

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

**MIKE GARRISON, *Applicant***

**vs.**

**SUBSEQUENT INJURIES BENEFITS TRUST FUND, *Defendants***

**Adjudication Number: ADJ10801188  
Santa Rosa District Office**

**OPINION AND DECISION  
AFTER RECONSIDERATION**

The defendant Subsequent Injuries Benefit Trust Fund (SIBTF) timely petitioned for reconsideration of the Findings and Award that was issued by the workers' compensation administrative law judge (WCJ) on November 5, 2019. We granted reconsideration to study the factual and legal issues in this matter.

Following their participation in a commissioners' settlement conference set at our request, applicant and SIBTF resolved applicant's claim against SIBTF by Stipulations With Request for Award. The stipulations were filed on April 29, 2021.

WCAB Rule 10700 states that:

“The Workers' Compensation Appeals Board shall inquire into the adequacy of all compromise and release agreements and stipulations with request for award, and may set the matter for hearing to take evidence when necessary to determine whether the agreement should be approved or disapproved, or issue findings and awards.” (Cal. Code Regs., tit. 8, § 10700.)

After considering the Stipulations in light of the entire record, we conclude that they are adequate and in applicant's best interest.

We also conclude that the attorneys' fee requested is reasonable and should be allowed.

Therefore, as our Decision After Reconsideration, we approve the Stipulations With Request for Award.

For the foregoing reasons,

**IT IS ORDERED** as the Decision After Reconsideration of the Workers' Compensation Appeals Board that the Findings and Award issued by the WCJ on November 5, 2019 be **RESCINDED**.

**IT IS FURTHER ORDERED** that the Stipulations With Request for Award filed in this matter on April, 29, 2021, be **APPROVED**.

**AWARD**

**AWARD IS MADE** in favor of **MIKE GARRISON** against **SUBSEQUENT INJURIES BENEFITS TRUST FUND of:**

- (1) Permanent disability indemnity and payment of benefits as specified in paragraph 4 of the Amended Addendum to the Stipulations With Request for Award (Amended Addendum), less an attorneys' fee of 15% of the award pursuant to Labor Code section 5100.5;
- (2) Reimbursement for medical legal expenses in accordance with paragraph 5 of the Amended Addendum;
- (3) Less credits as provided in paragraph 6 of the Amended Addendum.

(4) In accordance with the Addendum to the Stipulations With Request for Award, payment from SIBTF is contingent upon the availability to pay this claim and the authority to make payments.

**WORKERS' COMPENSATION APPEALS BOARD**

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

**I CONCUR,**

**/s/ JOSÉ H. RAZO, COMMISSIONER**

**/s/ DIEDRA LOWE, COMMISSIONER**



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

**May 6, 2021**

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

**MIKE GARRISON  
LAW OFFICES OF JOHN BLOOM  
OFFICE OF THE DIRECTOR-LEGAL UNIT (OAKLAND)**

**RN/abs**

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