

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

**MACARIO JAIMES, *Applicant***

**vs.**

**FS PRECISION TECH; TRAVELERS; STATE COMPENSATION INSURANCE FUND;  
PACIFIC COMPENSATION INSURANCE COMPANY; HOME ASSURANCE  
Administered By CHARTIS, *Defendants***

**Adjudication Number: ADJ7790883  
Los Angeles District Office**

**OPINION AND DECISION  
AFTER RECONSIDERATION**

We granted reconsideration in this matter to study the factual and legal issues. This is our Opinion and Decision After Reconsideration.

Applicant timely petitioned for reconsideration of the Findings of Fact and Order issued by the workers' compensation administrative law judge (WCJ) on March 11, 2020. We granted reconsideration to study the factual and legal issues presented.

Following their participation in a commissioners' settlement conference set at our request, applicant and defendants resolved applicant's claim against defendants by Compromise and Release. The Compromise and Release was filed on November 4, 2022.

Labor Code section 5001 states in pertinent part that "[n]o release of liability or compromise agreement is valid unless it is approved by appeals board or referee." WCAB Rule 10700(b) 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(b).)

Labor Code section 5002 states that:

“A copy of the release or compromise agreement signed by both parties shall forthwith be filed with the appeals board. Upon filing with and approval by the appeals board, it may, without notice, of its own motion or on the application of either party, enter its award based upon the release or compromise agreement.”

(See Lab. Code § 5003 [setting forth requirements for form and contents of the agreement].)

After considering the Compromise and Release in light of the entire record and the risks to applicant of further litigation, we conclude that the settlement amount is adequate and that the agreement is in applicant’s best interest. In accordance with the terms of the Compromise and Release, will also reserve jurisdiction over the liens of record.

We also conclude that the attorneys’ fee requested is reasonable in light of the complexity of the case and should be allowed.

Therefore, as our Decision After Reconsideration, we rescind the Findings of Fact and Order and approve the Compromise and Release, including the attorneys’ fee requested.

Finally, we commend the parties for their willingness to bargain in good faith and resolve 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 and Order issued by the workers’ compensation administrative law judge on March 11, 2020 be **RESCINDED**;

**IT IS FURTHER ORDERED** that the Compromise and Release be **APPROVED** and that jurisdiction be reserved over the liens of record.

**AWARD IS MADE** in favor of **MACARIO JAIMES** against the **FS PRECISION TECH, et. al.**, as specified in the Compromise and Release agreement.

**WORKERS' COMPENSATION APPEALS BOARD**

**/s/ MARGUERITE SWEENEY, COMMISSIONER**

**I CONCUR,**

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

**/s/ PATRICIA A. GARCIA, DEPUTY COMMISSIONER**



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

**November 10, 2022**

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

**MACARIO JAIMES  
LAW OFFICES OF SOLOV & TEITELL  
BENCIVENGA & ASSOCIATES  
MARRIOTT & ASSOCIATES  
STATE COMPENSATION INSURANCE FUND**

**RLN/abs**

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