WORKERS' COMPENSATION APPEALS BOARD

STATE OF CALIFORNIA

JAIME RAMIREZ, *Applicant*

vs.

CITY OF FULLERTON, permissibly self-insured, administered by ADMINSURE, *Defendants*

Adjudication Numbers: ADJ9962889, ADJ10250841
Anaheim District Office

OPINION AND DECISION AFTER RECONSIDERATION

We previously granted reconsideration to further study the factual and legal issues presented in this case. We now issue our Opinion and Decision After Reconsideration.

Applicant seeks reconsideration of the Joint Findings and Order (F&O) issued on May 29, 2019, wherein the workers' compensation administrative law judge (WCJ) found that defendant did not violate Labor Code section 132a[1] and ordered that applicant take nothing on his claim.

Applicant contends that defendant subjected him to disadvantages not visited upon other employees because he was injured by (1) seeking a medical report from a non-treating physician on the issue of whether he should be medically restricted from work and restricting him from work based upon the report; and (2) failing to resolve a conflict between physicians' reports regarding the medical necessity of imposing restrictions. Applicant further contends that defendant failed to reimburse him for the vacation and sick time he lost while he was restricted from work.[2]

We received an Answer from defendant.

The WCJ filed a Report and Recommendation on Petition for Reconsideration (Report) recommending that the Petition be denied.

We have considered the allegations of the Petition, the Answer, and the contents of the Report. Based on our review of the record, and for the reasons stated below, we will rescind the F&O, substitute findings that the evidence establishes applicant's prima facie section 132a claim

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[1] Unless otherwise stated, all further statutory references are to the Labor Code.

[2] The issue of whether or not applicant is entitled to reimbursement is an unripe issue of remedies. Therefore, we will not render a decision as to applicant's assertion that he is entitled to reimbursement.

and that defer the issues of whether defendant had legitimate business reasons for its conduct and whether those reasons were pretextual, as appropriate; and we will return the matter to the trial level for further proceedings consistent with this decision.

FACTUAL BACKGROUND

On May 8, 2019, the matter proceeded to trial as to applicant's section 132a petition. (Minutes of Hearing, Order of Consolidation and Summary of Evidence, May 8, 2019, p. 2:21.)

The parties stipulated that, while employed as an equipment operator on November 4, 2014 (Case No. ADJ9962889), and from the period of August 9, 1999 through November 24, 2015 (Case No. ADJ10250841), applicant sustained injury to his cervical spine, right shoulder and right wrist. (*Id*., p. 2:11-14.)

The WCJ admitted the reports of Dr. Wieseltier dated September 6, 2016, April 6, 2017, August 2, 2017, and October 17, 2017 as Exhibit X, and the reports of Dr. Einbund dated December 13, 2016 and September 20, 2017 as Exhibits 4 and 3, respectively. (*Id.*, pp. 2:24-25, 4:13-14.)

Dr. Wieseltier's April 6, 2017 supplemental report states:

> I have received a request for a supplemental report from the joint parties, which . . . indicates: . . . . Please advise the parties if you found permanent disability of the cervical spine.
> . . .
> For the **cervical spine**, Mr. Ramirez is precluded from **prolonged or repetitive neck movements and heavy lifting**.
> (Ex. X. Report of Dr. Wieseltier, April 6, 2017, pp. 4, 7.)

Dr. Wieseltier's August 2, 2017 supplemental report states:

> I last examined Mr. Jaime Ramirez on September 6, 2016.
> . . .
> I have received a request from [defendant's attorney] Mr. McCormick to issue a supplemental report addressing the issue of whether or not the Applicant requires any work restrictions. I was also provided with one additional medical record.
> . . .
> In response to Mr. McCormick's request for work restrictions, please note as per my 04/06/17 supplemental report, page 7:
> . . .
> **Mr. Ramirez is permanently restricted from using a jackhammer.**
>
> The remainder of my opinions as previously expressed continue to apply.
> (Ex. X, Report of Dr. Wieseltier, August 2, 2017, pp. 3-4.)

The October 17, 2017 supplemental report states:

> I had the opportunity to . . . examine Mr. Jaime Ramirez . . . on October 17, 2017.
> . . .
> As per page 12 of my September 6, 2016 report: No work restrictions are required. . . . [H]e is able to perform all aspects of his usual and customary job, including jackhammering.
> (Ex. X., Report of Dr. Wieseltier, October 17, 2017, pp. 1, 17.)

Dr. Einbund's report dated December 13, 2016 states:

> Mr. Ramirez is currently working in his usual and customary capacity. No work restrictions are indicated or necessary.
> (Ex. 4, Report of Dr. Einbund, Dember 13, 2016, p. 4.)

Dr. Einbund's report dated September 20, 2017 states:

> In my opinion pt can work . . . Pt needs no work restriction.
> (Ex. 3, Report of Dr. Einbund, September 20, 2017, p. 5.)

At trial, applicant testified that he had a workers' compensation claim for injury to his right shoulder, neck and right wrist and was released to return to work by his treating physician, Dr. Einbund in January 2016. (Minutes of Hearing, Order of Consolidation and Summary of Evidence, May 8, 2019, p. 5:16-19.) In August 2017, defendant took him off work based upon the supplemental report of a physician whom he had not seen. (*Id*., p. 5:20-23.) Before being taken off work, he had been working full duty without restrictions. (*Id.*, p. 5:24.) He was off work for three to four months and used between 350 and 400 hours of vacation and sick time. (*Id*., p. 6:2-3.)

Defendant's risk management analyst, Pamela Jean Mackie, testified that she has held her position with defendant since 1994. (*Id*., p. 7:5-6.) In August 2017, after a QME report imposed medical restrictions, defendant held an interactive meeting during which applicant requested a reevaluation regarding whether the restrictions were appropriate, and applicant was taken off work because defendant could not accommodate the restrictions. (*Id*., p. 7:8-13.) After applicant was reexamined in October 2017 by Dr. Wieseltier, the restrictions were removed and applicant was returned to work. (*Id*., p. 7:14-15.) Defendant did not treat applicant differently than other employees. (*Id*., p. 7:17.)

If defendant receives restrictions for a non-industrially injured employee, she assumes it is from the treating doctor. (*Id.*, p. 7:20-21.) She has never requested a second opinion for such an

injury, but may be required to do so under ADA or FEHA. (*Id*., p. 7:22-23.) She is not permitted to pick one doctor over another and cannot ignore a medical report that gives an employee restrictions. (*Id*., pp. 7:25-8:1.)

She is aware that applicant worked almost one and a half years full duty. (*Id*., p. 8:2-3.) For a non-industrial injury, she would not require the employee to see another doctor. (*Id*., p. 8:10-11.) When there are conflicting medical reports, a list of three physicians must be produced and both parties are to agree on a neutral doctor to prepare a report. (*Id*., p. 8:11-12.) She does not recall the purpose of the supplemental report that gave rise to applicant's work restrictions. (*Id.*, p. 8:13-14.)

In the Report, the WCJ states:

> The Applicant was released by his treating doctor and returned to full duties around January of 2016. On September 6, 2016 the Applicant was evaluated by Dr. Wieseltier, the panel qualified medical evaluator. Dr. Wieseltier's reports, respectively are Board Exhibit X. At the time of the September 6, 2016 evaluation, the Applicant had complaints to his neck, right shoulder, right elbow and right hand. . . . In his September 6, 2016 report he addressed impairment to the right wrist and right shoulder, he did not address if there was impairment or work restrictions as to the neck. He found no work restrictions as far as the right upper extremity. The doctor noted that the Applicant could return to his usual and customary duties. The parties subsequently requested that the doctor issue a supplemental report to address the Applicant's cervical spine. In his April 6, 2017 report the doctor found, as far as the cervical spine, that assuming the Applicant's description of his job duties was accurate, that the Applicant did sustain a continuous trauma injury and found impairment to the spine. He also found that the Applicant had work restrictions and precluded the Applicant from prolonged or repetitive neck movements and heavy lifting. The doctor issued another report August 2, 2017 after a review of a job analysis and included a restriction from operating a jack hammer.
>
> Based upon the August 2, 2017 report precluding the Applicant from operating a jackhammer, the City of Fullerton had an accommodation meeting and as of August 16, 2017 the Applicant was taken off work pending a further evaluation and report from the doctor. The doctor re-evaluated the Applicant and issued a report dated October 17, 2017. The doctor then found no work restrictions to the cervical spine and returned the Applicant to full duties which he has continued to perform to date. While the Applicant was off work he utilized sick and vacation time.
> (Report, p. 2.)
>
> Ms. Mackie, the employer representative, credibly testified that if there is any report with work restrictions, whether it is a treating doctor or a qualified

> medical evaluator that the City's policy is to observe the most restrictive report and then determine if the restrictions can be accommodated.
> (Report, p. 3.)
>
> The additional reports appear to have been sought to address settlement of the workers' compensation claim, not issues regarding the applicant's employment.
> (Report, p. 4.)

DISCUSSION

We observe that under section 132a, "[i]t is the declared policy of this state that there should not be discrimination against workers who are injured in the course and scope of their employment." Section 132a protects an employee from retaliation or discrimination by an employer because of an exercise of workers' compensation rights. (*City of Moorpark v. Superior Court* (1998) 18 Cal.4th 1143 [63 Cal.Comp.Cases 944] (*Moorpark*); *Judson Steel Corp. v. Workers' Comp. Appeals Bd.* (1978) 22 Cal.3d 658 [43 Cal.Comp.Cases 1205]; *Department of Rehabilitation v. Workers' Comp. Appeals Bd.* (*Lauher*) (2003) 30 Cal.4th 1281, 1298-1299 [68 Cal.Comp.Cases 831]; *Smith v. Workers' Comp Appeals Bd.* (1984) 152 Cal.App.3d 1104, 1109 [49 Cal.Comp.Cases 212] (*Smith*); see *Usher v. American Airlines, Inc.* (1993) 20 Cal.App.4th 1520, 1526 [58 Cal.Comp.Cases 813].)

Section 132a provides in pertinent part:

> Any employer who discharges, or threatens to discharge, or in any manner discriminates against any employee because he or she has filed or made known his or her intention to file a claim…or an application for adjudication, or because the employee has received a rating, award, or settlement…testified or made known his or her intention to testify in another employee's case… is guilty of a misdemeanor and the employee shall be entitled to reinstatement and reimbursement for lost wages and work benefits . . .

This section has been "interpreted liberally to achieve the goal of preventing discrimination against workers injured on the job," while not compelling an employer to "ignore the realities of doing business by 'reemploying' unqualified employees or employees for whom positions are no longer available." (*Lauher*, *supra*, 30 Cal.4th at pp. 1298-1299 [citations omitted].)

In *Lauher*, the Supreme Court clarified its definition for "discrimination," noting that in its previous decisions in *Smith*, *supra* and *Barns v. Workers' Comp. Appeals Bd.* (1989) 216 Cal.App.3d 524, the Court held that an employer's action which caused detriment to the employee

because of an industrial injury was sufficient to show a violation of the statute. (*Lauher, supra,* 30 Cal.4th at p. 1299 quoting [1 Hanna, Cal. Law of Employee Injuries and Workers' Compensation (rev. 2d ed., Peterson et al. edits, 2002)], § 10.11[1], p. 10-20 ["[t]he critical question is whether the employer's action caused detriment to an industrially injured employee"]; see *Barns, supra*, 216 Cal.App.3d at p. 531.)

The *Lauher* court noted with approval the Court of Appeal's finding that the formulation enunciated in *Smith v. Workers' Comp. Appeals Bd.* (1984) 152 Cal.App.3d 1104, and adopted by *Barns* to establish a prima facie case was "analytically incomplete:"

> The court explained that, although Lauher had clearly suffered a detriment by having to use his accumulated sick leave and vacation time for his visits to see Dr. Houts, he never established he 'had a legal right to receive TDI [temporary disability indemnity] and retain his accrued sick leave and vacation time, and that [his employer] had a corresponding legal duty to pay TDI and refrain from docking the sick leave and vacation time.' Thus, said the court, '[t]o meet the burden of presenting a prima facie claim of unlawful discrimination in violation of section 132a, it is insufficient that the industrially injured worker show only that . . . he or she suffered some adverse result as a consequence of some action or inaction by the employer that was triggered by the industrial injury. *The claimant must also show that he or she had a legal right to receive or retain the deprived benefit or status, and the employer had a corresponding legal duty to provide or refrain from taking away that benefit or status.*' (*Lauher*, *supra*, 30 Cal.4th at pp. 1299-1300, italics added.)

The Court further agreed with the Court of Appeal that "[an] employer thus does not necessarily engage in 'discrimination' prohibited by section 132a merely because it requires an employee to shoulder some of the disadvantages of his industrial injury. By prohibiting 'discrimination' in section 132a, we assume that the Legislature meant to prohibit treating injured employees differently, making them subject to disadvantages not visited on other employees because the employee was injured or had made a claim." (*Lauher, supra* at p. 1300.)

As the *Lauher* court determined in the first part of its decision, the employee was no longer entitled to temporary disability indemnity (TDI) because his condition was permanent and stationary. (*Lauher*, *supra* at p. 1297.) Therefore, even though the employee's use of sick and vacation leave was for medical treatment and time off due to his industrial disability, because he was not entitled to TDI, the employee was treated in the same way as non-industrially disabled workers who were also required to use sick and vacation leave for medical treatment and time off

due to a disability. Because the employee in *Lauher* was on the same legal footing as non-industrially injured employees with respect to this issue, he could not show a legal right to TDI, and therefore could have only established a prima facie case for discrimination if he had been "singled out for disadvantageous treatment." (*Id.* at p. 1301; *Accord*, *Gelson's Markets, Inc. v. Workers' Comp. Appeals Bd.* (2009), 74 Cal.Comp.Cases 1313, *County of San Luis Obispo v. Workers' Comp. Appeals Bd.* (2005) 133 Cal.App.4th 641 (*Martinez*); Compare with *San Diego Transit, PSI, Hazelrigg Risk Management Services, Administrator, Petitioners v. Workers' Compensation Appeals Board* (2006) 71 Cal.Comp.Cases 445 (*Calloway*) [writ den.; defendant violated section 132a by refusing to return applicant to her bus driver position after she was released to work by her PTP, another treating physician and an AME.].)

Based on its specific application to the facts of *Lauher*, we view the Court's phrase "singled out for disadvantageous treatment" to be an *application* of the broader standard adopted by *Lauher*—that, in addition to showing that he or she suffered an industrial injury and that he or she suffered some adverse consequences as a result of some action or inaction by the employer that was triggered by the industrial injury, an applicant "must also show that he or she had a legal right to receive or retain the deprived benefit or status, and the employer had a corresponding legal duty to provide or refrain from taking away that benefit or status." (*Lauher*, *supra* at p. 1300.) Stated another way, an employee must show they were subject to "disadvantages not visited on other employees because they were injured. . . ." (*Id.*)[3] Because the employee in *Lauher* was not deprived of a legal right to TDI, and therefore could not show he was treated differently than other employees with respect to his alleged detriment, he could not establish a prima facie case of discrimination.[4]

In the present case, applicant contends that defendant subjected him to disadvantages not visited upon other employees who were injured by (1) seeking a medical report from a non-treating physician on the issue of whether he should be medically restricted from work and restricting him from work based upon the report; and (2) failing to resolve a conflict between physicians' reports

[3] *Accord, St. John Knits v. Workers' Comp. Appeals Bd.,* 2019 Cal. Wrk. Comp. LEXIS 75 [writ den.; the Court of Appeals found no reasonable grounds to review a WCAB finding of section 132a discrimination based upon substantial evidence of defendant employer's subjection of industrially-injured employee to disadvantages not visited on other employees.]

[4] We also note that the particular standard denoted by the phrase "singled out" does not literally apply where the detriment affects injured workers as a class, although the broader standard would apply. (*Anderson*, *supra* at pp. 1377-1378.)

before imposing restrictions. In other words, applicant contends that defendant deviated from its usual procedures for returning injured employees to work. (See, e.g., *Calloway*, supra, 71 Cal. Comp. Cases 445, 446-557 (finding that an industrially injured employee may establish section 132a discrimination based upon evidence that the employer deviated from its usual procedures for evaluating whether the employee can perform the job).)

As to the issue of whether defendant deviated from its procedures by seeking a medical report from a non-treating physician, the record reveals that defendant returned applicant to work based upon the treating physician's report in January 2016 and applicant worked full duty for approximately a year and a half. (Report, p. 2.) In early 2017, with applicant's claim in litigation, the parties jointly sought a supplemental report from Dr. Wieseltier as to the issue of permanent disability of the cervical spine. (Ex. X, Report of Dr. Wieseltier, April 6, 2017, p. 4.) Dr. Wieseltier prepared the requested report and opined that applicant was precluded from "prolonged or repetitive neck movements and heavy lifting," but did not opine as to whether applicant should be restricted from work. (*Id*., p. 7.) Thereafter, defendant's attorney requested that Dr. Wieseltier prepare a supplemental report on whether or not the preclusions set forth in his April 6, 2017 report should result in restrictions. (Ex. X, Report of Dr. Wieseltier, August 2, 2017, p. 3.)

Because defendant's attorney requested the supplemental report a year and a half after applicant had been returned to work full duty, and because defendant's representative, Ms. Mackie, testified that she has never requested a second opinion for such an injury and would not require a non-industrially injured employee to see another doctor to obtain one, we conclude that defendant's request for a supplemental report on whether applicant should be restricted from work was a deviation from its usual procedures. (Minutes of Hearing, Order of Consolidation and Summary of Evidence, May 8, 2019, pp. 7:22-23, 8:10-11.) Accordingly, we conclude that the evidence is sufficient to establish applicant's prima facie section 132a claim.

As to the issue of whether defendant deviated from its usual procedures by failing to resolve a conflict between physicians' reports before imposing restrictions, we observe that Ms. Mackie testified that defendant is not permitted to choose one physician's report over another, but has a policy to resolve conflicting reports, i.e., produce a list of three physicians and secure agreement between the parties on a neutral doctor to prepare a report. (*Id*., pp. 7:25-8:1, 8:11-12.)

Here, a conflict arose between Dr. Einbund's December 13, 2016 report releasing applicant to return to work without restrictions and Dr. Wieseltier's August 2, 2017 report imposing

restrictions. (Ex. 4, Report, of Dr. Einbund, December 13, 2016, p. 6.) The evidence shows that defendant deviated from its procedures by imposing Dr. Wieseltier's restrictions without first resolving the conflict between the reports by either retaining a neutral doctor to issue a definitive report or awaiting reevaluation by Dr. Wieseltier as discussed at the interactive meeting. (*Id*., p. 7:8-13.) In short, defendant chose Dr. Wieseltier's report in favor of Dr. Einbund's. Defendant's failure to resolve the conflict between physicians' reports thus constitutes a separate ground of support for applicant's prima facie section 132a claim. Accordingly, we will rescind the F&O and substitute a finding that the evidence establishes applicant's prima facie claim.

When an employee establishes a prima facie case, the defendant still retains the right to present evidence to rebut that case. (See § 5705; *Judson, supra*, 22 Cal.3d at p. 667.) In rebuttal, the employer must show that its actions were "…necessitated by 'the realities of doing business.'" (*Judson, supra*, 22 Cal.3d at p. 667; *Smith, supra*, 152 Cal.App.3d at p. 110.) The employer's stated business reasons must be reasonable under the facts of the case. (*Barns, supra,* 216 Cal.App.3d at pp. 534-535.) Thus, evidence produced by an employee in the prima facie case, and the related inferences raised by such evidence, may support a finding of retaliation or discrimination if the reason offered by the employer is unreasonable or not credible under the totality of the circumstances of an individual case. (See *Westendorf v. W. Coast Contrs. of Nev., Inc.* (9th Cir. 2013) 712 F.3d 417, 423. (Citation omitted.).) We note also that while an employer's motivation might be discriminatory in its effect, section 132a does not require proof of *discriminatory intent*. (*Lauher*, *supra,* at p. 1301, fn. 8, italics added.)

If an employer does not meet its burden, i.e., does not present sufficient factual evidence to dispute applicant's prima facie case, applicant may prevail. However, if the employer does meet its burden by way of sufficient factual evidence, the burden then shifts back to the employee to show that the reason offered is an excuse or pretext. "[T]he plaintiff must have an opportunity to show by a preponderance of the evidence that the legitimate reasons offered by the defendant were not its true reasons, but were a pretext for discrimination." (*Frank v. County of Los Angeles* (2007) 149 Cal.App.4th 805, 822–824; accord *Arteaga*, *supra,* at p. 353.)

In this case, the record is unclear as to what defendant's business reasons may have been for seeking a report from Dr. Wieseltier after applicant had been working full duty for a year and a half or for restricting applicant from work before resolving the conflict between the reports. While the Report states that defendant apparently sought the report to address settlement of the

workers' compensation claim, the record does not show that its request was joined by applicant's attorney or was for the purpose of discovery of a discrete workers' compensation issue like the previous request had been. (Report, p. 4; Ex. X. Report of Dr. Wieseltier, August 2, 2017, p. 3.) Similarly, while the Report states that Ms. Mackie testified credibly that defendant has a policy to observe the most restrictive report it receives, the record is unclear as to the reasonableness of applying that policy where the report is received a year and a half after the employee has returned to work full duty, is not based upon a current medical examination, and precedes resolution of a conflict with another physician's report.[5] (Report, p. 3; Ex. X. Report of Dr. Wieseltier, April 6, 2017, pp. 4.)

We observe that a decision by the WCJ "must be based on admitted evidence in the record" (*Hamilton v. Lockheed Corporation* (2001) 66 Cal.Comp.Cases 473, 478 (Appeals Board en banc).), and must be supported by substantial evidence. (§§ 5903, 5952, subd. (d); *Lamb* v. *Workmen's Comp. Appeals Bd.* (1974) 11 Cal.3d 274 [39 Cal.Comp.Cases 310]; *Garza* v. *Workmen's Comp. Appeals Bd.* (1970) 3 Cal.3d 312 [35 Cal.Comp.Cases 500]; *LeVesque* v. *Workers' Comp. Appeals Bd.* (1970) 1 Cal.3d 627 [35 Cal.Comp.Cases 16].) As required by section 5313 and explained in *Hamilton,* "the WCJ is charged with the responsibility of referring to the evidence in the opinion on decision, and of clearly designating the evidence that forms the basis of the decision." (*Hamilton, supra,* at p. 475.)

Because the record as to defendant's business reasons is unclear, we will substitute a finding that the issue of whether defendant had legitimate business reasons for its conduct is deferred so that the record thereon may be developed. (See *San Bernardino Community Hosp. v. Workers' Comp. Appeals Bd.* (*McKernan*) (1999) 74 Cal.App.4th 928 [64 Cal.Comp.Cases 986]; *Tyler v. Workers' Comp. Appeals Bd*. (1997) 56 Cal.App.4th 389 [62 Cal.Comp.Cases 924]; *McClune v. Workers' Comp. Appeals Bd.* (1998) 62 Cal.App.4th 1117, 1121–1122 [63 Cal.Comp.Cases 261, 264–265].)

Additionally, we observe that when a WCJ concludes that a defendant employer has subjected an industrially-injured employee to disadvantageous treatment for legitimate business reasons, the WCJ must then determine whether the reasons served as pretexts for that treatment.

[5] We note that Ms. Mackie's testimony regarding observing the most restrictive report is not reflected in the minutes of hearing and summary of evidence. (Minutes of Hearing, Order of Consolidation and Summary of Evidence, May 8, 2019, pp. 1-8.)

Accordingly, we will substitute a finding that the issue of whether defendant's legitimate business reasons, if any, were pretextual is deferred as appropriate.

Accordingly, we will rescind the F&O, substitute findings that the evidence establishes applicant's prima facie section 132a claim and defer the issues of whether defendant had legitimate business reasons for its conduct and whether those reasons were pretextual, as appropriate; and we will return the matter to the trial level for further proceedings consistent with this decision.

For the foregoing reasons,

IT IS ORDERED, as the Decision After Reconsideration, that the Joint Findings and Order issued on May 29, 2019 is **RESCINDED AND SUBSTITUTED** as set forth below.

FINDINGS OF FACT

1. The evidence is sufficient to establish applicant's prima facie Labor Code section 132a claim.
2. The issue of whether defendant may establish its business necessities defense is deferred.
3. The issue of whether applicant may establish that defendant's legitimate business reasons for its conduct were pretextual is deferred, as appropriate.

IT IS FURTHER ORDERED THAT this matter is hereby **RETURNED** to the trial level for further proceedings consistent with this decision.

WORKERS' COMPENSATION APPEALS BOARD

/s/ ANNE SCHMITZ, DEPUTY COMMISSIONER

I CONCUR,

/s/ KATHERINE A. ZALEWSKI, CHAIR

/s/ KATHERINE WILLIAMS DODD, COMMISSIONER

DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

APRIL 13, 2022

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

JAIME RAMIREZ
SILBERMAN AND LAM,
WALL, MCCORMICK, BAROLDI AND DUGAN

SRO/*pc*

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