

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

**JESUS LUGO LOPEZ, *Applicant***

**vs.**

**CASE VANDER EYK DAIRY, ZENITH, *Defendants***

**Adjudication Number: ADJ10019220  
Fresno District Office**

**OPINION AND DECISION  
AFTER RECONSIDERATION**

Lien Claimant, Citywide Scanning Service, Inc. petitioned for reconsideration of the Findings of Fact, Order, and Opinion on Decision issued by the workers' compensation administrative law judge (WCJ) in this matter on February 5, 2021. In that decision, the WCJ Ordered that the lien claimant take nothing further on their lien as it failed in its affirmative duty to utilize its administrative remedies and request a second bill review.

Petitioner, Citywide Scanning Service, Inc. contends in its petition for reconsideration that the defendant's Explanations of Review were non-compliant and the evidence lacks proof of timely and proper service of same.

The WCJ issued a report recommending that the petition for reconsideration be denied.

We granted reconsideration to further study the factual and legal issues presented.

Subsequently, the parties participated in a commissioners' settlement conference at our request and agreed to resolve this matter by stipulation. On October 17, 2022, the parties filed a fully executed Stipulation to pay Lien Claimant Citywide Scanning Service, Inc. the sum of \$650.00 new money as full and final satisfaction of Citywide's lien. The stipulation, signed on October 17, 2022, by representative Ani Balian for lien claimant, and on October 17, 2022 by Julieann M. Lopez, attorney for defendant, provides as follows:

Lien Claimant, Citywide Scanning Service, Inc. retains an outstanding balance of \$2,114.68, which includes penalty and interest per LC section 4622(a)(1), for the copy services provided in the above referenced case.

Lien Claimant being represented by Ani Balian and Defendant being represented by Julieann Lopez of Zenith/Chernow agree to resolve the above referenced amount for a total sum of \$650.00 new money as full and final satisfaction of Citywide' s lien.

This settlement resolves any and all dates of service for Citywide Scanning Service, Inc. in the case at bar along with all lien matters involving the same.

Payment will be made upon receipt of WCAB approval (Order/Award) of these stipulations.

P&I waived if paid within 30 days from the Order/Award by WCAB.

We conclude that the Stipulations filed by lien claimant and defendant should be approved.

Finally, we commend the parties for engaging in good faith negotiations and successfully resolving this matter without the need for further litigation.

For the foregoing reasons,

**IT IS ORDERED** as the Decision After Reconsideration of the Workers' Compensation Appeals Board that the Findings of Fact, Order, and Opinion on Decision issued by the workers' compensation administrative law judge (WCJ) in this matter on February 5, 2021, be **RESCINDED**.

**IT IS FURTHER ORDERED** as the Decision After Reconsideration of the Workers' Compensation Appeals Board that the Stipulations of lien claimant Citywide Scanning Service, Inc. and defendant Zenith Insurance Company by and through their representatives, and filed on October 17, 2022, be **APPROVED**.

**WORKERS' COMPENSATION APPEALS BOARD**

**/s/ KATHERINE WILLIAMS DODD, COMMISSIONER**

**I CONCUR,**

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

**/s/ JOSÉ H. RAZO, COMMISSIONER**



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

**November 3, 2022**

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

**CITYWIDE SCANNING SERVICE, INC.  
CHERNOW AND LIEB**

**LAS/ara**

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