

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

MARTIN FERREYRA, *Applicant*

**T.S. LOGGING; CALIFORNIA INSURANCE CO.;
administered by APPLIED RISK SERVICES, *Defendants***

**Adjudication Number: ADJ10219413
Santa Rosa District Office**

**OPINION AND DECISION
AFTER RECONSIDERATION**

Applicant petitioned for reconsideration of the Findings and Award issued on September 9, 2025 by the workers' compensation administrative law judge (WCJ) in this matter. Therein, the WCJ found that applicant sustained injury arising out of and in the course of employment (AOE/COE) to his thoracic spine, right shoulder, chest/ribs, right-upper extremity, and in the form of peripheral vascular disease/deep vein thrombosis, while employed as a log chocker on October 5, 2015. The WCJ further found that the injury caused permanent disability of 61%, after apportionment.

Applicant contends that the WCJ erred in failing to find him permanently totally disabled arguing that the WCJ should have relied on the opinion of vocational expert Scott Simon.

We received an Answer. The WCJ issued a Report and Recommendation on Petition for Reconsideration recommending that we deny reconsideration.

Thereafter, we issued an order granting the petition, pending further review of the entire record.

Subsequently, the parties successfully participated in a voluntary mediation at the Appeals Board.

On April 28, 2026, the parties advised that a proposed settlement by Compromise and Release (C&R) had been reached, and requested return of the matter to the trial level for review of the proposed settlement.

In order to expedite review and approval of the parties' settlement agreement, we will rescind the September 9, 2025 Findings and Award, and return this matter to the WCJ to consider the C&R of the parties. The WCJ may conduct such further proceedings as is deemed 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, the WCJ may issue an order reinstating their original decision and any aggrieved person may timely seek reconsideration of the reinstated decision.

Finally, we commend the parties for successfully resolving this matter by joint agreement, without the need for further action by the Appeals Board.

For the foregoing reasons,

IT IS ORDERED as the Decision After Reconsideration of the Workers' Compensation Appeals Board that the WCJ's decision of September 9, 2025 is **RESCINDED** and this matter be **RETURNED** to the workers' compensation administrative law judge to consider the Compromise and Release and for further proceedings as is deemed appropriate.

WORKERS' COMPENSATION APPEALS BOARD

/s/ KATHERINE A. ZALEWSKI, CHAIR

I CONCUR,

/s/ CRAIG L. SNELLINGS, COMMISSIONER

/s/ ANNE SCHMITZ, DEPUTY COMMISSIONER



DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

MAY 12, 2026

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

**MARTIN FERREYRA
THE LAW OFFICE OF JOHN BLOOM
H AND R LAW GROUP**

LAS/bp

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