

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

JESUS ARREOLA, *Applicant*

vs.

**BILL BRANDT FORD; PUBLIC SERVICE MUTUAL INSURANCE COMPANY,
*Defendants***

**Adjudication Number: ADJ9844787
San Francisco District Office**

OPINION AND ORDER CORRECTING CLERICAL ERROR

It has come to the Appeals Board's attention that its decision served on June 22, 2023 contains a clerical error as to the titles listed for the panel members. The correct titles should have been listed as follows: Craig Snellings, Commissioner, and Anne Schmitz, Deputy Commissioner. We will correct this clerical error without granting reconsideration, as such errors may be corrected without further proceedings at any time. (See 2 *Cal. Workers' Comp. Practice* (Cont. Ed. Bar, March 2019 Update) Supplemental Proceedings, § 23.74, pp. 23-76.)

For the foregoing reasons,

IT IS ORDERED that the clerical error in the titles listed for the panel members set forth in the Appeals Board's Opinion and Decision After Reconsideration issued on June 22, 2023 is **CORRECTED** to reflect the title of panel members as set forth below:

WORKERS' COMPENSATION APPEALS BOARD

/s/ KATHERINE WILLIAMS DODD, COMMISSIONER

I CONCUR,

/s/ CRAIG SNELLINGS, COMMISSIONER

/s/ ANNE SCHMITZ, DEPUTY COMMISSIONER



DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

June 26, 2023

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

**JESUS ARREOLA
WAXMAN & ACHERMANN
DIETZ, GILMOR & CHAZEN, APC
SIBTF
OFFICE OF THE DIRECTOR-LEGAL UNIT (OAKLAND)**

DH/ara

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

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

JESUS ARREOLA, *Applicant*

vs.

**BILL BRANDT FORD; PUBLIC SERVICE MUTUAL INSURANCE COMPANY,
*Defendants***

**Adjudication Number: ADJ9844787
San Francisco District Office**

**OPINION AND DECISION
AFTER RECONSIDERATION**

Applicant, Jesus Arreola, petitions for reconsideration of the Findings of Fact and Award issued by the workers' compensation administrative law judge (WCJ) in this matter on August 2, 2022. In that decision, the WCJ found that applicant, Jesus Arreola, while employed on April 23, 2013, as a master mechanic by defendant, Bill Brandt Ford, insured by defendant, Public Service Mutual Insurance Company, sustained injury arising out of and in the course of his employment to his lumbar spine, resulting in permanent partial disability of 42%.

Applicant contends in substance that the WCJ erred in not finding that applicant's injury caused permanent total disability.

We granted reconsideration to further study the factual and legal issues presented.¹

Subsequently, the parties participated in a commissioners' settlement conference at our request. On June 8, 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 August 2, 2022 Findings of Fact 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.

¹ Commissioner Marguerite Sweeney signed the Opinion and Order Granting Petition for Reconsideration dated October 6, 2022. Commissioner Sweeney is no longer a member of the Appeals Board. Accordingly, a new panel member has been substituted in her place.

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 of Fact and Award issued on August 2, 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/ KATHERINE WILLIAMS DODD, COMMISSIONER

I CONCUR,

/s/ CRAIG SNELLINGS, DEPUTY COMMISSIONER

/s/ ANNE SCHMITZ, COMMISSIONER



DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

JUNE 22, 2023

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

**JESUS ARREOLA
WAXMAN & ACHERMANN
DIETZ, GILMOR & CHAZEN, APC
SIBTF
OFFICE OF THE DIRECTOR-LEGAL UNIT (OAKLAND)**

DH/ara

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