

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

**WENDY THOMPSON, *Applicant***

**vs.**

**SANTA YNEZ VALLEY JOURNAL; STATE COMPENSATION  
INSURANCE FUND, *Defendants***

**Adjudication Number: ADJ8004567  
Santa Barbara District Office**

**OPINION AND DECISION  
AFTER RECONSIDERATION**

Defendant, State Compensation Insurance Fund (SCIF) petitions for reconsideration of the Findings of Fact and Award issued by the workers' compensation administrative law judge (WCJ) in this matter on August 14, 2019. In that decision, the WCJ found that applicant, Wendy Thompson's industrial injury to her spine and shoulders while employed by defendant, Santa Ynez Valley Journal during a cumulative period ending June 3, 2009, caused need of further medical treatment and permanent total disability.

SCIF, which insured the employer for workers' compensation liability at the time of the injury, contends in its petition for reconsideration that the WCJ erred in finding that the injury caused permanent total disability, not admitting an informal permanent disability rating in evidence, finding applicant is in need of further medical care, allowing the attorneys' fee requested by applicant attorneys and failing to address the lien of the Employment Development Department.

The WCJ issued a report in which he recommended that the petition for reconsideration be granted only to correct the finding as to reimbursement for medical expense.

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

Subsequently, the parties participated in a commissioners' settlement conference at our request. On October 14, 2022, the parties filed a fully executed Compromise and Release.

In order to expedite review and approval of the Compromise and Release, we will rescind the August 14, 2019 Findings of Fact and Award and remand this matter to the WCJ to consider

the Compromise and Release. The WCJ may conduct such further proceedings as he deems appropriate.

Our decision should not be construed as a ruling on the merits of the petition for reconsideration. If the WCJ does not approve the settlement, he can issue an order reinstating his decision and any aggrieved party may timely seek reconsideration from the reinstated decision.

Finally, we commend the parties for successfully resolving this matter without the need of 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 Award issued in this matter on August 14, 2019, be **RESCINDED**, and that this matter be **REMANDED** to the workers' compensation administrative law judge to consider the Compromise and Release and for such further proceedings as he deems appropriate.

**WORKERS' COMPENSATION APPEALS BOARD**

**/s/ JOSÉ H. RAZO, COMMISSIONER**

**I CONCUR,**

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

**/s/ MARGUERITE SWEENEY, COMMISSIONER**



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

**October 24, 2022**

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

**WENDY THOMPSON  
GHITTERMAN, GHITTERMAN & FELD  
STATE COMPENSATION INSURANCE FUND**

**DH/ara**

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