

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

**NINA RESURRECCION, *Applicant***

**vs.**

**RPMG MANAGEMENT SERVICES, LLC; SENTINEL INSURANCE COMPANY,  
LTD., administered by THE HARTFORD, *Defendants***

**Adjudication Number: ADJ21560862  
Pomona District Office**

**OPINION AND ORDER  
GRANTING PETITION  
FOR REMOVAL  
AND DECISION  
AFTER REMOVAL**

Applicant has filed a petition for removal from the Order Granting Change of Venue issued on October 14, 2025, by the workers' compensation administrative law judge (WCJ).

Applicant contends that venue was appropriately selected based upon the county in which applicant resides.

We have not received an Answer from defendant. The WCJ filed a Report and Recommendation on Petition for Removal (Report) recommending that we deny removal.

We have considered the allegations of the Petition for Removal and the contents of the WCJ's Report. Based on our review of the record we will grant removal and as our Decision After Removal, we will rescind the October 14, 2025 Order Granting Change of Venue and issue an order denying defendant's petition for change of venue.

Removal is an extraordinary remedy rarely exercised by the Appeals Board. (*Cortez v. Workers' Comp. Appeals Bd.* (2006) 136 Cal.App.4th 596, 599, fn. 5 [71 Cal.Comp.Cases 155]; *Kleemann v. Workers' Comp. Appeals Bd.* (2005) 127 Cal.App.4th 274, 280, fn. 2 [70 Cal.Comp.Cases 133].) The Appeals Board will grant removal only if the petitioner shows that substantial prejudice or irreparable harm will result if removal is not granted. (Cal. Code Regs., tit. 8, 10955(a); see also *Cortez, supra*; *Kleemann, supra*.) Also, the petitioner must demonstrate

that reconsideration will not be an adequate remedy if a final decision adverse to the petitioner ultimately issues. (Cal. Code Regs., tit. 8, § 10955(a).) Here, the WCJ ordered the venue of applicant's case changed to another district office. Applicant would suffer substantial prejudice and irreparable harm from the order changing venue.

First, as the Petition for Removal points out, venue in this case was selected based upon applicant's county of residence.

Labor Code<sup>1</sup> section 5501.5 states, in pertinent part:

(a) The application for adjudication of claim shall be filed in any of the following locations:

(1) In the county where the injured employee or dependent of a deceased employee resides on the date of filing.

(2) In the county where the injury allegedly occurred, or, in cumulative trauma and industrial disease claims, where the last alleged injurious exposure occurred.

(3) In the county where the employee's attorney maintains his or her principal place of business, if the employee is represented by an attorney.

(b) If the county selected for filing has more than one office of the appeals board, the application shall be filed at any location of the appeals board within that county that meets the criteria specified in subdivision (a). The written consent of the employee, or dependent of a deceased employee, to the selected venue site shall be filed with the application.

(c) If the venue site where the application is to be filed is the county where the employee's attorney maintains his or her principal place of business, the attorney for the employee shall indicate that venue site when forwarding the information request form required by Section 5401.5. The employer shall have 30 days from receipt of the information request form to object to the selected venue site. Where there is an employer objection to a venue site under paragraph (3) of subdivision (a), then the application shall be filed pursuant to either paragraph (1) or (2) of subdivision (a).

(§ 5501.5.)

Here, the Labor Code permits an applicant to file the application in the county where they reside, which is precisely what applicant has done. Based upon the application for adjudication, applicant resides in Los Angeles County. Applicant filed the application at the Pomona District

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<sup>1</sup> All future references are to the Labor Code unless noted.

Office, which is in Los Angeles County. Accordingly, defendant had no statutory right to a change of venue pursuant to section 5501.5(c) as venue is not based upon applicant's attorney's office location.

In the WCJ's Report reference is made to the DIR's website, which contains a zip code locator tool that can assist parties with finding a nearby district office. The WCJ correctly notes that applicant lives closer to another district office in Los Angeles County. However, and to be clear, where multiple district offices exist in a county, the Labor Code permits applicant to file the application anywhere within the county. The web locator tool is not part of any Labor Code section or any regulation that establishes venue. The web tool appears designed only to assist the public in finding the nearest office. We can give it no legal weight in deciding the question of venue.

The Appeals Board's regulation for venue is succinct: "When filing a case opening document, the filer shall designate venue and shall specify the basis for venue in accordance with Labor Code section 5501.5." (Cal. Code Regs., tit. 8, § 10480.) In this case applicant resides in Los Angeles County. Pursuant to section 5501.5, applicant was permitted to file the application at any district office in Los Angeles County. Thus, the order changing venue to Marina del Rey was not proper.

Accordingly, we grant removal and as our Decision After Removal, we rescind the October 14, 2025 Order Granting Change of Venue and issue an order denying defendant's petition for change of venue

For the foregoing reasons,

**IT IS ORDERED** that applicant's Petition for Removal from the Order Granting Change of Venue issued on October 14, 2025, by the WCJ is **GRANTED**.

**IT IS FURTHER ORDERED** as the Decision After Removal of the Workers' Compensation Appeals Board that the Order Granting Change of Venue issued on October 14, 2025, by the WCJ is **RESCINDED** with the following **SUBSTITUTED** therefore:

**IT IS ORDERED** that defendant's petition for change of venue filed on October 13, 2025 is **DENIED**.

**IT IS FURTHER ORDERED** that this matter is **RETURNED** with venue established at the Pomona District Office.

**WORKERS' COMPENSATION APPEALS BOARD**

**/s/ CRAIG L. SNELLINGS, COMMISSIONER**

**I CONCUR,**

**/s/ LISA A. SUSSMAN, DEPUTY COMMISSIONER**

**/s/ JOSEPH V. CAPURRO, COMMISSIONER**



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

**DECEMBER 5, 2025**

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

**NINA RESURRECCION  
DEFENDERS LAW  
LLARENA, MURDOCK, LOPEZ & AZIZAD, APC**

**EDL/mt**

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