

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

**NORMA DEPUCCI, *Applicant***

**vs.**

**SUBSEQUENT INJURIES BENEFITS TRUST FUND, *Defendants***

**Adjudication Number: ADJ11436100  
Santa Rosa District Office**

**OPINION AND DECISION  
AFTER RECONSIDERATION**

The applicant timely petitioned for reconsideration<sup>1</sup> of the Findings and Award that was issued by the workers' compensation administrative law judge (WCJ) on December 8, 2020. We granted reconsideration to study the factual and legal issues in this matter.

Following their participation in a commissioners' settlement conference set at our request, applicant and SIBTF resolved applicant's claim against SIBTF by Stipulations With Request for Award. The stipulations were filed on July 14, 2022.

WCAB Rule 10700 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.)

After considering the Stipulations in light of the entire record, we conclude that they are adequate and in applicant's best interest.

We also conclude that the attorneys' fees requested are reasonable and should be allowed.

---

<sup>1</sup> Following the grant of reconsideration, Commissioner Snellings became unavailable. Another commissioner was assigned in his place.

Therefore, as our Decision After Reconsideration, we approve the Stipulations With Request for Award.

For the foregoing reasons,

**IT IS ORDERED** as the Decision After Reconsideration of the Workers' Compensation Appeals Board that the Findings and Award issued by the WCJ on December 8, 2020 be **RESCINDED**.

**IT IS FURTHER ORDERED** that the Stipulations With Request for Award filed in this matter on July 14, 2022, are **APPROVED**.

### **AWARD**

**AWARD IS MADE** in favor of **NORMA DEPUCCI** against **SUBSEQUENT INJURIES BENEFITS TRUST FUND of:**

- (1) Permanent disability indemnity and payment of benefits as specified in paragraph 5 of the Addendum to the Stipulations With Request for Award (Addendum);
- (2) Less an attorneys' fee of 15% of the award pursuant to Labor Code section 5100.5, in accordance with paragraph 8 of the addendum;
- (3) Less credit as provided in paragraph 7 of the Addendum;
- (4) In accordance with paragraph 9 of the Addendum, payment under the award is subject to annual increases pursuant to Labor Code section 4659(c) ;
- (5) In accordance with paragraph 10 of the Addendum, SIBTF is to pay an additional \$6000 to applicant in retroactive payments for resolution and settlement of the Petition for Reconsideration, less an attorneys' fee of 15% of this sum.

(6) Payment of the award is considered timely, with interest included on all sums payable under the award, if paid as specified in paragraph 9 of the Addendum.

**WORKERS' COMPENSATION APPEALS BOARD**

**/s/ JOSÉ H. RAZO, COMMISSIONER**

**I CONCUR,**

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

**/s/ ANNE SCHMITZ, DEPUTY COMMISSIONER**



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

**July 21, 2022**

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

**NORMA DEPUCCI  
LAW OFFICE OF JOHN BLOOM  
OFFICE OF THE DIRECTOR-LEGAL UNIT**

**RLN/abs**

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