

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

ALFREDO LEDEZMA, et al., *Applicants*

vs.

**KAREEM CART COMMISSARY AND MFG;
STATE COMPENSATION INSURANCE FUND, et al., *Defendants***

**Adjudication Numbers: ADJ8965291; ADJ10451326; ADJ10750348; ADJ15382349;
ADJ15382351; ADJ16951068; ADJ16951573; ADJ16953628; ADJ16953629; ADJ16124753;
ADJ16124750; ADJ17290772; ADJ16953860**

**ORDER IMPOSING
SANCTIONS AND COSTS**

(En Banc)

On April 10, 2024, we issued an Order of Consolidation and Notice of Intent to Impose Sanctions and Costs (“Notice”) (En Banc). In the Notice, we issued a notice of intent to impose sanctions of up to \$2,500.00 against Susan Garrett in eight (8) instances where it appeared that she filed petitions for reconsideration with willful intent to disrupt or delay the proceedings of the Workers’ Compensation Appeals Board or with an improper motive, or where it appeared that such actions were indisputably without merit (up to \$20,000.00 total). We also issued a notice of intent to impose sanctions of up to \$2,500.00 against Lance Garrett in eight (8) instances where it appeared that he filed petitions for reconsideration with willful intent to disrupt or delay the proceedings of the Workers’ Compensation Appeals Board or with an improper motive, or where it appeared that such actions were indisputably without merit (up to \$20,000.00 total). Lastly, we issued a notice of intent to award reasonable expenses, including attorney’s fees and costs, associated with the petitions for reconsideration filed in each of these matters. We deferred the amount of such costs to the trial level.

We received responses from both Susan Garrett and Lance Garrett.

Having reviewed the records in each of these matters and the responses of Susan Garrett and Lance Garrett, and pursuant to Labor Code¹ section 5813, we will impose sanctions of \$2,500.00 against Susan Garrett in eight (8) cases for a total of \$20,000.00. We will also impose sanctions of \$2,500.00 against Lance Garrett in eight (8) cases for a total of \$20,000.00.

We will also issue an order of reasonable expenses, including attorney fees and costs, however, we will defer the amount to the parties to adjust with jurisdiction reserved at the trial level in the event of a dispute. We will order these consolidated matters returned to the presiding judge (PJ) of the Los Angeles District Office, Hon. Robert Rassp, to oversee consolidated proceedings on the issue of reasonable expenses. (§ 5310.) PJ Rassp may exercise his discretion to conduct proceedings in the manner he deems most expedient in keeping with due process. Prior to any hearing date, the parties in each case shall meet and confer and shall advise the trial court whether the issue of reasonable expenses has been privately resolved by way of a stipulation for approval by the WCAB.

To secure uniformity of decisions in the future, the Chair of the Appeals Board, upon a unanimous vote of its members, assigned this case to the Appeals Board as a whole for an en banc decision.² (§ 115.)

FACTS

The facts of these matters were detailed in the April 10, 2024 Notice, which is adopted and incorporated herein. (See, Order of Consolidation and Notice of Intent to Impose Sanctions and Costs (En Banc), April 10, 2024, p. 2, “FACTS”, through p. 11 “DISCUSSION”.)³ In summary, in eight cases, Susan Garrett and Lance Garrett requested last minute continuances of scheduled trials on the basis of alleged calendar conflicts.⁴ (*Ibid.*) Each time their request for a continuance

¹ All future references are to the Labor Code unless noted.

² En banc decisions of the Appeals Board are binding precedent on all Appeals Board panels and workers’ compensation administrative law judges. (Cal. Code Regs., tit. 8, § 10325; *City of Long Beach v. Workers’ Comp. Appeals Bd. (Garcia)* (2005) 126 Cal.App.4th 298, 316, fn. 5 [70 Cal.Comp.Cases 109]; *Gee v. Workers’ Comp. Appeals Bd.* (2002) 96 Cal.App.4th 1418, 1424, fn. 6 [67 Cal.Comp.Cases 236].) This en banc decision is also adopted as a precedent decision pursuant to Government Code section 11425.60(b).

³ In the case of Lennoris Doss, the April 10, 2024 Notice stated that “Applicant did not appear and no one from Garrett Law Group appeared for trial.” (*Id.* at p. 10.) To clarify, it appears that all parties appeared via phone in the morning; however, the hearing was continued to 1:30 PM and the parties were ordered to appear in-person. (WCJ’s Report, ADJ17290772, January 30, 2024, p. 3.) At 1:20 PM, Susan Garrett and Lance Garrett filed a petition for reconsideration and did not appear in the afternoon. (*Ibid.*)

⁴ In a number of cases, they had made multiple previous requests for continuances.

was denied, they filed a petition for reconsideration on or near the day of trial and did not appear for trial. (*Ibid.*) In each case, filing of the petition for reconsideration caused trial level proceedings to immediately halt. (See Cal. Code Regs, tit. 8, § 10961.)

Susan Garrett filed a verified response arguing that her decision to file petitions for reconsideration in lieu of petitions for removal was based upon non-frivolous arguments. (Response to the Notice of Intent to Sanction, Susan Garrett, May 3, 2024, p. 2, line 24, through p. 3, 2.) She argues, without citation, that pleading for reconsideration in the alternative “has long been general pleading practice in various workers’ compensation community practice reference materials.” (*Id.* at p. 3, lines 6-8.)

Susan Garrett further argues that the maximum sanction is not proportional to the conduct committed. (*Id.* at p. 4, lines 7-11.)

Susan Garrett describes the effect of her conduct as creating “inconvenient situations.” (*Id.* at p. 5, lines 10-12.) She argues that it was not her intent to delay proceedings of the Appeals Board, but instead it was unavoidable due to chronic health conditions experienced by her and by Lance Garrett.⁵ (*Id.* at p. 5, lines 17-21.) Alternatively, she argues that her non-appearances were due to trials being set on notice, which caused calendar conflicts. (*Id.* at p. 6, lines 8-17.)

Lance Garrett filed a response that was verified by Susan Garrett. (Response to the Notice of Intent to Sanction, Lance Garrett, May 3, 2024, p. 9.)

The response of Lance Garrett essentially restates the arguments contained in the Response of Susan Garrett, often verbatim. (See generally, *id.*)

Neither response addresses the issue of costs and/or attorney’s fees.

DISCUSSION

I.

The Appeals Board is authorized to impose sanctions under section 5813, which states, in pertinent part:

⁵ Susan Garrett was provided an ADA Accommodation to appear remotely at proceedings due to her health issues. (See Response, Susan Garrett, Exhibit 1.) Although it is not a basis for sanctions here, we remind Susan Garrett of her duties as a member of the bar, which include the duties to find appropriate substitute counsel during periods where due to physical or mental illness she becomes “incapable of devoting the time and attention to, and providing the quality of service for, his or her law practice which is necessary to protect the interest of a client[.]” (Bus. & Prof., § 6190.) Susan Garrett does not explain any efforts she made to remedy Lance Garrett’s unavailability. An attorney is responsible for the conduct of the non-attorneys they supervise. (Cal. Rules of Prof’l Conduct, Rule 5.3(a).) Thus, if a non-attorney cannot appear, the attorney is responsible to either appear or find a suitable alternate.

(a) The workers' compensation referee or appeals board may order a party, the party's attorney, or both, to pay any reasonable expenses, including attorney's fees and costs, incurred by another party as a result of bad-faith actions or tactics that are frivolous or solely intended to cause unnecessary delay. In addition, a workers' compensation referee or the appeals board, in its sole discretion, may order additional sanctions not to exceed two thousand five hundred dollars (\$2,500) to be transmitted to the General Fund.

(§ 5813(a).)

As detailed in the Notice, WCAB Rule 10421(b) provides a comprehensive but non-exclusive list of actions that could be subject to sanctions. As applicable here, subdivision (b) states that a party may be subject to sanctions where the party has engaged in the following actions:

(1) Failure to appear or appearing late at a conference or trial where a reasonable excuse is not offered or the offending party has demonstrated a pattern of such conduct.

(2) Filing a pleading, petition or legal document unless there is some reasonable justification for filing the document.

(4) Failing to comply with the Workers' Compensation Appeals Board's Rules of Practice and Procedure . . . or with any award or order of the Workers' Compensation Appeals Board, including an order of discovery, which is not pending on reconsideration, removal or appellate review and which is not subject to a timely petition for reconsideration, removal or appellate review. . .

(5) Executing a declaration or verification to any petition, pleading or other document filed with the Workers' Compensation Appeals Board: (A) That:

- (i) Contains false or substantially false statements of fact;
- (ii) Contains statements of fact that are substantially misleading;
- (iii) Contains substantial misrepresentations of fact;
- (iv) Contains statements of fact that are made without any reasonable basis or with reckless indifference as to their truth or falsity;
- (v) Contains statements of fact that are literally true, but are intentionally presented in a manner reasonably calculated to deceive; and/or
- (vi) Conceals or substantially conceals material facts . . .

- (6) Bringing a claim, conducting a defense or asserting a position:
 - (A) That is:
 - (i) Indisputably without merit;
 - (ii) Done solely or primarily for the purpose of harassing or maliciously injuring any person; and/or
 - (iii) Done solely or primarily for the purpose of causing unnecessary delay or a needless increase in the cost of litigation . . .

- (7) Presenting a claim or a defense, or raising an issue or argument, that is not warranted under existing law . . .

- (8) Asserting a position that misstates or substantially misstates the law . . .

(Cal. Code Regs., tit. 8, § 10421(b).)

Sanctions under section 5813 are designed to punish litigation abuses and to provide the court with a tool for curbing improper legal tactics and controlling their calendars. (*Duncan v. Workers' Comp. Appeals Bd.* (2008) 166 Cal.App.4th 294, 302.) Accordingly, sanctions are similar to penalties under section 5814, in that they are designed to have both remedial and penal aspects. (See *Ramirez v. Drive Financial Services*, (2008) 73 Cal. Comp. Cases 1324 (Appeals Board En Banc).)

Susan Garrett and Lance Garrett halted trial proceedings in eight cases by filing petitions for reconsideration that were indisputably without merit and filed for the purpose of causing unnecessary delay. Most of these petitions were filed on the morning of trial without any advance notice to the court, opposing counsel, or witnesses. Their conduct was deliberate, which is evidenced by both the pattern of filing such petitions in eight separate cases and their failure to appear in each of these cases after the petition for reconsideration was filed.

However, their responses fail to acknowledge their conduct or recognize the scope of their offense, without any admission of genuine remorse. None of the arguments raised in the responses to the Notice warrant reducing sanctions in these matters. Accordingly, we have imposed the full sanction amount.

1. Filing alternative petitions for reconsideration is not a general pleading practice.

Susan Garrett and Lance Garrett argue that filing for reconsideration in the alternative is a common pleading practice advocated in community reference materials. No citations were provided in support of this argument and the argument is not persuasive. **Both Susan Garrett**

and Lance Garrett were expressly put on notice by the Appeals Board in a prior decision that petitions for reconsideration are not proper from orders setting a matter for trial. (See, *Alfredo Ledezma v. Kareem Cart Commissary and MFG*, ADJ15382349; ADJ15382351, Opinion and Order Dismissing Petition for Reconsideration and Dismissing Petition for Removal, August 28, 2023.) Their reliance upon uncited ‘community reference materials’ is not persuasive.

Next, commonly used treatises contradict their argument.

The petition for reconsideration is used to seek review of “any final order, decision or award,” meaning final determinations of the substantive rights or liabilities of the aggrieved party. A petition for reconsideration is also the mechanism for review of final decisions of arbitrators, including those resulting from alternative dispute resolution (“carve-out”) programs. All petitions must allege at least one of the statutory grounds set forth in Labor Code section 5900 [see § 19.04 et seq., below].

The petition for removal is the method to seek review of interlocutory orders, those orders that do not rise to the level of final determinations. Examples include, but are not limited to, discovery orders, **orders granting or denying continuances**, requests for a trial judge to recuse himself or herself, and any other action that does not finally adjudicate the substantive rights or liabilities of the aggrieved party.

(2 California Workers’ Compensation Law § 19.01 (6th 2023), (emphasis added).)

Thus, it is clear that the petitions were frivolous and filed for the purposes of delay in violation of section 5813 and WCAB Rule 10421.

2. The reason for the continuance requests is not germane to the issue of sanctions.

Both responses primarily argue that good cause existed to request continuances. This argument ignores the explanation we provided in our notice of sanctions. The question is not whether good cause existed or whether a workers’ compensation judge was correct in denying continuances. Our notice of sanctions was based on the actions of Susan Garrett and Lance Garrett before the Appeals Board, not on their actions, however disruptive or frivolous, at the trial level. *That is, the issue here is the conduct of Susan Garrett and Lance Garrett in filing frivolous petitions for reconsideration to delay trial and to effectively obtain a continuance through improper means.*

We further note that the reasons now provided in the responses for the requests for continuances appear to be misleading because they are contrary to the allegations in the requests

for continuances and the petitions for reconsideration. Both responses imply that Lance Garrett's health necessitated the continuance requests,⁶ yet, the issue of illness is raised for the first time in the responses. Each request for continuance advised that it was based upon calendar conflict, and this is precisely what Susan Garrett admits in her response: "Since the vast majority of trial hearings are set on notice we encountered repeated calendar conflicts resulting in the need to request the reset of multiple assigned trial hearing dates."⁷ (Response, Susan Garrett, *supra*, p. 6, lines 10-12.)

Even if we accept that Lance Garrett was physically unable to attend the trials in these matters, it does not excuse Susan Garrett's or Lance Garrett's conduct.⁸ As stated above, none of the petitions for reconsideration referred to illness as a basis for the request. Even if illness could have been an actual basis for the request for a continuance at the trial level, *here the reason for the request is immaterial because our consideration is their conduct in filing a frivolous petition for reconsideration to stop the trial from proceeding.*

3. The responses of Susan Garrett and Lance Garrett do not warrant a reduction in sanctions as they fail to take responsibility for their conduct, fail to acknowledge the seriousness of their conduct, and fail to demonstrate genuine remorse.

Generally, there are two responses when faced with the possibility of imposition of sanctions: 1) a person can admit that the conduct was wrong, acknowledge the harm done, evidence an understanding of why the conduct was wrong, and assure the court that it will not happen again; or 2) a person can argue that the conduct was not in bad faith and/or frivolous.

The responses of both Susan Garrett and Lance Garrett argue that their conduct was not frivolous or in bad faith. To the extent that some passages in their response appear to apologize,

⁶ Lance Garrett has not provided a personal verification of this allegation and did not refer to any documentation to support this allegation.

⁷ To be clear, these were not the first requests for continuances. Susan Garrett and Lance Garrett requested multiple continuances in these matters. However, what they failed to do was to meet and confer with opposing counsel and provide the court multiple dates where both parties were available to appear. Instead, they requested continuances to be set on notice. The best practice is for a party to coordinate with opposing counsel as to possible dates and then provide dates of availability in the continuance request.

⁸ While not an issue for sanctions, we explained in the Notice that Lance Garrett was not permitted to appear in most of these matters as Susan Garrett has repeatedly failed to comply with WCAB Rule 10401 regarding use of non-attorney representatives. It was improper to assign Lance Garrett to cover a trial unless and until Susan Garrett obtained informed written consent of her clients and filed such consent with the Appeals Board. (Cal. Code Regs., tit. 8, § 10401(c).)

such responses use passive voice and conditional apologies, which lack any genuine remorse or acknowledgment of their own conduct. A conditional apology (e.g., “I’m sorry if you were offended.”) is not an apology at all. For example, Lance Garrett states: “It is clearly understood that the Commissioners have found concern in the filing of the petitions[.]” (Response, Lance Garrett, *supra* at p. 4, lines 1-2.) What is lacking in Lance Garrett’s response is any concern or regret that **Lance Garrett** had in signing and filing eight frivolous petitions for reconsideration. Moreover, the responses provide no evidence that either of them comprehends that filing a frivolous petition for reconsideration to stop a trial from proceeding in order to obtain a de facto continuance is an improper legal tactic and a serious abuse of our procedure.

Instead, Susan Garrett and Lance Garrett’s responses trivialize the act of filing multiple frivolous petitions for reconsideration as an “inconvenience.” However, their conduct here goes far beyond inconvenience. The filing of frivolous petitions for reconsideration significantly hampers the work of the Appeals Board. Each petition costs significant time and resources and delays the issuance of other decisions pending at the Appeals Board. More significantly, it delays a determination of applicant’s benefits in each of the cases at bar. We also observe that the pattern of last-minute petitions for reconsideration causes delays and wastes time and resources because opposing counsel, witnesses, court reporters, and trial judges reserve time for hearings that then must be taken off calendar. In addition, wasting the time reserved for the cancelled hearings impacts other litigants because it impacts their access to the trial calendar. Trivializing their conduct as “inconveniences” borders on frivolous and does not warrant a reduction in sanctions.

CONCLUSION

Based on our review, we conclude that the eight petitions for reconsideration were filed for the purpose of delaying trial proceedings of the Workers’ Compensation Appeals Board. Neither Susan Garrett nor Lance Garrett acknowledge that these actions were an improper litigation tactic and that the motive was improper. Instead, they obfuscate by referring to claims of illness that arose in the proceedings at the trial level, without an understanding of the impact of their action in filing the petitions for reconsideration at the Appeals Board and without an understanding that this behavior constitutes a serious abuse of our procedure. Accordingly, we conclude that their actions were indisputably without merit and that sanctions are appropriate.

We note that Susan Garrett and Lance Garrett argue that imposing sanctions in these cases may have a chilling effect upon parties who may wish to seek reconsideration from orders denying

a continuance. As such petitions are clearly frivolous and an abuse of process, a chilling effect upon such conduct is not relevant here, and this argument is without merit.

For the foregoing reasons,

Having reviewed the records of each case including the responses of Susan Garrett and Lance Garrett, and pursuant to the April 10, 2024 Notice, and **GOOD CAUSE APPEARING, IT IS FOUND THAT:**

1. In *Alfredo Ledezma* (ADJ15382349; ADJ15382351), Lance Garrett signed a petition for reconsideration, which was verified by Susan Garrett, that was filed with willful intent to disrupt or delay the proceedings of the Workers' Compensation Appeals Board, which was an improper motive, and such action was indisputably without merit.

2. In *Roberto Beltran* (ADJ8965291), Lance Garrett signed a petition for reconsideration, which was verified by Susan Garrett, that was filed with willful intent to disrupt or delay the proceedings of the Workers' Compensation Appeals Board, which was an improper motive, and such action was indisputably without merit.

3. In *Pedro Reyes* (ADJ10451326; ADJ10750348), Lance Garrett signed a petition for reconsideration, which was verified by a non-attorney, Sako Arutyunyan, that was filed by Susan Garrett of Garrett Law Group, as identified in the case caption, with willful intent to disrupt or delay the proceedings of the Workers' Compensation Appeals Board, which was an improper motive, and such action was indisputably without merit.

4. In *Ever Meza, aka Heber Valladares* (ADJ16951068; ADJ16951573), Lance Garrett signed a petition for reconsideration, which was verified by Susan Garrett, that was filed with willful intent to disrupt or delay the proceedings of the Workers' Compensation Appeals Board, which was an improper motive, and such action was indisputably without merit.

5. In *Sandra De Rivas* (ADJ16953628; ADJ16953629), Lance Garrett signed a petition for reconsideration, which was verified by Susan Garrett, that was filed with willful intent to disrupt or delay the proceedings of the Workers' Compensation Appeals Board, which was an improper motive, and such action was indisputably without merit.

6. In *Josefa Flores* (ADJ16124753; ADJ16124750), Lance Garrett signed a petition for reconsideration, which was verified by Susan Garrett, that was filed with willful intent to disrupt or delay the proceedings of the Workers' Compensation Appeals Board, which was an improper motive, and such action was indisputably without merit.

7. In *Lennoris Doss* (ADJ17290772), Lance Garrett signed a petition for reconsideration, which was verified by Susan Garrett, that was filed with willful intent to disrupt or delay the proceedings of the Workers' Compensation Appeals Board, which was an improper motive, and such action was indisputably without merit.

8. In *Jovanni Hernandez* (ADJ16953860), Lance Garrett signed a petition for reconsideration, which was verified by Susan Garrett, that was filed with willful intent to disrupt or delay the proceedings of the Workers' Compensation Appeals Board, which was an improper motive, and such action was indisputably without merit.

For the foregoing reasons,

IT IS ORDERED that pursuant to Labor Code section 5813 and Appeals Board Rule 10421 (Cal. Code Regs., tit. 8, § 10421), **SUSAN GARRETT** (CA BAR #195580), shall pay sanctions and reasonable expenses, including attorney's fees and costs, as follows:

1. In *Alfredo Ledezma* (ADJ15382349; ADJ15382351), sanctions of \$2,500.00 payable to the General Fund and reasonable expenses, including costs and attorney's fees.

2. In *Roberto Beltran* (ADJ8965291), sanctions of \$2,500.00 payable to the General Fund and reasonable expenses, including costs and attorney's fees.

3. In *Pedro Reyes* (ADJ10451326; ADJ10750348), sanctions of \$2,500.00 payable to the General Fund and reasonable expenses, including costs and attorney's fees.

4. In *Ever Meza, aka Heber Valladares* (ADJ16951068; ADJ16951573), sanctions of \$2,500.00 payable to the General Fund and reasonable expenses, including costs and attorney's fees.

5. In *Sandra De Rivas* (ADJ16953628; ADJ16953629), sanctions of \$2,500.00 payable to the General Fund reasonable expenses, including costs and attorney's fees.

6. In *Josefa Flores* (ADJ16124753; ADJ16124750), sanctions of \$2,500.00 payable to the General Fund and reasonable expenses, including costs and attorney's fees.

7. In *Lennoris Doss* (ADJ17290772), sanctions of \$2,500.00 payable to the General Fund and reasonable expenses, including costs and attorney's fees.

8. In *Jovanni Hernandez* (ADJ16953860), sanctions of \$2,500.00 payable to the General Fund and reasonable expenses, including costs and attorney's fees.

Payment shall be made within twenty (20) days (plus five (5) additional days for mailing (Cal. Code Regs., tit. 8, §§ 10605(a)(1), 10600) after service of this Order. Payment shall be made

by check payable to the Workers' Compensation Appeals Board, Tax I.D. 94-3160882, for transmission to the General Fund and shall reference *Alfredo Ledzema, et al. v. Kareem Cart Commissary and Mfg.; State Compensation Insurance Fund, et al.*, ADJ8965291; ADJ10451326; ADJ10750348; ADJ15382349; ADJ15382351; ADJ16951068; ADJ16951573; ADJ16953628; ADJ16953629; ADJ16124753; ADJ16124750; ADJ17290772; ADJ16953860.

Payment shall be sent to: Workers Compensation Appeals Board, Office of the Commissioners, 455 Golden Gate Avenue, 9th Floor, San Francisco, CA 94102, ATTENTION: Julie Podbereski.

IT IS FURTHER ORDERED that pursuant to Labor Code section 5813 and Appeals Board Rule 10421 (Cal. Code Regs., tit. 8, § 10421), **LANCE GARRETT** shall pay sanctions and reasonable expenses, including attorney's fees and costs, as follows:

1. In *Alfredo Ledezma* (ADJ15382349; ADJ15382351), sanctions of \$2,500.00 payable to the General Fund and reasonable expenses, including costs and attorney's fees.
2. In *Roberto Beltran* (ADJ8965291), sanctions of \$2,500.00 payable to the General Fund and reasonable expenses, including costs and attorney's fees.
3. In *Pedro Reyes* (ADJ10451326; ADJ10750348), sanctions of \$2,500.00 payable to the General Fund and reasonable expenses, including costs and attorney's fees.
4. In *Ever Meza, aka Heber Valladares* (ADJ16951068; ADJ16951573), sanctions of \$2,500.00 payable to the General Fund and reasonable expenses, including costs and attorney's fees.
5. In *Sandra De Rivas* (ADJ16953628; ADJ16953629), sanctions of \$2,500.00 payable to the General Fund and reasonable expenses, including costs and attorney's fees.
6. In *Josefa Flores* (ADJ16124753; ADJ16124750), sanctions of \$2,500.00 payable to the General Fund and reasonable expenses, including costs and attorney's fees.
7. In *Lenoris Doss* (ADJ17290772), sanctions of \$2,500.00 payable to the General Fund and reasonable expenses, including costs and attorney's fees.
8. In *Jovanni Hernandez* (ADJ16953860), sanctions of \$2,500.00 payable to the General Fund and reasonable expenses, including costs and attorney's fees.

Payment shall be made within twenty (20) days (plus five (5) additional days for mailing (Cal. Code Regs., tit. 8, §§ 10605(a)(1), 10600) after service of this Order. Payment shall be made by check payable to the Workers' Compensation Appeals Board, Tax I.D. 94-3160882, for

transmission to the General Fund and shall reference *Alfredo Ledzema, et al. v. Kareem Cart Commissary and Mfg.; State Compensation Insurance Fund, et al.*, ADJ8965291; ADJ10451326; ADJ10750348; ADJ15382349; ADJ15382351; ADJ16951068; ADJ16951573; ADJ16953628; ADJ16953629; ADJ16124753; ADJ16124750; ADJ17290772; ADJ16953860.

Payment shall be sent to: Workers Compensation Appeals Board, Office of the Commissioners, 455 Golden Gate Avenue, 9th Floor, San Francisco, CA 94102, ATTENTION: Julie Podbereski.

IT IS FURTHER ORDERED that the parties shall meet and confer as to the amount of reasonable expenses, including costs and attorney's fees, incurred in each of these cases, with jurisdiction reserved at the trial level in the event of a dispute.

IT IS FURTHER ORDERED that pursuant to Labor Code section 5310 these consolidated matters are **RETURNED** to the Presiding Judge Hon. Robert Rassp, of the Los Angeles District Office to oversee consolidated proceedings on the issue of reasonable expenses, including costs and attorney's fees. (§ 5310.) PJ Rassp may exercise his discretion to conduct proceedings in the manner he deems most expedient in keeping with due process.

WORKERS' COMPENSATION APPEALS BOARD (EN BANC)

/s/ KATHERINE A. ZALEWSKI, CHAIR

/s/ JOSÉ H. RAZO, COMMISSIONER

/s/ KATHERINE WILLIAMS DODD, COMMISSIONER

/s/ CRAIG SNELLINGS, COMMISSIONER

/s/ JOSEPH V. CAPURRO, COMMISSIONER

DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

May 16, 2024

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

EDL/abs



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

SERVICE LIST

**GARRETT LAW
INJURED WORKERS LAW
AV MANAGEMENT COLLECTION
DIMACULANGAN ASSOCIATES
STATE COMPENSATION INSURANCE FUND
GILSON DAUB
NEWHOUSE AND CREAGER
TESTAN LAW
SAMUELSEN, GONZALEZ, VALENZUELA & BROWN
ALFREDO LEDEZMA
ROBERTO BELTRAN
PEDRO REYES
EVER MEZA AKA HEBER VALLADARES
SANDRA DE RIVAS
JOSEFA PERDOMO FLORES
LENNORIS DOSS
JOVANNI HERNANDEZ**