

WORKERS' COMPENSATION APPEALS BOARD
STATE OF CALIFORNIA

EMILY CONLIN, *Applicant*

vs.

**YUMMY FOODS, LLC;
EMPLOYERS PREFERRED INSURANCE COMPANY, *Defendants***

**Adjudication Number: ADJ12727724
Van Nuys District Office**

**OPINION AND DECISION
AFTER RECONSIDERATION**

We previously granted reconsideration in this matter to provide an opportunity to further study the legal and factual issues raised by the Petition for Reconsideration. We now issue our Decision After Reconsideration.

Applicant seeks reconsideration of the April 7, 2024 Findings of Fact and Order (F&O), wherein the workers' compensation administrative law judge (WCJ) found that applicant, while employed as a delivery driver on August 19, 2019, sustained industrial injury to her head, neck, left hand, left elbow, thoracic spine, lumbar spine, both shoulders, and left hip, and claims to have sustained injury to her eyes and psyche. The WCJ found that defendant's December 6, 2023 Utilization Review noncertification of an outpatient neurological treatment program was timely and binding on the parties. The WCJ further found that defendant's May 5, 2023 Utilization Review noncertification of an outpatient neurological treatment program was untimely, but that the issue of the medical necessity of the requested treatment was moot because of applicant's contemporaneous change of treating physicians.

We have received an Answer from defendant. The WCJ prepared a Report and Recommendation on Petition for Reconsideration (Report), recommending that the Petition be denied.

On July 2, 2024, we granted reconsideration and ordered that a final decision after reconsideration was 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.

On January 15, 2026, applicant filed a petition seeking to withdraw her pending Petition for Reconsideration.

Pursuant to applicant's request, we will vacate our Opinion and Order Granting Reconsideration issued on July 2, 2024 and dismiss the May 3, 2024 Petition for Reconsideration.

For the foregoing reasons,

IT IS ORDERED, as the Decision After Reconsideration of the Workers' Compensation Appeals Board, that the Opinion and Order Granting Reconsideration issued by the Workers' Compensation Appeals Board on July 2, 2024 is **VACATED**.

IT IS FURTHER ORDERED that applicant's Petition for Reconsideration, filed May 3, 2024, is **DISMISSED**.

WORKERS' COMPENSATION APPEALS BOARD

/s/ KATHERINE WILLIAMS DODD, COMMISSIONER

I CONCUR,

/s/ JOSEPH V. CAPURRO, COMMISSIONER

JOSÉ H. RAZO, COMMISSIONER
CONCURRING NOT SIGNING



DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

January 21, 2026

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

**EMILY CONLIN
OKTANYAN DER-GRIGORIAN LAW GROUP
TINA ODJAGHIAN LAW GROUP
CW LAW**

SAR/abs

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