

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

**JOSE SILVA, *Applicant***

**vs.**

**A-1 METAL PRODUCTS, INC.; TRUCK INSURANCE EXCHANGE;  
L.A. COUNTRY CLUB; LIBERTY MUTUAL INSURANCE, *Defendants***

**Adjudication Number: ADJ7148547 ADJ7848075  
Los Angeles District Office**

**OPINION AND DECISION  
AFTER RECONSIDERATION**

Applicant Jose Silva, defendant Los Angeles Country Club (LACC), and defendant A-1 Metal Products, by and through their representatives each petitioned for reconsideration of the Amended Findings, Award and Orders issued by the workers' compensation administrative law judge (WCJ) in this matter on January 20, 2022. In that decision, the WCJ found that applicant sustained cumulative injuries arising out of and in the course of his employment by A-1 Metal Products, Inc. (A-1) during the period January 8, 2009, to January 8, 2010 (ADJ148547) and by LACC during the period January 1, 2007 to January 6, 2010 (ADJ7488075.) The WCJ also found that the former injury caused permanent partial disability of 65% and the latter injury caused permanent partial disability of 21%. In addition, the WCJ found that the injuries caused need of further medical treatment and temporary total disability from January 9, 2010, to January 23, 2013.

We granted reconsideration to further study the factual and legal issues presented.<sup>1</sup>

Subsequently, the parties participated in a commissioners' settlement conference at our request.

On December 22, 2023, the parties filed a fully executed Compromise and Release with applicant's right to further medical treatment not settled and left open.

---

<sup>1</sup> Commissioner Marguerite Sweeney and Commissioner Deidra E. Lowe signed the Opinion and Order Granting Petition for Reconsideration dated April 12, 2022. Commissioner Sweeney and Commissioner Lowe are no longer members of the Appeals Board. Accordingly, new panel members have been substituted in their places.

In order to expedite review and approval of the Compromise and Release, we will rescind the January 20, 2022 Amended Findings, Award and Orders and remand this matter to the WCJ to consider the Compromise and Release. The WCJ may conduct such further proceedings as he deems appropriate.

Our decision should not be construed as a ruling on the merits of the petition for reconsideration. If the WCJ does not approve the settlement, he can issue an order reinstating his decision and any aggrieved party may timely seek reconsideration from the reinstated decision.

Finally, we commend the parties for successfully resolving this matter without the need of further litigation.

For the foregoing reasons,

**IT IS ORDERED** as the Decision After Reconsideration of the Workers' Compensation Appeals Board that the Amended Findings, Award and Orders issued on January 20, 2022, be **RESCINDED**.

**IT IS FURTHER ORDERED** that this matter be **REMANDED** to the workers' compensation administrative law judge for further proceedings consistent with this opinion.

**WORKERS' COMPENSATION APPEALS BOARD**

**/s/ LISA A. SUSSMAN, DEPUTY COMMISSIONER**

**I CONCUR,**

**/s/ JOSEPH V. CAPURRO, COMMISSIONER**

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



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

**December 29, 2023**

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

**JOSE SILVA  
KIRK & MYERS  
LAW OFFICES OF RAMIN YOUNESSI  
STRATMAN WILLIAMS ABREGO  
TESTAN LAW**

**DH/ara/mc**

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