**WORKERS' COMPENSATION APPEALS BOARD**

**STATE OF CALIFORNIA**

**AUGUSTO DE CASTRO, *Applicant***

**vs.**

**RUAN TRANSPORTATION MANAGEMENT SYSTEMS, INC.; ACE AMERICAN INSURANCE COMPANY, Administered by HELMSMAN MANAGEMENT SERVICES, LLC, *Defendants***

**Adjudication Numbers: ADJ9466414, ADJ9466655**
**Fresno District Office**

# OPINION AND DECISION AFTER RECONSIDERATION

We previously granted reconsideration to allow us time to further study the factual and legal issues in this case. This is our Opinion and Decision After Reconsideration.

Both applicant and defendant seek reconsideration of the Findings of Fact and Award (F&A) issued on December 29, 2022, by the workers' compensation administrative law judge (WCJ) who found, in pertinent part, that applicant, while employed as a truck driver on December 25, 2012, and during the period December 25, 2011 to December 25, 2012, sustained injury arising out of and in the course of employment (AOE/COE) to his left knee, neck, psyche, head, and right wrist resulting in 95% permanent disability for the December 25, 2012 injury and 3% permanent disability for the December 25, 2011 to December 25, 2012 injury.

We have received an Answer from the applicant, but not from defendant. The WCJ filed two Reports and Recommendation on Petition for Reconsideration (Reports) both recommending we deny reconsideration.

On October 16, 2026, the parties confirmed that they reached a proposed settlement.

In order to expedite review of the parties' settlement, we will rescind the December 29, 2022 F&A, and return this matter to the WCJ to consider the settlement. The WCJ may conduct further proceedings as appropriate.

Our decision does not constitute a ruling on the merits of the Petitions for Reconsideration. If the WCJ does not approve the settlement, the WCJ can issue a new decision or an order reinstating their original decision, and any aggrieved person may timely seek reconsideration.

Finally, we commend the parties for successfully resolving this matter by joint agreement, without the need for further action by the Appeals Board.

Accordingly, as our Decision After Reconsideration, we will rescind the December 29, 2022 Findings of Fact and Award and return the matter to the WCJ for further proceedings consistent with this decision. When the WCJ issues a new decision, any aggrieved person may timely seek reconsideration.

For the foregoing reasons,

**IT IS ORDERED** as the Decision After Reconsideration of the Workers' Compensation Appeals Board that the December 29, 2022 Findings of Fact and Award is **RESCINDED** and the matter is **RETURNED** to the WCJ for further proceedings consistent with this decision.

**WORKERS' COMPENSATION APPEALS BOARD**

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

**I CONCUR,**

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

**/s/ PATRICIA A. GARCIA, DEPUTY COMMISSIONER**

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

**OCTOBER 23, 2026**

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

**AUGUSTO DE CASTRO**
**GOLDBERG & IBARRA, APLC**
**HANNA, BROPHY, MACLEAN, MCALEER & JENSEN, LLP**

**DLP/*ara***

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