

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

VIVIAN TOBIAS, *Applicant*

vs.

**CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING, LEGALLY
UNINSURED; ADMINISTERED BY STATE COMPENSATION INSURANCE FUND,
*Defendants***

**Adjudication Number: ADJ15993874
Long Beach District Office**

**OPINION AND ORDER
DISMISSING PETITION
FOR REMOVAL**

The Petition for Removal of the decision issued on June 23, 2022 has been withdrawn by petitioner.¹ Therefore, it will be dismissed.

¹ Petitioner has also filed a "Petition for Declaratory Relief - Objection to Closure of Discovery and Request for Order Allowing Discovery by Nonparty," dated July 15, 2022. WCAB Rule 10515 provides that "[d]emurrers, petitions for judgment on the pleadings and petitions for summary judgment are not permitted." (Cal. Code Regs., tit. 8, §10515.) Accordingly, we have not considered the July 15, 2022 petition.

For the foregoing reasons,

IT IS ORDERED that the Petition for Removal is **DISMISSED**.

WORKERS' COMPENSATION APPEALS BOARD

/s/ KATHERINE A. ZALEWSKI, CHAIR

I CONCUR,

/s/ ANNE SCHMITZ, DEPUTY COMMISSIONER

/s/ PATRICIA A. GARCIA, DEPUTY COMMISSIONER



DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

February 10, 2023

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

**VIVIAN TOBIAS, IN PRO PER
DIR DWC AUDIT AND ENFORCEMENT UNIT (SACRAMENTO & LOS ANGELES)
DIR DWC-LEGAL UNIT (OAKLAND)
STATE COMPENSATION INSURANCE FUND**

SAR/abs

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