

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

NUVIA GARCIA, *Applicant*

vs.

**PACIFIC BUILDING CARE; DIAMOND CONTRACTING SERVICES, INC.,
ARGONAUT INSURANCE CO.; ARCH INSURANCE, ADMINISTERED BY
SEDGWICK CMS; LIBERTY MUTUAL ON BEHALF OF WAUSAU INS.; NATIONAL
UNION FIRE INS. CO. OF PITTSBURG, ADMINISTERED BY AIG/CHARTIS,
*Defendants***

**Adjudication Numbers: ADJ7456966 (MF); ADJ3107921 (LBO0857722);
ADJ7456961; ADJ10394796
Los Angeles District Office**

**OPINION AND DECISION
AFTER RECONSIDERATION**

The Appeals Board has been advised that, while this matter has been pending on reconsideration,¹ a proposed settlement has been reached. Therefore, we rescind the decision from which reconsideration is sought, and return this matter to the trial level for the workers' compensation administrative law judge (WCJ) to consider the proposed settlement. If the WCJ does not approve the settlement, the WCJ may issue an order reinstating the original decision and any aggrieved person may timely seek reconsideration from the reinstated decision. This is not a final decision on the merits of any of the issues pending on reconsideration.

¹ Commissioner Lowe, who was on the panel that issued a prior decision in this matter, no longer serves on the Appeals Board. Another panelist has been assigned in her place.

For the foregoing reasons,

IT IS ORDERED as the Decision After Reconsideration of the Workers' Compensation Appeals Board that the WCJ's decision of November 8, 2019 is **RESCINDED** and this matter is **RETURNED** to the trial level for further proceedings and decision by the WCJ.

WORKERS' COMPENSATION APPEALS BOARD

/s/ MARGUERITE SWEENEY, COMMISSIONER

I CONCUR,

/s/ KATHERINE A. ZALEWSKI, CHAIR

/s/ CRAIG SNELLINGS, COMMISSIONER



DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

June 28, 2022

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

**NUVIA GARCIA
SOLOV & TEITELL
LAUGHLIN, FALBO, LEVY & MORESI**

MG/abs

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