to bar these proceedings is without merit.

In addition, we observe that issue preclusion or collateral estoppel may only be applied when all of the following requirements are met: (1) "the issue sought to be precluded from relitigation must be identical to that decided in a former proceeding;" (2) "this issue must have been actually litigated in the former proceeding;" (3) "it must have been necessarily decided in the former proceeding;" (4) "the decision in the former proceeding must be final and on the merits;" and (5) "the party against whom preclusion is sought must be the same as, or in privity with, the party to the former proceeding." (*Branson v. Sun-Diamond Growers of California*, 24 Cal.App.4th 327, (1994) (quoting *Lucido v. Superior Court*, 51 Cal.3d 335, 341, (1990), cert. denied, 500 U.S. 920 (1991)).)

In this regard, the record shows that Waldschmidt testified that the civil action brought by applicant was settled. (Minutes of Hearing and Summary of Evidence (Further), March 5, 2014, p. 6:13-16.) Because the claim was settled, there could not have been a final decision on the merits in the civil case on which Waldschmidt's res judicata argument relies. Accordingly, we conclude that Waldschmidt's argument lacks merit on the separate ground that the record fails to show that applicant's civil action resulted in a final decision on the merits.

Accordingly, we will rescind the F&A and return the matter to the trial level to develop the record as to the issue of whether Waldschmidt was represented by Brian Collins of the Law Office of Brian Collins as of the date of trial herein and other issues as appropriate.

For the foregoing reasons,

**IT IS ORDERED**, as the Decision After Reconsideration of the Workers' Compensation Appeals Board, that the Findings, Award and Orders issued on February 12, 2021 is **RESCINDED** and the matter is **RETURNED** to the trial level for further proceedings consistent with this decision.

**WORKERS' COMPENSATION APPEALS BOARD**

**/s/ MARGUERITE SWEENEY, COMMISSIONER**

**I CONCUR,**

**/s/ DEIDRA E. LOWE, COMMISSIONER/**

**/s/ KATHERINE A. ZALEWSKI, CHAIR**



**DATED AND FILED AT SAN FRANCISCO, CALIFORNIA**

**MARCH 21, 2022**

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

**JOHNNY HAMLETT  
LERNER, MOORE, SILVA, CUNNINGHAM & RUBEL  
ENGLISH LLOYD & ARMENTA  
OFFICE OF THE DIRECTOR LEGAL  
THE LAW OFFICE OF BRIAN COLLINS  
DAVID WALDSCHMIDT DBA WOLF PERFORMANCE**

***SRO/pc***

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