

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

PABLO MARTINEZ, *Applicant*

vs.

**LEKOS DYE AND FINISHING INC.; BARRETT BUSINESS SERVICES INC.;
ACE AMERICAN INSURANCE COMPANY, *Defendants***

**Adjudication Number: ADJ18814242
Marina del Rey District Office**

**OPINION AND ORDER
GRANTING PETITION FOR
RECONSIDERATION
AND DECISION AFTER
RECONSIDERATION**

Defendant filed a Petition for Reconsideration (Petition) in response to the Finding and Order (F&O) dated March 26, 2026, in which the workers' compensation administrative law judge (WCJ) found in pertinent part that applicant, while employed during the cumulative period through December 12, 2023, by defendant, sustained injury arising out of and in the course of employment (AOE/COE) to his respiratory system and ordered that all other issues were deferred.

Defendants contend there is no substantial evidence to support the finding of injury.

Applicant filed an Answer.

The WCJ's Report and Recommendation (Report) recommends reconsideration be denied.

After review of the record and for the reasons discussed below, we will grant the Petition for Reconsideration, amend the F&O to include the parties' stipulation as to defendant's workers' compensation insurance coverage, and otherwise affirm the F&O.

I.

Former Labor Code section 5909¹ provided that a petition for reconsideration was deemed denied unless the Appeals Board acted on the petition within 60 days from the date of filing.

¹ Unless otherwise stated, all further statutory references are to the Labor Code.

(Former Lab. Code, § 5909.) Effective July 2, 2024, section 5909 was amended to state in relevant part that:

- (a) A petition for reconsideration is deemed to have been denied by the appeals board unless it is acted upon within 60 days from the date a trial judge transmits a case to the appeals board.
- (b) (1) When a trial judge transmits a case to the appeals board, the trial judge shall provide notice to the parties of the case and the appeals board.

(2) For purposes of paragraph (1), service of the accompanying report, pursuant to subdivision (b) of Section 5900, shall constitute providing notice.

(Lab. Code, § 5909.)

Under section 5909(a), the Appeals Board must act on a petition for reconsideration within 60 days of transmission of the case to the Appeals Board. Transmission is reflected in Events in the Electronic Adjudication Management System (EAMS). Specifically, in Case Events, under Event Description is the phrase “Sent to Recon” and under Additional Information is the phrase “The case is sent to the Recon board.”

Here, according to Events the case was transmitted to the Appeals Board on May 13, 2026, and 60 days from the date of transmission is Sunday, July 12, 2026. The time limit is extended to the next business day if the last day for filing falls on a weekend or holiday. (Cal. Code Regs., tit. 8, § 10600(b).) Here, July 12, 2026, is a Sunday which by operation of law means this decision is due by the next business day, which is Monday, July 13, 2026. This decision issued by or on July 13, 2026, so that we have timely acted on the Petition as required by section 5909(a).

Section 5909(b)(1) requires that the parties and the Appeals Board be provided with notice of transmission of the case. Transmission of the case to the Appeals Board in EAMS provides notice to the Appeals Board. Thus, the requirement in subdivision (1) ensures that the parties are notified of the accurate date for the commencement of the 60-day period for the Appeals Board to act on a petition. Section 5909(b)(2) provides that service of the Report shall be notice of transmission.

According to the proof of service, the Report was served on May 13, 2026, and the case was transmitted to the Appeals Board on May 13, 2026. Service of the Report and transmission of the case to the Appeals Board occurred on the same day. Thus, we conclude that the parties were provided with the notice of transmission required by section 5909(b)(1) because service of the

Report in compliance with section 5909(b)(2) provided them with actual notice as to the commencement of the 60-day period on May 13, 2026.

II.

Applicant, while employed by defendants during the cumulative period ending December 12, 2023, as a fiber cutter, by Lekos Dye & Finishing/Barrett Business Services Inc., sustained injury arising out of and in the course of employment to his respiratory system.

The extensive record was reviewed and is digested here only as necessary to understand our decision.

1.

In an April 8, 2024 report, treating physician Scott Cranford, M.D., described applicant's subjective complaints, including:

The patient is a 53-year-old laborer who works for clothing manufacturing company for 21 years but then reports developing respiratory problems with a chronic cough and shortness of breath. He was hospitalized at Saint Mary's Hospital in Long Beach from December 12 through December 20, 2023 and has been unable to work since. He states during his hospitalization he was evaluated and found to have an injury to his lungs due to the inhalation of the fibers from the clothing materials that he was working with and the dyes that he was working with. He states that he is employed by this LI [*sic*] finishing company for 21 years.

(Exhibit 3, Scott Cranford, M.D., April 8, 2024, p. 1.)

Next, in a May 20, 2024 report Dr. Cranford recorded:

Patient states he has been told that there is no treatment for his condition and that he has end-stage lung disease. He states that the doctors at Harbor General Hospital told him that he should notify his family as to his lung disease which is not curable and has a poor prognosis.

(Exhibit 2, Scott Cranford, M.D., May 20, 2024, p. 1.)

Applicant was evaluated by Panel Qualified Medical Evaluation (PQME) Omar Tirmizi, M.D., and in his September 25, 2024 report, Dr. Tirmizi deferred causation pending further evaluations and testing. (Exhibit 11, Omar Tirmizi, M.D., September 25, 2024, p. 14.)

Then on November 15, 2024, Dr. Tirmizi provided a supplemental report that includes: "To the best of my knowledge, there has been no definitive diagnosis as to the origin of his respiratory condition, or any identified agent at his workplace that can result in pneumoconiosis,

interstitial lung disease, or his respiratory condition.” (Exhibit 10, Omar Tirmizi, M.D., November 15, 2024, pp. 11-12.)

In a December 20, 2024 report, treater Dr. Cranford described applicant’s subjective complaints, noting in part:

[Applicant] is a 54-year-old foundry laborer [*sic*] who had chronic exposure to silica and downsize [*sic*] when worked for the finishing company closed his business on March 1, 2024 where he had been employed for 23 years he unfortunately developed interstitial lung disease as result of the elevation of these toxic fumes and substances at his workplace that resulted in the patient being hospitalized in December 2023 and he has been disabled and has been getting progressively worse since then he has not [*sic*] been followed by the Harbor-UCLA pulmonary and cardiology appointments that he has been advised that he needs a lung transplant.

(Exhibit 1, Scott Cranford, M.D., December 20, 2024, p. 1.)

In records from Harbor – UCLA Medical Center, Emergency, on January 21, 2025, Nathan Yee, M.D., provided an Assessment/Plan which included “**ILD 2/2 occupational exposure (textile factory dyeing clothes for 23 years)**”² (Exhibit 5, PDF p. 22, emphasis in original.)

On March 18, 2025, Dr. Tirmizi issued a supplemental report that included in part:

I have reviewed the medical records, MSDS data, scientific literature, opinions, as well as depositions sent to my attention. It is my opinion that there is enough information available to me showing that certain substances were used, such as PDMS at [applicant]'s workplace. These have substances that when exposed to various processes, chemical or radiation, can result in the formation of silicone or silica or silica like particles.

It is unclear to me if this silicone elastomer or silica that is created is respirable, and I have not been able to find much in the way of scientific literature. It is, however, logical to conclude that once silica like particles are formed, if there is a silica coating on fabric, which is then dried and subsequently cut releasing fibers into the air, these fibers could be inhaled by a worker such as [applicant], despite wearing a mask. Therefore, it is medically probable that [applicant] was exposed to silica or silicone like products at his workplace, which, in the process of manufacturing, resulted in respirable particles that he subsequently inhaled and resulted in him developing silicosis. It is therefore my opinion that based on [applicant]'s 23-year exposure to dust and fibers, which very likely contained silica, is a contributing and likely causative factor to his pneumoconiosis.

(Exhibit 9, Omar Tirmizi, M.D., March 18, 2025, p. 7.)

² “IDL” is the common acronym for Interstitial Lung Disease, see, e.g., <https://www.mayoclinic.org/diseases-conditions/interstitial-lung-disease/symptoms-causes/syc-20353108>.) “2/2” commonly means “secondary to.”

Thereafter, the June 5, 2025 deposition of Dr. Tirmizi includes the following exchanges:

Q Okay. And just make sure I understand your opinion correctly because I'm not a doctor. I'm just trying to make sure I understand this. You are making your opinion of silicosis based on your conclusion that there's a history of exposure to silica at the workplace; correct?

A With a slight difference, he was exposed to processes that potentially could generate silica or silica-like particles.

(Exhibit 12, Deposition Syed Tirmizi, M.D., June 5, 2025, p. 7, lns 8-16.)

Q Okay. And then also your opinion is based upon there being PDMS, or I don't know if I'll say this right, Polydimethylsiloxane, which is silicone used in the dyeing process. Is that accurate?

A Yes.

Q And that PDMS for short was contained in the silligen [*sic*] [product] on the MSDS sheet that you were presented with; correct?

A Yes.

Q Let me just clarify. The only known exposure you're aware of to silicone and silica is from that silligen [*sic*] product; correct?

A Yes.

(Exhibit 12, p. 10, lns 10-22.)

Q So he was not involved in the dyeing process. Does that affect your opinion at all?

A No.

Q No?

A No.

Q Why is that?

A From my -- my opinion is based on the generation of silica or silica-like particles and in the process of dyeing that it was presented to me in the previous deposition as well as the video and the materials I've seen, it appears to me that the silica or silica-like particles will be generated when the fabric will be cut. If they were generated in the dyeing process, in my opinion those would probably not respirable until they were dried and cut.

(Exhibit 12, p. 12, lns 3-17.)

Q Okay. So let's say the silligen [*sic*], the PDMS was not used in the dyeing process, it was used in the drying process. And there was no UV light in the drying process so let's assume that, but then let's assume that there was a UV light used at the cutting station. What would your opinion be?

A My knowledge is based on the reports that I've seen and the scientific literature I've seen where when PDMS is exposed to ultraviolet light, it can generate silica or silica-like particles, so if the two elements are present on the fabric at the same time then my opinion can lead to the development of silica or silica-like particles.

(Exhibit 12, p. 13, lns 10-22.)

Q Just to clarify, I think what he testified to was there was a light at his cutting station and there was a question which I asked. I asked him if it was a UV light. He said he did not know. I don't know if we would know but I don't know if that's relevant. But just to be clear, your opinion would change if there were no UV light used in the drying or cutting process, it would change to, what, there's no industrial causation?

A Not from PDMS being exposed to ultraviolet light. Now, if there's another process where PDMS would convert to silica, then we would refer to that option, but I'm not familiar.

Q Are you not aware of any other potential process in the workplace that would refer PDMS to silica other than the UV light?

A I did look at a couple of scientific articles and I mentioned that in page seven of my report. And one of the mechanisms was ultraviolet light. If there was another way by which PDMS would convert to silica, I did not put that in my report.

(Exhibit 12, p. 15, lns 4-24.)

I did, though, for clarification put another statement in my report which is on second last paragraph of page seven of my report that when exposed to various processes chemical or radiation that silicone or silica-like particles can be formed.

(Exhibit 12, p. 16, lns 5-10.)

. . . is there some other alternative theory that Dr. Scott is proposing that you agree with that would cause lung disease in this case?

A From what I'm seeing from Dr. Scott, he is making a connection from lung disease, which he labels interstitial lung disease and industrial exposure. He doesn't say what kind of exposure, but he says there's some toxic inhalation at his workplace.

Q Again putting aside the silica, do you agree with him or no?

A I don't think Dr. Scott knew this was probably silicosis at that time. He just called it ILD, and ILD can have other causative factors as well. Certain other industrial exposures can cause ILD.

Q And inter –

A Interstitial lung disease.

Q Is that different from silicosis?

A Silicosis is more specific. ILD is more like a category. Like you can have pneumonia or streptococcal pneumonia.

Q I guess what I'm asking is does Dr. Scott's opinion make sense if there's no silica?

A It does make sense because he believes Mr. Martinez has lung disease from exposures at his workplace. He doesn't have all the details, but he concludes it based on his history.

(Exhibit 12, p. 25, ln 1, to p. 26, ln 1.)

2.

On February 28, 2024, defense counsel filed a notice of representation as “the attorney of record for Defendant, Ace American Insurance Company.”

On the first day of trial on September 15, 2025, applicant testified through a certified Spanish-language interpreter in part as follows:

Lekas Dye & Finishing, Inc. was a business that colored fabric. It is the last place applicant worked. His job there was to cut the fabric. He worked there for 23 years. He was in good physical and mental condition when he first started working at the company.

He left Lekas Dye & Finishing, Inc. because he was dying there and lost consciousness. He had a problem breathing. This happened December 12, 2023.

(Minutes of Hearing and Summary of Evidence, September 15, 2025, (FIRST MOH) p. 2, lns 13-17.)

Applicant also testified in part: “When he was cutting, fibers were flying around. Sometimes his employer gave him a face mask, and when he would take the face mask off, it was all dirty and black.” “Aside from cutting the fabric, he had a different job on Mondays, which was to clean the machinery and the dust that was in the machinery.” “As part of his job duties, on

Mondays he was required to do cleaning. He would have to clean about three big machines, which are called “tinted” or “tinter,” something like that. They were approximately seven feet from his work station.” (FIRST MOH, p. 3, lns 1-3; 7-9; 22-24.) Applicant also testified “[h]e never went into that lab for any reason.” (FIRST MOH, p. 4, ln 5.)

On the second day of trial, October 27, 2025, the parties stipulated in part that:

1. [Applicant], employed during the period 1/1/2020 to 12/12/2023, as a fabric cutter, at Compton, California, by Lekos Dye & Finishing/Barrett Business Services, Inc., claims to have sustained injury arising out of and in the course of employment to respiratory system, lungs, chest, heart, eyes, and sleep apnea.

2. At the time of the injury the employer’s workers’ compensation carrier was Ace American Insurance Company, TPA CorVel.

Issues raised included injury arising out of and in the course of employment. (Minutes of Hearing, Summary of Evidence, and Order October 27, 2025 (SECOND MOH), p. 2, lns 3-8; 16.) Applicant provided further testimony. (SECOND MOH, p. 3.)

On the third day of trial, January 26, 2026, exhibits were submitted by both parties without objection, and two defense witnesses testified.

Manager Bryan Lee testified: “He knows that siligen is a fabric softener and was used by Lekos during the drying process but not the dyeing process because it would have damaged the fabric.” On cross-examination he testified: “At Lekas UV lights were only used in the laboratory light box. Textiles were put under the UV lights.” (Minutes of Hearing (Further) and Summary of Evidence, January 26, 2026 (THIRD MOH), p. 6, lns 1-2; 17-18.)

General Manager Daniel Lee testified “that Lekas only used siligen as a fabric softener in the finishing and drying stage of fabric after it is dyed.” (THIRD MOH, p. 7, lns 23-24.) He also confirmed that UV lights were used inside the laboratory light box. (THIRD MOH, p. 8, lns 5-7.)

On March 26, 2026, the WCJ issued the F&O finding applicant sustained injury AOE/COE to his respiratory system and ordering that all other issues were deferred.

It is from this F&O that defendants seek reconsideration.

III.

We observe that a grant of reconsideration has the effect of causing “the whole subject matter [to be] reopened for further consideration and determination” (*Great Western Power Co. v. I.A.C. (Savercool)* (1923) 191 Cal. 724, 729 [10 I.A.C. 322]) and of “[throwing] the entire record

open for review.” (*State Comp. Ins. Fund v. I.A.C. (George)* (1954) 125 Cal.App.2d 201, 203 [19 Cal.Comp.Cases 98].) Thus, once reconsideration has been granted, the Appeals Board has the full power to make new and different findings on issues presented for determination at the trial level, even with respect to issues not raised in the petition for reconsideration before it.

1.

In the February 28, 2024 notice of representation, defendant’s attorneys represented that they were “*the attorney of record for Defendant, Ace American Insurance Company.*” At trial on October 27, 2025, the parties stipulated that applicant was employed in this case by “*Lekos Dye & Finishing/Barrett Business Services, Inc.,*” and that “*the employer’s workers’ compensation carrier was Ace American Insurance Company.*” (SECOND MOH, p. 2, lns 3-8, emphasis added.)

It is fundamental that stipulations further the public policies of settling disputes and expediting trials. (Lab. Code §5702; *County of Sacramento v. Workers’ Comp. Appeals Bd., (Weatherall)* (2000) 77 Cal.App.4th 1114, 1119, [65 Cal.Comp.Cases 1].) Here, the parties stipulated that the employer in this case is insured by Ace American Insurance Company.

Where, as here, an employer is insured against liability for compensation and the insurer provides notice that it has agreed to pay compensation for which the employer is liable, the insurer shall be substituted in place of the employer. (See Lab. Code, §§ 3755, 3757.) Because Ace American Insurance Company stipulated to insuring the employer “*Lekos Dye & Finishing/Barrett Business Services, Inc.,*” the relationship, if any, between Lekos Dye & Finishing and Barrett Business Services, Inc., is immaterial. Ace American Insurance Company is substituted in place of the employer by operation of law.

It appears Barrett Business Services, Inc., has not been separately joined in these proceedings and is not listed on the official address record. We note that issues of employment should not be litigated piecemeal. (*Arias v. Workers’ Comp. Appeals Bd. (Aviles)* (1983) 146 Cal.App.3d 813, 820 [48 Cal.Comp.Cases 659].) However, because Ace American Insurance Company stipulated that it is the employer’s insurance carrier in this case and employment is not at issue, we will grant reconsideration and amend the F&O to reflect the parties’ stipulation.

Defendant is advised that under WCAB Rule 10390 (Cal. Code Regs., tit. 8, §10390), all parties must provide their full legal name on all pleadings and at any appearance, including the names of the employer, insurance company and any third-party administrator. (See *DiFusco v. Hands On Spa* (2025) 90 Cal.Comp.Cases 1007, 1017 (Appeals Board en banc); *Coldiron v.*

Compuware Corp. (2002) 67 Cal.Comp.Cases 289 (Appeals Board en banc).) Once the proper defendants and periods of coverage are established, if appropriate, the joinder of additional parties may be considered. (See Cal. Code Regs., tit. 8, § 10382; see generally Lab. Code, § 5500.5(b).)

2.

The contention in defendant's Petition is that no substantial evidence supports exposure to silica, and therefore no substantial evidence supports the finding of injury. This contention is not persuasive.

An employee bears the burden of proving injury AOE/COE by a preponderance of the evidence. (*South Coast Framing v. Workers' Comp. Appeals Bd. (Clark)* (2015) 61 Cal.4th 291, 297-298, 302 [80 Cal.Comp.Cases 489]; Lab. Code, §§ 3600(a) & 3202.5.) The Supreme Court of California has long held that an employee need only show that the "proof of industrial causation is reasonably probable, although not certain or 'convincing' . . . even though the exact causal mechanism is unclear or even unknown." (*McAllister v. Workmen's Comp. Appeals Bd.* (1968) 69 Cal.2d 408, 419 [33 Cal.Comp.Cases 660].) "That burden manifestly does not require the applicant to prove causation by scientific certainty." (*Rosas v. Workers' Comp. Appeals Bd.* (1993) 16 Cal.App.4th 1692, 1701 [58 Cal.Comp.Cases 313].)

Here, PQME Dr. Tirmizi reviewed the extensive available data to arrive at his opinion on injury:

Therefore, it is medically probable that [applicant] was exposed to silica or silicone like products at his workplace, which, in the process of manufacturing, resulted in respirable particles that he subsequently inhaled and resulted in him developing silicosis. *It is therefore my opinion that based on [applicant]'s 23-year exposure to dust and fibers, which very likely contained silica, is a contributing and likely causative factor to his pneumoconiosis.*

(Exhibit 9, p. 7, emphasis added.)

During deposition, Dr. Tirmizi explained that the applicant "was exposed to processes that potentially could generate silica or silica-like particles." (Exhibit 12, p. 7, lns 14-16.) He further explained that when siligen in "PDMS is exposed to ultraviolet light, it can generate silica or silica-like particles." (Exhibit 12, p. 13, lns 10-22.) He then explained that with "various processes chemical or radiation that silicone or silica-like particles can be formed." (Exhibit 12, p. 16, lns 8-10.)

Here, in addition to “dust and fibers, which very likely contained silica,” the record also unequivocally establishes the presence of siligen and UV light at the place of employment in connection with the textiles applicant worked with. Both employer witnesses testified to the use of siligen in the drying process. Both testified that UV light was used and present at the place of employment.

Manager Bryan Lee stated that UV lights were only used in the laboratory light box but also that “[t]extiles were put under the UV lights.” (THIRD MOH, p. 6, lns 1-2; 17-18, emphasis added.)

General Manager Daniel Lee confirmed that “*UV lights were used inside the laboratory light box.*” (THIRD MOH, p. 8, lns 5-7, emphasis added.)

It is clear the work environment included both PDMS (siligen) and UV light when working with textiles. These two work components fully support Dr. Tirmizi’s opinion that “[applicant]’s 23-year exposure to dust and fibers, which very likely contained silica, is a contributing and likely causative factor to his pneumoconiosis.”

Not only did the applicant work directly with textiles in the drying process, on Mondays he would clean three big machines “called “tinted” or “tinter” that were approximately seven feet from his work station.” (FIRST MOH, p. 3, lns 22-24.)

Here, the textiles applicant worked with, and was surrounded by, were treated with siligen and subject to UV light. After more than two decades of this work with textiles, applicant was diagnosed with IDL, has not returned to work, and is awaiting a lung transplant. An applicant need only show that the “proof of industrial causation is reasonably probable, although not certain or ‘convincing.’” (*McAllister, supra*, 69 Cal.2d at p. 419.) Here, applicant has established that it is medically probable he sustained an industrial injury to his respiratory system.

Additionally, we note that the finding of an industrial injury is consistent with the medical opinions in the record. (See Exhibit 1, p. 1: “[applicant] unfortunately developed interstitial lung disease as result of the elevation of these toxic fumes and substances at his workplace.”; Exhibit 5, PDF p. 22: “ILD [secondary to] occupational exposure (textile factory dyeing clothes for 23 years)”); and Exhibit 12, p. 25, lns 23-25: Wherein Dr. Tirmizi agrees that Dr. Cranford’s opinion “does make sense because he believes Mr. Martinez has lung disease from exposures at his workplace.”) These opinions support industrial injury even if we accepted defendant’s contentions as to the presence of siligen and UV light at the workplace.

The finding of industrial injury is well supported by both substantial medical and factual evidence.

We acknowledge that defendant elicited opinions from Dr. Tirmizi based on hypotheticals that assume UV light was not present at the workplace. For example, the doctor stated that “[i]f no UV light was used and no other chemical or radiation process was used to convert PDMS into silica or silicone elastomers, then the likelihood of silica being generated by cutting the fabric would be low and unlikely.” (Exhibit 9, Omar Tirmizi, M.D., March 18, 2025, p. 8.) However, because it is established that UV light was present at the worksite, speculation as to a “low and unlikely” presence of silica if there was no UV light is not relevant to the consideration of whether applicant sustained an industrial injury.

Further, it appears defendant would have us infer that because UV light was used in a laboratory room some distance from applicant’s workstation, applicant could not have been exposed to silica. That, however, is not Dr. Tirmizi’s opinion. Dr. Tirmizi clearly premised his industrial opinion on the use of siligen and UV light at the workplace, both of which have been established. Although not explicitly put forth by defendant, it is unreasonable to infer that the workplace “dust and fibers” were somehow isolated to the laboratory.

Defendant has had ample time to perform discovery and present hypotheticals to the examining physicians based on employer evidence. Deficiencies in the record, if any, that are created by defendants do not increase applicant’s burden. Applicant is not required “to prove causation by scientific certainty.” (*Rosas, supra*, at p. 1701.)

We agree with the WCJ that the physicians’ opinions are substantial evidence to support that applicant’s greater than 20-year exposure to dust and fibers, which very likely contained silica, is a contributing and causative factor to his respiratory industrial injury. We therefore affirm the finding of injury.

IV.

Following our independent review of the record, and for the reasons stated above, we grant defendant’s April 13, 2026 Petition for Reconsideration and amend the March 26, 2026 Finding and Order to reflect the parties’ stipulation as to the identity of defendant’s workers’ compensation insurance carrier and otherwise affirm the Finding and Order.

For the foregoing reasons,

IT IS ORDERED that defendant's April 13, 2026 Petition for Reconsideration is **GRANTED**.

IT IS FURTHER ORDERED as the Decision After Reconsideration of the Workers' Compensation Appeals Board that the March 26, 2026 Finding and Order, issued by the WCJ is **AFFIRMED** except that it is **AMENDED** as follows:

FINDING OF FACT

1. Pablo Martinez, employed during the period from January 1, 2020 to December 12, 2023, as a fiber cutter, at Compton, California by Lekos Dye & Finishing/Barrett Business Services Inc., insured by Ace American Insurance Company, sustained injury arising out of and in the course of employment to his respiratory system.

WORKERS' COMPENSATION APPEALS BOARD

/s/ KATHERINE WILLIAMS DODD, COMMISSIONER

I CONCUR,

/s/ KATHERINE A. ZALEWSKI, CHAIR

/s/ PAUL F. KELLY, COMMISSIONER



DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

JULY 13, 2026

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

**PABLO MARTINEZ
PICCO & PRESLEY
HERMANSON, GUZMAN & WACHOWIAK, A.P.C.**

PS/oo

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