

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

JON AMEDEE, *Applicant*

vs.

**PACIFIC BELL TELEPHONE CO.;
SEDGWICK CMS, *Defendants***

**Adjudication Number: ADJ8935903
Oakland District Office**

**OPINION AND ORDER
DENYING PETITION
FOR REMOVAL**

We have considered the allegations of the Petition for Removal and the contents of the report of the workers' compensation administrative law judge (WCJ) with respect thereto. Based on our review of the record, and based upon the WCJ's analysis of the merits of petitioner's arguments in the WCJ's report, we will deny removal.¹

Removal is an extraordinary remedy rarely exercised by the Appeals Board. (*Cortez v. Workers' Comp. Appeals Bd.* (2006) 136 Cal.App.4th 596, 599, fn. 5 [71 Cal.Comp.Cases 155]; *Kleemann v. Workers' Comp. Appeals Bd.* (2005) 127 Cal.App.4th 274, 280, fn. 2 [70 Cal.Comp.Cases 133].) The Appeals Board will grant removal only if the petitioner shows that substantial prejudice or irreparable harm will result if removal is not granted. (Cal. Code Regs., tit. 8, § 10955(a); see also *Cortez, supra*; *Kleemann, supra*.) Also, the petitioner must demonstrate that reconsideration will not be an adequate remedy if a final decision adverse to the petitioner ultimately issues. (Cal. Code Regs., tit. 8, § 10955(a).)

As explained by the WCJ in the Report, once the parties proceed to trial, they will have an opportunity to submit relevant evidence, cross-examine witnesses, present legal arguments, and otherwise create a record. The trial WCJ can then consider the evidence and the legal arguments

¹ On February 22, 2018, we issued an Opinion and Decision After Reconsideration in this matter. Commissioner Lowe, who was on the panel that issued that decision, no longer serves on the Appeals Board. Another panelist was appointed in her place.

raised by the parties and determine how best to proceed. Thus, we are not persuaded that substantial prejudice or irreparable harm will result if removal is denied.

Accordingly, we deny the Petition for Removal.

For the foregoing reasons,

IT IS ORDERED that the Petition for Removal is **DENIED**.

WORKERS' COMPENSATION APPEALS BOARD

/s/ JOSÉ H. RAZO, COMMISSIONER

I CONCUR,

/s/ JOSEPH V. CAPURRO, COMMISSIONER

/s/ KATHERINE A. ZALEWSKI, CHAIR



DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

SEPTEMBER 10, 2025

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

**JON AMEDEE
LAW OFFICES OF JOHN E. HILL
GOLDMAN MAGDALIN STRAATSMA, LLP
OFFICE OF THE ADMINISTRATIVE DIRECTOR, LEGAL OAKLAND**

AS/mc

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