WORKERS' COMPENSATION APPEALS BOARD
STATE OF CALIFORNIA

GINA BATTAGLIA (DEC'D), *Applicant*

vs.

CITY OF SANTA BARBARA, PERMISSIBLY SELF-INSURED; ADMINISTERED BY ADMINSURE, INC., *Defendants*

Adjudication Number: ADJ11068165, ADJ15534470
Oxnard District Office

OPINION AND DECISION AFTER RECONSIDERATION

The Appeals Board has been advised that, while this matter has been pending on reconsideration,[1] a proposed settlement has been reached. Therefore, as our decision after reconsideration, we will rescind the decision from which reconsideration is sought, and return this matter to the trial level for the workers' compensation administrative law judge (WCJ) to consider the proposed settlement. If the WCJ does not approve the settlement, the WCJ may issue an order reinstating the original decision and any aggrieved person may timely seek reconsideration from the reinstated decision. This is not a final decision on the merits of any of the issues pending on reconsideration.

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[1] Commissioner Lowe, who was previously a member of this panel, no longer serves on the Workers' Compensation Appeals Board. Another panelist has been assigned in her place.

For the foregoing reasons,

IT IS ORDERED as the Decision After Reconsideration of the Workers' Compensation Appeals Board that the WCJ's decision issued on August 27, 2021 is **RESCINDED** and this matter is **RETURNED** to the trial level for further proceedings and decision by the WCJ.

WORKERS' COMPENSATION APPEALS BOARD

/s/ JOSEPH V. CAPURRO, COMMISSIONER

I CONCUR,

/s/ ANNE SCHMITZ, DEPUTY COMMISSIONER

/s/ JOSÉ H. RAZO, COMMISSIONER

DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

January 10, 2024

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

JASON LAPWORTH, GUARDIAN AD LITEM AND TRUSTEE
ADAMS, FERRONE &FERRONE
GOLDMAN, MAGDALIN & KRIKES, LLP

SAR/mc

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