

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

MICHAEL MARTINEZ, *Applicant*

vs.

**AAA NORTHERN CALIFORNIA; OLD REPUBLIC INSURANCE COMPANY,
administered by ESIS, *Defendants***

**Adjudication Number: ADJ19981598
Oakland District Office**

**OPINION AND ORDER
DISMISSING PETITIONS
FOR DISQUALIFICATION**

Defendant has filed two petitions seeking disqualification of the workers' compensation administrative law judge (WCJ) based upon the allegation that the WCJ has demonstrated impartiality.

Following the filing of defendant's petitions, and for reasons wholly unrelated to the petitions, the WCJ in this matter has been reassigned. Accordingly, the Petition for Disqualification will be dismissed as the issue is now moot.

We admonish defendant's attorney, Jonathan Freeman of Wai, Connor & Hamidzadeh, LLP, that once a party has knowledge that an issue has become moot, it is incumbent upon that party to timely withdraw pending petitions on the moot issue. Requiring an order of dismissal to issue by the court wastes judicial resources and causes unnecessary delay, which could be construed as either frivolous or bad faith tactics. (Lab. Code, § 5813.)

For the foregoing reasons,

IT IS ORDERED that defendant's Petitions for Disqualification of the WCJ filed on July 15, 2025, and August 15, 2025 are **DISMISSED**.

WORKERS' COMPENSATION APPEALS BOARD

/s/ JOSEPH V. CAPURRO, COMMISSIONER

I CONCUR,

/s/ ANNE SCHMITZ, DEPUTY COMMISSIONER

/s/ PAUL F. KELLY, COMMISSIONER



DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

OCTOBER 22, 2025

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

**MICHAEL MARTINEZ
LAW OFFICES OF ZACHARY M. KWELLER
WAI CONNOR & HAMIDZADEH**

EDL/mt

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