

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

PEDRO PUENTES SALAZAR, *Applicant*

vs.

**PREMIER LANDSCAPING; TRUCK INSURANCE EXCHANGE,
FARMERS INSURANCE, *Defendants***

**Adjudication Numbers: ADJ9580231 (MF), ADJ9580348, ADJ10575850, ADJ10579286
Riverside District Office**

**OPINION AND DECISION
AFTER RECONSIDERATION**

Lien Claimant Joyce Altman Interpreters petitioned for reconsideration of the Findings and Order issued by the workers' compensation administrative law judge (WCJ) in this matter on May 4, 2021. In that decision, the WCJ found that the lien claimant was barred from recovering their lien for services based upon the Statute of Limitations per Labor Code §4903.5 and §5404 as to cases ADJ10575850 and ADJ10579286. The WCJ further found insufficient evidence to determine if Labor Code §4903.5 and §5404 applied to bar lien claimant's recovery on case ADJ9580231.

The WCJ ordered lien claimant Joyce Altman barred from recovering for their services on cases ADJ10575850 and ADJ10579286.

Petitioner, Joyce Altman Interpreters contends in its petition for reconsideration that the WCJ erred in excluding their medical reporting from evidence and that they were deprived of their due process rights with respect to the issue of whether the statute of limitations applied to the filing of the applicant's cases.

Petitioner requests that their petition for reconsideration be granted and that the matter be returned to the WCJ for further record development.

The WCJ issued a report in which he recommended that the lien claimant's petition be denied.

We granted reconsideration to further study the factual and legal issues presented.¹

Subsequently, the parties participated in a commissioners' settlement conference at our request and agreed to resolve this matter by stipulation. On February 9, 2023, the parties executed and filed a Joint Stipulation to pay Lien Claimant settling the matter for \$3,500.00 as full and final settlement of the dispute. The stipulation, signed by Representative Chris Alcala for lien claimant, representative Eric Gutierrez for defendant Truck Insurance Exchange (Farmers Insurance), and Gary Sheffield, counsel for defendant, Security National/Amtrust, provides as follows:

Jurisdiction having been reserved on payment of the lien claimant of Joyce Altman Interpreters, Inc. in the amount of \$10,716.81, the parties have stipulated to resolve said lien for the sum of \$3,500.00 in full satisfaction of said lien and all claims to date, in addition to any sums previously paid on said lien.

The parties waive the provisions of Labor Code §5313. Penalties and interest waived if paid within 30 days.

Farmers Insurance to pay \$1,750.00; Amtrust to pay \$1,750.00 toward full settlement value.

This claim settles any and all debt held by Joyce Altman Interpreters, Inc. against Farmers Insurance and its subsidiaries in regard to Claim No. WC10106101 and Amtrust and its subsidiaries in regard to Claim No. 28433699-1.

We conclude that the Stipulations filed by lien claimant and both defendants is adequate and 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.

¹ Commissioner Deidra E. Lowe signed the Opinion and Order Granting Petition for Reconsideration dated July 7, 2021. As Commissioner Lowe is no longer a member of the Appeals Board, a new panel member has been substituted in her place.

For the foregoing reasons,

IT IS ORDERED as the Decision After Reconsideration of the Workers' Compensation Appeals Board that the Findings and Order issued May 4, 2021, be **RESCINDED**.

IT IS FURTHER ORDERED as the Decision After Reconsideration of the Workers' Compensation Appeals Board that the Stipulations of lien claimant Joyce Altman Interpreters and Farmers Insurance and Amtrust, by and through their representatives, executed and filed on February 9, 2023, is **APPROVED**.

WORKERS' COMPENSATION APPEALS BOARD

/s/ KATHERINE A. ZALEWSKI, CHAIR

I CONCUR,

/s/ JOSEPH V. CAPURRO, COMMISSIONER

/s/ KATHERINE WILLIAMS DODD, COMMISSIONER



DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

February 23, 2023

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

**JOYCE ALTMAN INTERPRETERS
ALCALA & ASSOCIATES
FARMERS INSURANCE
LAW OFFICES OF NGUYEN & GRIBBLE**

LAS/ara

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