

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

MARISA FISCHBACHA, *Applicant*

vs.

**ARDEN GROUP, dba GELSON'S MARKET;
ZENITH INSURANCE COMPANY, *Defendants***

**Adjudication Numbers: ADJ11317464, ADJ11317437
Long Beach District Office**

**OPINION AND DECISION
AFTER RECONSIDERATION**

We previously granted reconsideration on May 21, 2021, of the Joint Findings of Fact and Order issued by the workers' compensation administrative law judge (WCJ) in this matter in order to study the factual and legal issues in this case.¹ This is our Opinion and Decision After Reconsideration.

Subsequently, the parties were invited to participate in a commissioners' settlement conference at our request. Prior to the date of said conference, the parties advised the Appeals Board that the parties entered into an informal agreement resolving the issues in the Petition for Reconsideration of the decision issued on March 18, 2021. A joint letter to that effect was filed on December 8, 2022. Therefore, we vacate our order granting reconsideration and dismiss the Petition.

¹ Following the grant of reconsideration, Commissioner Snellings became unavailable to participate. Another commissioner was assigned in his place.

For the foregoing reasons,

IT IS ORDERED as the Decision After Reconsideration of the Workers' Compensation Appeals Board that the Opinion and Order Granting Petition for Reconsideration issued by the Workers' Compensation Appeals Board on May 21, 2021, is **VACATED**.

IT IS FURTHER ORDERED that the Petition for Reconsideration of the decision issued by the WCJ on March 18, 2021 is **DISMISSED**.

WORKERS' COMPENSATION APPEALS BOARD

/s/ JOSÉ H. RAZO, COMMISSIONER

I CONCUR,

/s/ PATRICIA A. GARCIA, DEPUTY COMMISSIONER

/s/ ANNE SCHMITZ, DEPUTY COMMISSIONER



DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

January 9, 2023

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

**CALIFORNIA MEDICAL EVALUATORS
CHERNOW & LIEB**

LAS/ara

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