

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

DE'MESHA SPENCER, *Applicant*

vs.

**MAD ENGINE, INC.; HANOVER AMERICAN INSURANCE COMPANY, administered
by HANOVER INSURANCE GROUP, *Defendants***

**Adjudication Number: ADJ10566539
Marina del Rey District Office**

**OPINION AND DECISION
AFTER RECONSIDERATION**

Applicant, De'Mesha Spencer, petitions for reconsideration of the Findings and Award issued by the workers' compensation administrative law judge (WCJ) in this matter on November 15, 2022. In that decision, the WCJ found that applicant, while employed during the period of November 1, 2015 through September 6, 2016, as a production manager by defendant, Mad Engine, Inc., insured for workers' compensation liability by defendant, Hanover American Insurance Company from December 27, 2015 through September 6, 2016 and by defendant, Security National Insurance Company from November 1, 2015 through December 26, 2015, sustained injury arising out of and in the course of employment to her wrists and hands, but did not sustain injury to her lumbar and cervical spine, circulatory system, skin and psyche.

Applicant contends in substance that the WCJ erred in finding that applicant's injury did not affect her neck, back and psyche.

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 July 6, 2023, 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 November 15, 2022 Findings 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Reconsideration of the Workers' Compensation Appeals Board that the Findings and Award issued on November 15, 2022 be **RESCINDED**.

IT IS FURTHER ORDERED 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/ ANNE SCHMITZ, DEPUTY COMMISSIONER

I CONCUR,

/s/ KATHERINE WILLIAMS DODD, COMMISSIONER

KATHERINE A. ZALEWSKI, CHAIR
CONCURRING NOT SIGNING



DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

July 28, 2023

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

**DE'MESHA SPENCER
GRAIWER & KAPLAN
THE HANOVER LAW OFFICE
CIPOLLA BHATTI HOYAL & ROACH**

DH/ara

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