

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

**BONNIE GENER, *Applicant***

**vs.**

**CALIFORNIA DEPARTMENT OF CORRECTIONS, legally uninsured,  
adjusted by STATE COMPENSATION INSURANCE FUND, *Defendants***

**Adjudication Number: ADJ1290288 (VNO 0543545)  
Van Nuys District Office**

**OPINION AND DECISION  
AFTER RECONSIDERATION**

Lien Claimant, Western Imaging Services petitioned for reconsideration of the Findings of Fact and Order issued by the workers' compensation administrative law judge (WCJ) in this matter on June 10, 2021. In that decision, the WCJ found that the lien claimant failed to offer any persuasive evidence that its charges were reasonable or necessary, as well as failed to offer persuasive evidence that the claim was denied. The WCJ ordered that Western Imaging Services take nothing more on their lien.

Petitioner, Western Imaging Services contends in its petition for reconsideration that the WCJ erred in finding that there was no persuasive evidence to find there was a contested claim, and further contested the finding the services were neither reasonable nor necessary.

Petitioner requests that the WCJ rescind his Findings of Fact and Order and issue a finding that there was a contested claim at the time of Western Imaging's copy services, that such services were both reasonable and necessary at the time they were performed, and that defendant owes lien claimant the reasonable value of said services along with penalties and interest.

In the alternative, petitioner requests that the Appeals Board grant the Petition and remand the matter back to the trial level for further proceedings in accordance with their direction.

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.

Subsequently, the parties participated in a commissioners' settlement conference at our request and agreed to resolve this matter by stipulation. On September 21, 2022, the parties executed a Stipulation to pay Lien Claimant settling the matter for \$2,500.00 as full and final settlement of the dispute. The stipulation, signed by representative Valeria Martinez for lien claimant, and Amanda Laguna, counsel for defendant, State Compensation Insurance Fund, provides as follows:

Lien Claimant, Western Imaging Services, retains an outstanding balance of \$13,200.13, which includes penalty and interest per LC section 4622(a)(1), for the copy services provided in the above referenced case.

Lien Claimant being represented by Valeria Martinez and Defendant being represented by Amanda Laguna of State Compensation Insurance Fund agree to resolve the above referenced amount for a total sum of \$2,500.00 as full and final satisfaction of Western Imaging's lien.

This settlement resolves any and all dates of service for Western Imaging in the case at bar along with all lien matters 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 lien claimant and defendant 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.

For the foregoing reasons,

**IT IS ORDERED** as the Decision After Reconsideration of the Workers' Compensation Appeals Board that the Findings of Fact and Order issued June 10, 2021, be **RESCINDED**.

**IT IS FURTHER ORDERED** as the Decision After Reconsideration of the Workers' Compensation Appeals Board that the Stipulations of lien claimant Western Imaging Services and State Compensation Insurance Fund, by and through their representatives, executed and filed on September 21, 2022, be **APPROVED**.

**WORKERS' COMPENSATION APPEALS BOARD**

**/s/ CRAIG SNELLINGS, COMMISSIONER**

**I CONCUR,**

**/s/ JOSÉ H. RAZO, COMMISSIONER**

**/s/ KATHERINE A. ZALEWSKI, CHAIR**



**DATED AND FILED AT SAN FRANCISCO, CALIFORNIA**

**September 29, 2022**

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

**WESTERN IMAGING SERVICES  
STATE COMPENSATION INSURANCE FUND**

**LAS/ara**

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