

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

**MARK FLORES, *Applicant***

**vs.**

**ATHENA ENGINEERING; OAK RIVER INSURANCE COMPANY as administered by  
BERKSHIRE HATHAWAY HOMESTATE COMPANIES, *Defendants***

**Adjudication Number: ADJ14143015  
Los Angeles District Office**

**OPINION AND DECISION  
AFTER RECONSIDERATION**

We previously granted reconsideration in order to study the factual and legal issues in this case.<sup>1</sup> This is our Opinion and Decision After Reconsideration.

It has come to the attention of the Appeals Board that while this matter was pending on reconsideration, the Petition for Reconsideration of the decision issued on December 27, 2021 has been withdrawn by petitioner. Therefore, we vacate our order granting reconsideration and dismiss the Petition.

For the foregoing reasons,

**IT IS ORDERED** as the Decision After Reconsideration of the Workers' Compensation Appeals Board that the Opinion and Order Granting Petition for Reconsideration issued by the Workers' Compensation Appeals Board on March 21, 2022 is **VACATED**.

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<sup>1</sup> Commissioner Lowe, who was on the panel that issued this decision, no longer serves on the Appeals Board. Another panelist was appointed in her place.

**IT IS FURTHER ORDERED** that the Petition for Reconsideration of the decision issued by the WCJ on December 27, 2021 is **DISMISSED**.

**WORKERS' COMPENSATION APPEALS BOARD**

**/s/ JOSEPH V. CAPURRO, COMMISSIONER**

**I CONCUR,**

**/s/ CRAIG SNELLINGS, COMMISSIONER**

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



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

**April 18, 2023**

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

**MARK FLORES  
MOISES VAZQUEZ  
ROSENBERG YUDIN & PEATMAN, LLP**

**AS/ara**

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