

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

MAUREEN MCCOOL, *Applicant*

vs.

**LAW OFFICES OF HOMAN & STONE;
PREFERRED EMPLOYERS SAN DIEGO;
GUILFORD, SARVAS AND CARBONARA;
ALLMERICA FINANCIAL BENEFIT INSURANCE COMPANY,
administered by HANOVER INSURANCE GROUP; *Defendants***

**Adjudication Numbers: ADJ10300144; ADJ1255981
Long Beach District Office**

**OPINION AND ORDER
DISMISSING PETITION
FOR REMOVAL**

On January 9, 2025, a workers' compensation administrative law judge (WCJ) issued an order setting the matter for trial on March 17, 2025. On February 10, 2025, the WCJ issued an order denying defendant's request for a continuance of trial.

On February 19, 2025, applicant filed a declaration titled "DECLARATION OF MAUREEN MCCOOL AS ADDENDUM TO OBJECTION TO NOTICE SETTING MATTERS FOR TRIAL; AND APPLICATION FOR AN ORDER REMOVING JUDGE NACHISON FROM THIS CASE UNDER CODE OF CIVIL PROCEDURE SECTIONS 170.1 AND 170.6 FOR JUST CAUSE AND PREJUDICE" (Declaration).

On March 17, 2025, the matter proceeded to trial, and the WCJ took the matter off calendar. Treating the Declaration as a petition for removal, since both parties agreed that the matter should be continued, it is now moot. Therefore, we will dismiss the petition.

With respect to the issue of whether applicant's Declaration is a petition for disqualification, as discussed in the WCJ's Report and Recommendation, it is not timely filed as one for disqualification and does not set forth facts, declared under penalty of perjury, that are sufficient to establish disqualification pursuant to Labor Code section 5311, WCAB Rule 10960

(Cal. Code Regs., tit. 8, § 10960), and Code of Civil Procedure section 641(f) and/or (g). Thus, even if we treated the Declaration as a petition for disqualification, it would be dismissed.

Accordingly, the petition will be dismissed.

For the foregoing reasons,

IT IS ORDERED that the Petition for Removal / Disqualification is **DISMISSED**.

WORKERS' COMPENSATION APPEALS BOARD

/s/ LISA A. SUSSMAN, DEPUTY COMMISSIONER

I CONCUR,

/s/ CRAIG SNELLINGS, COMMISSIONER

/s/ JOSÉ H. RAZO, COMMISSIONER



DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

April 28, 2025

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

MAUREEN MCCOOL, IN PRO PER

CW LAW

HANNA, BROPHY, MacLEAN, McALEER & JENSEN, LLP

AS/mc

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