

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

PERRY MOREFIELD, *Applicant*

vs.

COUNTY OF VENTURA, Permissibly Self-Insured, *Defendant*

**Adjudication Number: ADJ12533356
Oxnard District Office**

**OPINION AND DECISION
AFTER REMAND**

The following Opinion and Decision After Remand is issued pursuant to the November 1, 2022 Order made by the Second District Court of Appeal (Div. 6) in B322801. In that Order, the Court honored the Appeals Board's request to annul its Opinion and Order Granting Petition for Reconsideration and Decision After Reconsideration of July 15, 2022, which included an error in the permanent disability rating. In its November 1, 2022 Order, the Court remanded this matter to the Board to issue an amended decision reflecting the correct permanent disability rating of 47%, and to issue a new award of permanent disability indemnity and attorney's fees consistent with a finding of 47% permanent disability. Accordingly, we now issue a new and amended decision consistent with the Court of Appeal's Order of November 1, 2022.

For the foregoing reasons,

IT IS ORDERED, as the Decision After Remand of the Workers' Compensation Appeals Board, that the Opinion and Order Granting Petition for Reconsideration and Decision After Reconsideration of July 15, 2022 is **REINSTATED** and **AFFIRMED**, except that Findings 7 and 10, and paragraphs (2) and (4) of the Award are **RESCINDED**, and the following new Findings 7 and 10, and paragraphs (2) and (4) of the Award are **SUBSTITUTED** in their place:

FINDINGS OF FACT

7. Applicant is 47% permanently disabled warranting 250 weeks of benefits for a total indemnity of \$72,500.00.

10. The reasonable value of the services of applicant's attorney is \$1,306.13 based on 15% of temporary disability indemnity, plus \$10,875.00 based on 15% of permanent disability indemnity.

AWARD

2. Permanent disability indemnity in the amount of \$72,500.00 payable at the rate of \$290.00 per week and paid every other week, less credit for sums paid and less credit for the attorney's fee set forth below.

4. Attorney's fee in the amount of \$1,306.13 based on 15% of temporary disability indemnity, plus attorney's fee in the amount of \$10,875.00 based on 15% of permanent disability indemnity, with the attorney's fees payable from accrued benefits and otherwise commuted off the far end of the award as necessary to create a lump sum.

WORKERS' COMPENSATION APPEALS BOARD

/s/ JOSÉ H. RAZO, COMMISSIONER

I CONCUR,

/s/ CRAIG SNELLINGS, COMMISSIONER

/s/ KATHERINE WILLIAMS DODD, COMMISSIONER



DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

February 15, 2023

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

**PERRY MOREFIELD
LAW OFFICES OF EDWIN K. STONE
LAW OFFICES OF BRADFORD & BARTHEL**

JTL/ara

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