

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

KAREN DONADIO, *Applicant*

vs.

**LAS VIRGENES UNIFIED SCHOOL DISTRICT, Permissibly Self-Insured, administered
by KEENAN & ASSOCIATES, *Defendant***

**Adjudication Numbers: ADJ4087050 (OXN 0140012), ADJ1578234 (OXN 0142233)
Oxnard District Office**

**OPINION AND DECISION
AFTER RECONSIDERATION**

Applicant, Karen Donadio, petitions for reconsideration of the Amended Joint Findings and Award issued by the workers' compensation administrative law judge (WCJ) in this matter on November 9, 2022. In that decision, the WCJ found that applicant, while employed as a special education teacher by Las Virgenes Unified School District sustained injuries arising out of and in the course of employment on November 21, 2003 to her cervical spine, psyche and consisting of sleep disorder resulting in permanent partial disability of 68% (case ADJ4087050) and during the period 1997 through December 15, 2004 to her upper extremities resulting in permanent partial disability of 24% (case ADJ1578234.)

Applicant contends in substance that the WCJ erred in not finding greater permanent disability.

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 28, 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 9, 2022 Amended Joint 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of the Workers' Compensation Appeals Board that the Amended Joint Findings and Award issued on November 9, 2022 be **RESCINDED**.

IT IS FURTHER ORDERED that this matter be **REMANDED** to the workers' compensation administrative law judge for further proceedings consistent with this opinion.

WORKERS' COMPENSATION APPEALS BOARD

/s/ PATRICIA A. GARCIA, DEPUTY COMMISSIONER

I CONCUR,

/s/ CRAIG SNELLINGS, COMMISSIONER

/s/ JOSÉ H. RAZO, COMMISSIONER



DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

August 14, 2023

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

**KAREN DONADIO
LAW OFFICE OF HOWARD J. WASSERMAN
FLOYD SKEREN MANUKIAN LANGEVIN**

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