

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

**CONSTANCE DORROUGH, *Applicant***

**vs.**

**SUBSEQUENT INJURIES BENEFIT TRUST FUND, *Defendant***

**Adjudication Number: ADJ12394766  
Oakland District Office**

**OPINION AND DECISION  
AFTER RECONSIDERATION**

Applicant timely petitioned for reconsideration of the Findings and Order issued by the workers' compensation administrative law judge (WCJ) on October 15, 2024. We granted reconsideration to study the factual and legal issues in this matter.

Following their participation in a commissioners' settlement conference set at our request, the parties settled this matter by way of compromise and release. On May 20, 2025, Applicant's counsel filed a petition to withdraw the petition for reconsideration, noting that he submitted the compromise and release to a district office WCJ for approval. The WCJ's order approving the settlement issued on May 14, 2025.

Although it was improper for the WCJ to approve the settlement while this matter was pending before the appeals board<sup>1</sup>, based on our own review of the record, we find the amount of the settlement and the attorney's fee to be adequate. Accordingly, in the interests of clarity and expediency, we will not disturb the WCJ's order approving the settlement. We will, however, dismiss the petition to withdraw the petition for reconsideration, since we find it to be moot based on the order approving settlement and our decision herein.

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<sup>1</sup> WCAB Rule (Cal. Code Regs., tit. 8, § 10961 (c)) provides, in pertinent part, "... After 15 days have elapsed from the filing of a petition for reconsideration, a workers' compensation judge shall not issue any order in the case until the Appeals Board has denied or dismissed the petition for reconsideration or issued a decision after reconsideration."

For the foregoing reasons,

**IT IS ORDERED** as the Decision After Reconsideration of the Workers' Compensation Appeals Board that the Finding and Order issued by the WCJ on October 15, 2024, is **RESCINDED**.

**IT IS FURTHER ORDERED** that Applicant's Petition to Withdraw Petition for Reconsideration filed in this matter on May 20, 2025, is **DISMISSED**.

**WORKERS' COMPENSATION APPEALS BOARD**

**/s/ KATHERINE WILLIAMS DODD, COMMISSIONER**

**I CONCUR,**

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

**/s/ CRAIG SNELLINGS, COMMISSIONER**



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

**May 30, 2025**

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

**CONSTANCE DORROUGH  
LAW OFFICE OF GEORGE P. SURMAITIS  
OFFICE OF THE DIRECTOR-LEGAL UNIT (OAKLAND)  
SUBSEQUENT INJURIES BENEFITS TRUST FUND**

**RN/abs**

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