WORKERS' COMPENSATION APPEALS BOARD
STATE OF CALIFORNIA

GILBERTO LOPEZ MENDOZA, ***Applicant***

vs.

SWI FINISHING, INC.; ARCH INSURANCE GROUP, administered by GALLAGHER BASSETT, ***Defendants***

Adjudication Numbers: ADJ17889413
Oxnard District Office

OPINION AND ORDER GRANTING PETITION FOR RECONSIDERATION AND NOTICE OF INTENT TO IMPOSE SANCTIONS

Defendant has filed a Petition for Reconsideration from the Findings of Fact issued on August 22, 2025, by the workers' compensation administrative law judge (WCJ). The WCJ found that applicant sustained an industrial injury through the cumulative period ending on October 1, 2017, and that the claim is not barred by the statute of limitations.

Defendant contends that the WCJ erred in determining when applicant acquired knowledge of disability sufficient to establish a date of injury under Labor Code[1] section 5412 and that applicant's claim was not subject to tolling because he failed to report the injury to a supervisor.

We have not received an Answer from applicant. The WCJ filed a Report and Recommendation on Petition for Reconsideration (Report) recommending that we grant reconsideration and amend the Findings of Fact to remove the finding of industrial injury because the issue of injury was not raised as a triable issue. The WCJ further recommends that the case be returned to the trial level so that the WCJ may issue a notice of intent to impose sanctions based upon the inclusion of multiple fabricated citations in the Petition for Reconsideration.

Defendant has requested permission to file a supplemental petition in response to the WCJ's Report, which we accept. (Cal. Code Regs., tit. 8, § 10964.) In the supplemental petition,

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

defendant admits to the inclusion of misrepresentations and fabricated quotations in the Petition and states that it used an artificial intelligence (AI) chatbot from Sullivan on Comp called ChatSOC, which generated the false citations and fake quotations.

We have considered the allegations of the Petition for Reconsideration, the supplemental petition, and the contents of the WCJ's Report. Based on our review of the record and for the reasons discussed below, we will grant the Petition for Reconsideration and issue a Notice of Intention to impose sanctions of up to $2,500.00 jointly and severally against defendant employer SWI Finishing, Inc.; defendant insurer Arch Insurance Group; defendant's administrator Gallagher Bassett; and defendant's attorneys California Self Insurance Law and Ali Vassigh (CA BAR #261260). We will defer issuing a final decision after reconsideration.

FACTS

Per the WCJ's Report:

> The matter proceeded to trial on a denied cumulative trauma, pled from August 1, 1998 through October 1, 2017, while the applicant was employed by defendant as a prepper/painter, to his neck, upper extremities, back, lower extremities, leg, nervous system, psych, right leg, right foot, left leg. The issues were statute of limitations and failure to timely report pursuant to LC § 5400 and LC § 5403. Minutes of Hearing, May 7, 2025, page 2, lines 21-23. The matter proceeded to trial over two days, with the applicant being called as a witness by defendant, and defense witness Mr. Alex Mendez testifying on day two.
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> The applicant did not file his claim and application for adjudication of claim until June 29, 2023. EAMS DOC ID#47060892. Defendant issued a denial letter dated October 20, 2023, indicating that the claim was denied because the applicant had failed to report his injury timely. Defense Exhibit J. Defense Exhibit B, at page 2. The daughter reported at that time that the applicant had "been working at a job that gets his feet wet all day and as he was taking off his wet socks at the end of the day a couple weeks ago, it pulled off a scab that had already been present. This 'hole' progressively enlarged, fairly rapidly over the last few weeks." Id. at page 2. The doctor reports that the applicant's foot has become "swollen and endematous." Id. at page 2. Further, the doctor references a prior foot infection involving a rock, which had required surgery also involving his right foot. Id. at page 2. Thus, the rock incident had occurred in the past, and the most recent event at the time was a scab that the applicant had developed from getting his feet wet at work.
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> The attending doctor recommended the applicant undergo amputation, because he had gangrene, however, the applicant declined and left the facility. Id. at page 2-3. Neither reports from April 4, 2017 provide an analysis or finding that the applicant's condition was related to a cumulative trauma injury due to his work duties, or that he was advised of same.

It appears the applicant had some conservative treatment for his right foot, but goes to Watsonville Community Hospital on February 13, 2018, with right foot pain and a "newly rapidly aggressive infection." Defense Exhibit H, page 3. The applicant is admitted for a two night stay, and undergoes amputation below his right knee. Defense Exhibit I.

Again, like the reports in 2017, the reports in 2018 did not include an analysis or finding that the applicant's amputation was due to a work-related cumulative trauma injury.

The parties proceeded to Panel QMEs in internal and orthopedics. Defense Exhibits N and O. The applicant was examined by the internist Dr. Noriega on June 24, 2024. Defense Exhibit N. Dr. Noriega reported that the applicant last worked in February 2018 for petitioner, and that the applicant had work place exposure of "standing and walking with wet footwear, removal of wet footwear-was the proximate cause of the right foot desquamation and injury, which eventuated to the amputation." Id. at pages 3 and 6. Dr. Noriega provided the applicant with a 28% WPI, with 35% apportioned to his industrial cumulative trauma. Accordingly, knowledge and disability coincided on June 24, 2024.

The applicant was examined by the orthopedist QME Dr. Knoblich on November 5, 2024, who also reported that the applicant last worked on February 2018, and addressed both the applicant's various orthopedic complaints, as well as the applicant's right foot infection in early 2017 "while working in wet leather work boots while doing power washing." Defense Exhibit O, pages 3 and 4. Following a review of 267 medical records, Dr. Knoblich reported that the applicant "appeared to be forthright in his history, although he could not recall some names and dates. I believe he gave good effort at examination." Id. at page 157. In regards to the injury pled, Dr. Knoblich found that the applicant's "job duties and work exposure during the period of the CT claim increased his risk of foot infection and need for right leg amputation." Id. at page 160. Further that he agreed with Dr. Noriega's findings. Id. at 160.

During both trial days, the petitioner's main focus was to attempt to impeach the applicant about what and when he believed had caused his injury in 2017, versus his deposition testimony taken in 2024. The line of questioning included references to the various doctors and facilities that treated the applicant. This led to the applicant being confused, and the judge having to interject to assist the parties.
On day two of trial, the petitioner called Mr. Alex Mendez, the applicant's foreman. Mr. Mendez testified that he was not considered a supervisor, and that it "would not be proper for other employees to report injuries to him." Minutes of Hearing, May 30, 2025, page 5, lines 7-10. Further, he did not recall the applicant, and that he did not look familiar. Id. at page 5, lines 11-12.

The applicant was then recalled as a witness, and testified that Mr. Mendez was "the right hand man of the supervisor Robert and that he would take charge when Robert wasn't there. The applicant asked everything to Alex. He confirmed that he would only talk to Alex while at SWI, and Alex spoke in Spanish. When asked if Mr. Townsend [Robert] spoke Spanish…applicant said no, and that's why he was the one that would take care of the people." Minutes of Hearing Further Summary of Evidence, May 30, 2025, page 8, lines 12-13, 21-23.

The applicant was then asked if an injury was to be reported to Alex, and the applicant responded "that he didn't know about that. No one ever told him at SWI what to do when you get injured." Id. at page 8, lines 16-17.

Following the submission of trial and review of the evidence submitted, a Findings of Fact and Opinion on Decision was issued finding, in pertinent part, that the applicant did not have notice that he had a cumulative trauma work injury in 2017. Further, that although the applicant testified he reported symptoms to Alex, who he felt was his supervisor, nothing was done by Alex or Mr. Robert Townsend to provide the applicant with a claim form, or actual notices of how to report an injury. Thus, it was found that the statute of limitations was tolled, and the claim was not barred.

In the Report, the WCJ noted discrepancies in the Petition for Reconsideration as follows:

Petitioner argues that the undersigned "improperly relied on the applicant's subjective belief that Alex was a supervisor to toll the statute of limitations, despite evidence that Alex Mendez was not a supervisor and did not recall the applicant. The Appeals Board has consistently held that an employee's subjective belief about a coworker's supervisory status is insufficient to toll the statute of limitations when that belief is contradicted by substantial evidence. Olson v. Workers' Comp. Appeals Bd. (1997) 62 Cal.Comp.Cases 334, 338; Reynolds v. Workers' Comp. Appeals Bd. (1974) 12 Cal.3d 726, 729-730." Petition for Reconsideration, page 16, lines 7-14.

Petitioner's cited case law is improper for the following reasons:

1. Olson v. Workers' Comp. Appeals Bd. (1997) 62 Cal.Comp.Cases 334 does not exist.
2. *Reynolds v. Workers' Comp. Appeals Bd.* (1974) 12 Cal.3d 726, 729-730, does not stand for the argument being made by petitioner.

The undersigned entered the citation of "62 Cal.Comp.Cases 334" into the Lexis+ search bar, which resulted in the case of "*Brannon v. Workers Compensation Appeals Bd.*, 62 Cal. Comp. Cases 333." The case itself involves a decision where the WCJ found the applicant had sustained an industrially related cumulative trauma based on the PQME findings. The WCAB reversed the WCJ's findings because they had not addressed the AME findings, who found that the applicant

had not sustained injury, and the board substituted their findings of no AOE/COE. This case did not involve the applicant's subjective belief about a coworkers' supervisory status and the tolling of the statute of limitations.

When the undersigned entered "Olson v. Workers' Comp. Appeals Bd." into Lexis+, this resulted in a case by said name, but with the citation of "74 Cal. Comp. Cases 1197." This case also did not deal with the subjective belief of a coworker's supervisory status and the tolling of the statute of limitations. Instead, the case involved issues of PD, apportionment and substantial evidence.

This issue with petitioner citing to *Reynolds v. Workers' Comp. Appeals Bd.* (1974) 12 Cal.3d 726, 729-730, is that it does not involve the subjective belief of a coworker's supervisory status and the tolling of the statute of limitations. While the case does involve the statute of limitations, in the case, the Supreme Court of California reversed the WCAB's finding that the statute of limitations had run, because it was found that the employer had the obligation to provide the injured worker with notices for his potential claim, and could not raise the "technical defense of the statute of limitations to defeat petitioner's claim." *Reynolds*, 12 Cal.3d 726, 729-730.

While petitioner listed a case that exists, the specific page numbers referenced of "729-730" as support for his argument that the appeals board "*has consistently held* that an employee's subjective belief about a coworker's supervisory status is insufficient to toll the statute of limitations when that belief is contradicted by substantial evidence…" is improper and a bad faith action. (*emphasis added*) Further, petitioner repeated the same argument with both cases cited a second time on page 17 of their Petition for Reconsideration.

(*Id.* at pp. 13-14.)

DISCUSSION

I.

Former section 5909 provided that a petition for reconsideration was deemed denied unless the Appeals Board acted on the petition within 60 days from the date of filing. (§ 5909.) Effective July 2, 2024, section 5909 was amended to state in relevant part that:

> (a) A petition for reconsideration is deemed to have been denied by the appeals board unless it is acted upon within 60 days from the date a trial judge transmits a case to the appeals board.
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> (b) (1) When a trial judge transmits a case to the appeals board, the trial judge shall provide notice to the parties of the case and the appeals board.

> (2) For purposes of paragraph (1), service of the accompanying report, pursuant to subdivision (b) of Section 5900, shall constitute providing notice.

(§ 5909.)

Under section 5909(a), the Appeals Board must act on a petition for reconsideration within 60 days of transmission of the case to the Appeals Board. Transmission is reflected in Events in the Electronic Adjudication Management System (EAMS). Specifically, in Case Events, under Event Description is the phrase "Sent to Recon" and under Additional Information is the phrase "The case is sent to the Recon board."

Here, according to Events, the case was transmitted to the Appeals Board on September 29, 2025, and 60 days from the date of transmission is Friday, November 28, 2025, which is a holiday. Under applicable rules, the deadline is due by Monday, December 1, 2025. (Cal. Code Regs., tit. 8, § 10600.). This decision is issued by or on December 1, 2025, so that we have timely acted on the Petition as required by section 5909(a).

Section 5909(b)(1) requires that the parties and the Appeals Board be provided with notice of transmission of the case. Transmission of the case to the Appeals Board in EAMS provides notice to the Appeals Board. Thus, the requirement in subdivision (1) ensures that the parties are notified of the accurate date for the commencement of the 60-day period for the Appeals Board to act on a petition. Section 5909(b)(2) provides that service of the Report and Recommendation shall be notice of transmission.

According to the proof of service for the Report and Recommendation by the WCJ, the Report was served on September 29, 2025, and the case was transmitted to the Appeals Board on September 29, 2025. Service of the Report and transmission of the case to the Appeals Board occurred on the same day. Thus, we conclude that the parties were provided with the notice of transmission required by section 5909(b)(1) because service of the Report in compliance with section 5909(b)(2) provided them with actual notice as to the commencement of the 60-day period on September 29, 2025.

II.

Before addressing the merits of defendant's Petition, we must first address the issue of sanctions. Section 5813 permits the Workers' Compensation Appeals Board to issue sanctions of

up to $2,500.00, for acts which result from ". . . bad-faith actions or tactics that are frivolous or solely intended to cause unnecessary delay." (§ 5813.)

WCAB Rule 10421(b) states in relevant part that:

> Bad faith actions or tactics that are frivolous or solely intended to cause unnecessary delay include actions or tactics that result from a willful failure to comply with a statutory or regulatory obligation, that result from a willful intent to disrupt or delay the proceedings of the Workers' Compensation Appeals Board, or that are done for an improper motive or are indisputably without merit.

WCAB Rule 10421(b) further 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:

> (2) Filing a pleading, petition or legal document unless there is some reasonable justification for filing the document.
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> (4) Failing to comply with the Workers' Compensation Appeals Board's Rules of Practice and Procedure . . .
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> (6) Bringing a claim, conducting a defense or asserting a position:
> (A) That is:
> (i) Indisputably without merit;
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> ***
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> (7) Presenting a claim or a defense, or raising an issue or argument, that is not warranted under existing law . . .
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> ***
>
> (8) Asserting a position that misstates or substantially misstates the law . . .

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

Business and Professions Code section 6068 provides in part that an attorney must respect the courts of justice and judicial officers (subdivision (b)); maintain only actions that are legal or just (subdivision (c)); be truthful at all times, including never to mislead a judge or judicial officer by false statement of fact or law (subdivision (d)); and, refrain from beginning or continuing a proceeding from "any corrupt motive" (subdivision (g)). Rule 3.3 of the California Rules of Professional Conduct provides in part that a lawyer shall not: "(1) knowingly make a false statement of fact or law to a tribunal or fail to correct a false statement of material fact or law

previously made to the tribunal by the lawyer; (2). . . . knowingly misquote to a tribunal the language of a book, statute, decision or other authority."

Petitions for reconsideration are verified under penalty of perjury, and they must fairly state all of the material evidence relative to the point or points at issue. (Cal. Code Regs., tit. 8, § 10945(a).) Each contention contained in a petition for reconsideration must be stated separately and clearly set forth. (*Ibid*.) The petition shall support its evidentiary statements with specific references to the record. (Cal. Code Regs., tit. 8, § 10945(b).) "A petition for reconsideration, removal or disqualification may be denied or dismissed if it is unsupported by specific references to the record **and to the principles of law involved**." (Cal. Code Regs., tit. 8, § 10972, (emphasis added).) In short, failure to cite the record and failure to fully and accurately set forth the facts and evidence is grounds to deny a petition. (§ 5902; Cal. Code. Regs., tit. 8, § 10972.)

Here, and as noted in the WCJ's Report, defendant's Petition contains numerous citations that are incorrect. In its supplemental response, defendant admits to the errors and explains that the errors were generated by *Sullivan on Comp*'s artificial intelligence (AI) chatbot, which defendant refers to as "ChatSOC". Defendant stated:

> Defense counsel utilized the Sullivan on Comp treatise as part of his research when drafting the Petition for Reconsideration. As a part of this research, defense counsel drafted several specific questions that were inputted into the Sullivan on Comp's artificial intelligence tool called, ChatSOC, It was within the answers provided by ChatSOC function, that the four improper cases were obtained.
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> * * *
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> Defense counsel has since inquired with Sullivan on Comp to understand why ChatSOC would provide fabricated or blatantly incorrect information related to case law. Defense counsel was informed that, AI limitations, systems like ChatSOC can sometimes generate what are called "hallucinations." These hallucinations are described as fabricated information that appear authoritative, but are incorrect or entirely made up.

(Supplemental Petition, October 15, 2025, p. 5, lines 18-23; p. 6, lines 9-14.)

While we appreciate the candor and the tone contained in defense counsel's supplemental response, the conduct that has occurred here is highly improper and sanctionable. In essence, counsel has delegated legal work in this matter to a non-attorney AI computer program. Such delegation of authority must be closely supervised by the attorney. As stated in a recent en banc opinion:

> It is every attorney's duty to supervise non-attorneys in their firm and ensure that the non-attorney's conduct "is compatible with the professional obligations of the

> lawyer." (Cal. Rules of Prof'l Conduct, Rule 5.3(a).)FN 5 Section 5700 provides that a party "may be present at any hearing, in person, by attorney, or by any other agent…." Section 4907 provides that "[non-attorney] representatives shall be held to the same professional standards of conduct as attorneys." (See Cal. Code Regs., tit. 8, § 10401(b).) Per WCAB Rule 10401, "a non-attorney representative may act on behalf of a party in proceedings before the Workers' Compensation Appeals Board if the party has been informed that the non-attorney representative is not licensed to practice law by the State of California." (Cal. Code Regs., tit. 8, § 10401(a).)
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> FN 5 - Business and Professions Code section 6068 provides in part that an attorney must respect the courts of justice and judicial officers (subdivision (b)); maintain only actions that are legal or just (subdivision (c)); be truthful at all times, **including never to mislead a judge or judicial officer by false statement of fact or law** (subdivision (d)); and, refrain from beginning or continuing a proceeding from "any corrupt motive" (subdivision (g)). Rule 3.3 of the California Rules of Professional Conduct provides in part that a lawyer shall not: "(1) knowingly make a false statement of fact or law to a tribunal. . ." Rule 5.3 requires that: (a) "a lawyer who . . . possesses managerial authority in a law firm, shall make reasonable efforts to ensure that the firm has in effect measures giving reasonable assurance that the nonlawyer's conduct is compatible with the professional obligations of the lawyer; (b) a lawyer having direct supervisory authority over the nonlawyer, whether or not an employee of the same law firm, shall make reasonable efforts to ensure that person's conduct is compatible with professional obligations of the lawyer; and (c) a lawyer shall be responsible for conduct of such a person that would be a violation of these rules or the State Bar Act if engaged in by a lawyer if: (1) the lawyer orders or, with knowledge of the relevant facts and of the specific conduct, ratifies the conduct involved; or (2) the lawyer. . .possesses managerial authority in the law firm in which the person is employed, or has direct supervisory authority over the person whether or not an employee of the same law firm, and knows of the conduct at a time when its consequences be avoided or mitigated but fails to take reasonable remedial action."

(*Ledezma v. Kareem Cart Commissary and Mfg*, (2024) 89 Cal. Comp. Cases 462, 473 (En Banc) (emphasis added).)

The attorney is responsible for the work that they submit. While we understand and sympathize that defense counsel used the *Sullivan on Comp AI* and that *Sullivan on Comp* provided misrepresentations and incorrect citations, the attorney who signs the pleading is ultimately responsible for checking the work. **There is no excuse for filing documents that contain misrepresentations or fabricated quotations**.

Furthermore, and to the extent that the supplemental response discusses firmwide policies relating to use of AI, the managing partner of the firm should file a separate response as to the efforts made to remediate this issue.

Turning to the merits of the Petition for Reconsideration, the statute of limitations is an affirmative defense and defendant, as the party asserting the defense, has the burden of proof. (§ 5705.) The limitations period for which a claim must be filed is the later of (1) one year from the date of injury, (2) one year from the last provision of disability payments per Labor Code sections 4650 et. seq., or (3) one year from the last provision of medical benefits. (*Ibid*.)

"Limitations provisions in the [workers'] compensation law must be liberally construed in favor of the employee unless otherwise compelled by the language of the statute, and such enactments should not be interpreted in a manner which will result in a loss of compensation." (*Blanchard v. Workers' Comp. Appeals Bd*. (1975) 53 Cal.App.3d 590, 595 [40 Cal. Comp. Cases 784] (internal citations omitted).) It is well settled that where the employer has a statutory or regulatory duty to provide notice to the injured worker of a right and fails to do so, the employer is estopped from raising the statute of limitations as a bar to the claim. (*Reynolds v. Workmen's Comp. Appeals Bd*. (1974) 12 Cal.3d 726.)

The injury claimed in this matter is a cumulative injury. Date of injury for cumulative injury claims is ordinarily established under section 5412, which states: "The date of injury in cases of occupational diseases or cumulative injuries is that date upon which the employee first suffered disability therefrom and either knew, or in the exercise of reasonable diligence should have known, that such disability was caused by his present or prior employment." (§ 5412.)

As used in section 5412, "disability" means either compensable temporary disability or permanent disability. (*Chavira v. Workers' Comp. Appeals Bd*. (1991) 235 Cal.App.3d 463 [56 Cal.Comp.Cases 631]; *State Comp. Ins. Fund v. Workers' Comp. Appeals Bd.* (*Rodarte*) *(2004)* 119 Cal.App.4th 998 [69 Cal.Comp.Cases 579].) Medical treatment alone is not "disability" for purposes of determining the date of a cumulative injury pursuant to section 5412, but it may be evidence of compensable permanent disability. (*Rodarte*, *supra*, 119 Cal.App.4th at p. 1005.) Likewise, modified work is not a sufficient basis for finding compensable temporary disability, but it may be indicative of a compensable permanent disability, especially if the worker is permanently precluded from returning to their usual and customary job duties. (*Id*.)

The existence of disability is a medical question beyond the bounds of ordinary knowledge, and, as such, will typically require medical evidence. (*City & County of San Francisco v. Industrial Acc. Com*. (*Murdock*) (1953) 117 Cal.App.2d 455 [18 Cal.Comp.Cases 103]; *Bstandig v. Workers' Comp. Appeals Bd*. (1977) 68 Cal. App. 3d 988 [42 Cal.Comp.Cases 114].) Knowledge requires more than an uninformed belief. Because the existence of disability typically requires medical evidence, an "applicant will not be charged with knowledge that his disability is job related without medical advice to that effect unless the nature of the disability are such that applicant should have recognized the relationship between the known adverse factors involved in his employment and his disability." (*City of Fresno v. Workers' Comp. Appeals Bd.* (*Johnson*) (1985) 163 Cal.App.3d 467, 473 [50 Cal.Comp.Cases 53].)

The dates of injurious exposure under section 5500.5 and the date of injury under section 5412 **are separate analyses**. While the two dates may coincide, **they are not synonymous**.

While we agree with the WCJ's recommendation that the finding of industrial injury should be vacated as the issue was not raised at trial, we must also vacate the entire Findings of Fact as a date of injury was never found in this matter. The analysis of the statute of limitations begins with establishing a date of injury from which the statute runs. This has not occurred. Only after defendant has shown that applicant failed to timely file a claim does the burden then shift to applicant to establish tolling. A finding as to the date of a cumulative injury is required when deciding a statute of limitations defense. When this is returned to the trial level, the WCJ may wish to consider whether bifurcation of the statute of limitations is appropriate.

However, and because we are issuing a notice of intent to impose sanctions, we are not issuing a final decision on the merits at this time. A decision after reconsideration as to the merits will issue alongside any decision as to sanctions. The parties may wish to meet and confer and if possible stipulate the date of injury under section 5412, which could affect our decision on the merits.

Accordingly, we grant the Petition for Reconsideration.

We issue a Notice of Intention to impose sanctions of up to $2,500.00 jointly and severally against defendant employer SWI Finishing, Inc.; defendant insurer Arch Insurance Group; defendant's administrator Gallagher Bassett; and defendant's attorneys California Self Insurance Law and Ali Vassigh (CA BAR #261260).

For the foregoing reasons,

IT IS ORDERED that defendant's Petition for Reconsideration from the Findings of Fact issued on August 22, 2025, by the WCJ is **GRANTED**.

IT IS FURTHER ORDERED that a final decision after reconsideration is **DEFERRED** pending further review of the merits of the Petition for Reconsideration and further consideration of the entire record in light of the applicable statutory and decisional law.

NOTICE IS HEREBY GIVEN that absent written objection in which good cause to the contrary is demonstrated, within twenty (20) days plus five (5) additional days for mailing (Cal. Code Regs., tit. 8, §§ 10605(a)(1), 10600) after service of this Notice, pursuant to Labor Code section 5813 and WCAB Rule 10421 (Cal. Code Regs., tit. 8, § 10421), the Workers' Compensation Appeals Board will order defendant **SWI FINISHING, INC.**; defendant's insurer **ARCH INSURANCE GROUP**; defendant's administrator **GALLAGHER BASSETT**; and defendant's attorneys **CALIFORNIA SELF INSURANCE LAW** and **ALI VASSIGH** (CA BAR #261260), to jointly and severally pay sanctions of up to $2,500.00 payable to the General Fund.

IT IS FURTHER ORDERED that all responses to this Notice must be electronically filed in the Electronic Adjudication System (EAMS) within twenty (20) days plus five (5) additional days for mailing (Cal. Code Regs., tit. 8, §§ 10605(a)(1), 10600) after service of this Notice. **Untimely or misfiled responses may not be accepted or considered.**

WORKERS' COMPENSATION APPEALS BOARD

/s/ JOSEPH V. CAPURRO, COMMISSIONER

I CONCUR,

/s/ KATHERINE A. ZALEWSKI, CHAIR

/s/ PAUL F. KELLY, COMMISSIONER

DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

DECEMBER 1, 2025

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

GILBERTO LOPEZ MENDOZA
AUGUSTO FOCIL LAW
LYDIA NEWCOMB LAW OFFICE
CA SELF INSURANCE LAW
ALI VASSIGH
ARCH INSURANCE GROUP
GALLAGHER BASSETT
SWI FINISHING INC

EDL/mt

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