

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

LORENZO RIVERA, *Applicant*

vs.

**WALL DESIGN, INC.; SEABRIGHT INSURANCE COMPANY, administered by
ENSTAR U.S., INC., *Defendants***

**Adjudication Numbers: ADJ7919429, ADJ9130856
Pomona District Office**

**OPINION AND DECISION
AFTER RECONSIDERATION**

Lien Claimant, California Imaging Solutions petitioned for reconsideration of the Findings and Order issued by the workers' compensation administrative law judge (WCJ) in this matter on March 23, 2022. In that decision, the WCJ found that a contested claim did not exist at the time lien claimant's copy services were incurred under Labor Code Section 4620 and that its medical-legal services were not reasonably, actually, and necessarily incurred pursuant to Labor Code Section 4621. The WCJ further ordered that the lien claimant take nothing on their lien.

Petitioner, California Imaging Solutions contends in its petition for reconsideration that the WCJ erred in finding that a contested case did not exist at the time their services were incurred and that their services were, in fact, reasonably, actually, and necessarily incurred. Petitioner further requests that the WCJ rescind her findings of fact and order that lien claimant take nothing, and issue a decision as to the reasonable cost of provider's services.

The WCJ issued a report in which she recommended 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 August 19, 2022, the parties filed a fully executed Stipulation to pay Lien Claimant California Imaging Solutions the sum of \$4,000 as full and final settlement of the dispute. The stipulation, signed on August 11, 2022, by

representative Ani Balian for lien claimant, and Kenneth Cho, attorney for Enstar U.S. Inc., provides as follows:

Lien Claimant, San Diego Imaging, Inc. DBA California Imaging Solutions retains an outstanding balance of \$14,488.01, 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 Kenneth Cho of the law Offices of Kenneth Cho agree to resolve the above referenced amount for a total sum of \$4,000.00 full and final settlement.

This settlement resolves any and all dates of service, full and final satisfaction of its lien for California Imaging Solutions 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 and Order issued March 23, 2022, be **RESCINDED**.

IT IS FURTHER ORDERED as the Decision After Reconsideration of the Workers' Compensation Appeals Board that the Stipulations of lien claimant California Imaging Solutions and defendant Seabright Insurance Company, administered by Enstar U.S., Inc. and through their representatives, and filed on August 19, 2022, be **APPROVED**.

WORKERS' COMPENSATION APPEALS BOARD

/s/ KATHERINE WILLIAMS DODD, COMMISSIONER

I CONCUR,

/s/ MARGUERITE SWEENEY, COMMISSIONER

/s/ JOSÉ H. RAZO, COMMISSIONER



DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

AUGUST 26, 2022

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

**CALIFORNIA IMAGING SOLUTIONS
LAW OFFICE OF KENNETH CHO**

LAS/ara

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

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