

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

LUCIANA CUELLAR SORIANO, *Applicant*

vs.

**HYATT CENTURY PLAZA HOTEL;
GALLAGHER BASSETT SERVICES, *Defendants***

**Adjudication Numbers: ADJ9122055; ADJ10302469
ADJ10264470; ADJ10264400
Los Angeles District Office**

**OPINION AND DECISION
AFTER RECONSIDERATION**

Petitioner, Citywide Scanning Service, Inc. petitioned for reconsideration of the Joint Order Denying the Non IBR Cost Petition issued by the workers' compensation administrative law judge (WCJ) in this matter on February 8, 2022. In that decision, the WCJ Ordered the Cost Petition filed by Citywide Scanning denied without prejudice on the basis that the existing evidence was insufficient to determine the issue without information as to whether there was good cause for the attorney to have subpoenaed the records and without a full hearing on the issue.

Petitioner, Citywide Scanning Service, Inc. contends in its petition for reconsideration that the WCJ erred in requiring applicant's counsel to substantiate good cause for the subpoenas in question, and requests that the WCJ rescind his decision, and find petitioner has met their burden of proof, or that the WCJ or WCAB grant reconsideration and set the matter for hearing.

The WCJ issued a report recommending that the petition for reconsideration be dismissed as being based upon a non-final order or 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 November 1, 2022, the parties filed a fully executed Stipulation to pay Petitioner Citywide Scanning Service, Inc. the sum of \$1,980.00 as full and final satisfaction of Citywide's services. The stipulation, signed on November 1, 2022,

by representative Ani Balian for petitioner, and by Melissa Manger, attorney for defendant, provides as follows:

Petitioner, Citywide Scanning Service, Inc. retains an outstanding balance of \$2,685.17, which includes penalty and interest per LC section 4622(a)(1), for the copy services provided in the above referenced case.

Petitioner being represented by Ani Balian and Defendant being represented by Melissa Manger for Gallagher Bassett agree to resolve the above referenced amount for a total sum of \$1,980.00 new money as full and final satisfaction of Citywide's Medical-Legal Reimbursement Petition.

This settlement resolves any and all dates of service for Citywide Scanning Service, Inc. in the case at bar along with all penalty, interests and costs 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 petitioner 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 Joint Order Denying the Non IBR Cost Petition issued by the workers' compensation administrative law judge (WCJ) in this matter on February 8, 2022, be **RESCINDED**.

IT IS FURTHER ORDERED as the Decision After Reconsideration of the Workers' Compensation Appeals Board that the Stipulations of petitioner Citywide Scanning Service, Inc. and defendant Gallagher Bassett, and filed on November 1, 2022, is **APPROVED**.

WORKERS' COMPENSATION APPEALS BOARD

/s/ JOSÉ H. RAZO, COMMISSIONER

I CONCUR,

/s/ KATHERINE A. ZALEWSKI, CHAIR

/s/ KATHERINE WILLIAMS DODD, COMMISSIONER



DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

November 16, 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
PEARLMAN, BROWN & WAX
SOLOV & TEITELL
LUCIANA CUELLAR SORIANO**

LAS/ara

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