

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

MARCO VITAL,

Applicant,

vs

ASPEN LOGISTICS, INC.; FARMERS
INS. EXCHANGE,
Defendants,

Designated Case No. SAU8308904(MF)

**ORDER OF CONSOLIDATION, STAY
OF LIENS, AND NOTICE OF HEARING**

Beverly Hills Ambulatory Surgery
Center, LLC; Comet Radiology, LLC;
Diamond Orthopedics Services, LLC;
Downtown LA Ambulatory Surgical
Center, LLC, Lien Claimants; Genesis
Ambulatory Surgical Center, LLC;
Innovative Orthopedic Solutions, LLC;
Schlomo Schmucl; Schlomo Schmucl,
D.P.M., Inc.; Sunset Ambulatory
Surgical Center, Inc.; Sunset Foot Clinic
Corporation; Westside Orthopedic
Group, Inc.; LLC, Lien Claimants.

Lien Claimants

A Petition has been filed by Farmers Insurance Exchange requesting an Order of Consolidation and Stay for Purposes of Discovery to determine whether lien claims were filed by lien entities controlled by suspended provider Schlomo Schmucl. These are lien claims submitted by Beverly Hills Ambulatory Surgery Center, LLC; Comet Radiology, LLC; Diamond Orthopedics Services, LLC; Downtown LA Ambulatory Surgical Center, LLC, Lien Claimants; Genesis Ambulatory Surgical Center, LLC; Innovative Orthopedic

Solutions, LLC; Schlomo Schmucl; Schlomo Schmucl, D.P.M., Inc.; Sunset Ambulatory Surgical Center, Inc.; Sunset Foot Clinic Corporation; Westside Orthopedic Group, Inc.; (collectively referred to as "Lien Claimants.").

After delegation of authority from the Acting Chief Judge, based on the complexity of the claims and issues as set forth therein, and Section 10396 of the California Code of Regulations, it is ordered that the liens Lien Claimants listed in the Attachment A, are consolidated for purposes of adjudication to determine whether the liens of Lien Claimants fall within the provisions of Labor Code Section 4615 such that a stay of the liens is required. The purpose of the consolidation hearing is to prevent the erroneous application of Section 4615 and not for disputing whether the liens arise from the alleged conduct giving rise to criminal charges, or for adjudication on the merits of any liens filed by Lien Claimants. If it is later determined that additional matters should be included in this consolidation additional orders shall be issued.

The liens of Lien Claimants listed in the Attachment A are ordered stayed pending further determination.

The above captioned case, SAU8308904, is designated as the Master File. The parties are ordered to use only the designated case number when referencing the consolidated matter. All documents regarding this consolidation shall be filed either by mail to the Santa Ana district office, or by electronic filing by EAMS or JET. Further information regarding alternative document filing during the COVID-19 pandemic may be found on the DWC webpage at www.dir.ca.gov/dwc.

ASSIGNMENT OF JUDGE AND NOTICE OF STATUS CONFERENCE is hereby issued as follows: Judge Gene Lee at the Santa Ana district office of the WCAB is designated as the assigned judge for purposes of this consolidation. This matter is set for a STATUS CONFERENCE AT 10:30 AM ON Wednesday May 11, 2022, in front of Judge Gene Lee, 2 MacArthur Place, Ste. 600, Santa Ana CA, CA 92707-7704.

The hearing will be held by conference call, and the parties are to call in to Judge Lee's conference call line at 877-873-8017, access code 2574716.

Attorney Eric Danowitz is ordered to serve this order on all parties of record.
IT IS SO ORDERED.

Dated: 03.03.2022

/s/ William E. Gunn

William E. Gunn
PRESIDING WORKERS' COMPENSATION JUDGE

NOTICE TO: edanowitz@mvejllp.com

Pursuant to Rule 10629 you are designated to serve this/these document(s) on all parties shown on the Official Address Record. By: *Shoghig N* On: 03.03.2022

Attachment A

ADJ7027987,ADJ7112819,ADJ7483167,ADJ8311878,ADJ7973439,ADJ8024291,ADJ8102114,
ADJ8307585,ADJ8290822,ADJ8274231,ADJ7096419,ADJ10252173,ADJ7896146,ADJ8047235,
ADJ8308904,ADJ8560386,ADJ8960748,ADJ9433951,ADJ9935816,ADJ9181747,ADJ9393387,
ADJ9448451,ADJ9299218,ADJ9001617,ADJ9713625,ADJ10419260,ADJ10543962,ADJ10704071,
ADJ10603543,ADJ10895750,ADJ8067106,ADJ8290822,ADJ7669869,ADJ7720444,ADJ8560386,
ADJ11244860,ADJ11142137,ADJ11139721,ADJ11139720,ADJ1567858,ADJ4008883,ADJ6792265
ADJ8047235,ADJ8311878,ADJ7973439,ADJ8960748,ADJ9393387,ADJ9713625,ADJ10543962,
ADJ10419260,ADJ10261998.