

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

LINA ZARAGOZA, *Applicant*

vs.

**DENCO ENTERPRISES AND WILLIAMSBURG NATIONAL INSURANCE
COMPANY administered by MEADOWBROOK INSURANCE GROUP, *Defendants***

**Adjudication Number: ADJ9344199
Bakersfield District Office**

**OPINION AND DECISION
AFTER RECONSIDERATION**

Lien Claimant, Citywide Scanning Service, Inc. petitioned for reconsideration of the Amended and Additional Findings of Fact and Order issued by the workers' compensation administrative law judge (WCJ) in this matter on January 5, 2021. In that decision, the WCJ found that the reasonable value of the medical-legal copy services provided by lien claimant was \$3,392.12, of which defendant has paid \$2,115.93, and awarded penalties and interest calculated to be \$2,030.31.

Petitioner, Citywide Scanning Service, Inc. contends in its petition for reconsideration that the WCJ erred in calculating the reasonable value of the services by applying an 85.29% acceptance rate to the balance of the sums due to lien claimant as opposed to the Original Billed amount. Petitioner further alleges that the WCJ has incorrectly applied credit to the defendant for sums already paid and which were not in dispute at trial.

The WCJ issued a report recommending that the petition for reconsideration be denied.

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 31, 2022, the parties filed a fully executed Stipulation to pay Lien Claimant Citywide Scanning Service, Inc. the sum of \$1,800.00 new money as full and final satisfaction of Citywide's lien. The stipulation, signed on

August 29, 2022, by representative Ani Balian for lien claimant, and on August 30, 2022 by Nicole Christy, attorney for defendant, provides as follows:

Lien Claimant, Citywide Scanning Service, Inc. retains an outstanding balance of \$ 2,300.00, which includes penalty and interest per LC section 4622(a)(1), for the copy services provided in the above referenced case.

Lien Claimant being represented by Ani Balian and Defendant being represented by Nicole Christy of Gilson and Daub agree to resolve the above referenced amount for a total sum of \$ 1,800.00 new money as full and final satisfaction of Citywide' s lien.

This settlement resolves any and all dates of service for Citywide Scanning Service, Inc. in the case at bar along with all lien matters 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 Amended and Additional Findings of Fact and Order issued by the workers' compensation administrative law judge (WCJ) in this matter on January 5, 2021, be **RESCINDED**.

IT IS FURTHER ORDERED as the Decision After Reconsideration of the Workers' Compensation Appeals Board that the Stipulations of lien claimant Citywide Scanning Service, Inc. and defendant Williamsburg National Insurance Company administered by Meadowbrook Insurance Group, by and through their representatives, and filed on August 31, 2022, be **APPROVED**.

WORKERS' COMPENSATION APPEALS BOARD

/s/ JOSÉ H. RAZO, COMMISSIONER

I CONCUR,

/s/ CRAIG SNELLINGS, COMMISSIONER

/s/ KATHERINE A. ZALEWSKI, CHAIR



DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

September 7, 2022

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

**CITYWIDE SCANNING SERVICE, INC.
JCR LAW GROUP
GILSON DAUB**

LAS/ara

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