

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

**GILBERTO LOPEZ MENDOZA, *Applicant***

**vs.**

**SWI FINISHING, INC.; ARCH INSURANCE GROUP,  
administered by GALLAGHER BASSETT, *Defendants***

**Adjudication Number: ADJ17889413  
Oxnard District Office**

**OPINION AND DECISION  
AFTER RECONSIDERATION**

On December 1, 2025, we issued an Opinion and Order Granting Petition for Reconsideration and Notice of Intent to Impose Sanctions. In the Notice of Intent (NIT), we provided notice of our intent to impose sanctions of up to \$2,500.00 against defendant SWI Finishing, Inc., defendant's insurer Arch Insurance Group, defendant's administrator Gallagher Bassett, and defendant's attorneys California Self Insurance Law and Ali Vassigh (California State Bar #261260), jointly and severally, for filing a Petition for Reconsideration that included misrepresentations and fabricated quotations generated by an artificial intelligence chatbot from "Sullivan on Comp" called "ChatSOC."

Because we issued an NIT to impose sanctions, we deferred a final decision after reconsideration to allow time for a response to the NIT, as well as for further review of the merits of the Petition for Reconsideration in light of the entire record and applicable statutory and decisional law.

We have received a Response to our NIT from defendant, through and together with their former counsel of record Ali Vassigh and California Self Insurance Law, APC, whom defendant substituted out of the case on March 25, 2026.<sup>1</sup> Defendants' former attorneys of record have in

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<sup>1</sup> The Substitution of Attorney, filed on April 7, 2026, indicates that Gallagher Bassett Services/GIC Madison substituted Llarena, Murdock, Lopez & Azizad as attorney of record in place of California Self Insurance Law. A concurrently filed Notice of Representation dated April 6, 2026 clarifies that Llarena Murdock Lopez & Azizad is representing insurer defendant Arch Insurance Company, administered by Gallagher Bassett Services, Inc.

turn retained their own separate counsel, who joined in the Response.

Based on our review, we conclude that while artificial intelligence (AI) may be used to assist in the preparation of petitions and other documents filed with the Workers' Compensation Appeals Board (WCAB), **filing a document that misrepresents facts and law, whether or not it was prepared with the assistance of AI, constitutes prima facie evidence of sanctionable conduct under Labor Code section 5813<sup>2</sup> and WCAB Rule 10421. (Lab. Code, § 5813; Cal. Code Regs., tit. 8, § 10421.)**

After considering former defense counsel's commendable Response to the NIT, we will not impose the full monetary sanction of \$2,500.00 in the NIT, but ***we will impose sanctions in the amount of \$1,000.00 against former defense counsel Ali Vassigh and his firm, California Self Insurance Law, jointly and severally***, for the reasons explained herein.

While this matter was pending on reconsideration, it has come to our attention that the parties have reached a settlement. Since the District Office is precluded from acting on a case while it is pending on reconsideration (Cal. Code Regs., tit. 8, § 10961), in order to permit review by the workers' compensation administrative law judge (WCJ) of the proposed settlement, we will rescind the decision from which reconsideration is sought and return this matter to the trial level for the WCJ to consider the proposed settlement. If the WCJ does not approve the settlement, the WCJ may issue a new decision, and any aggrieved person may timely seek reconsideration from the reinstated decision. This is not a final decision on the merits of any of the issues pending on reconsideration.

Accordingly, as our Decision After Reconsideration, we will impose sanctions in the amount of \$1,000.00 against former defense counsel Ali Vassigh and his firm, California Self Insurance Law, jointly and severally and we will rescind the Findings of Fact issued by the WCJ on August 22, 2025, and return this matter to the trial level for further proceedings consistent with this opinion.

## I.

### FACTS

The salient facts were set forth in the December 1, 2025 Notice, which is adopted and incorporated herein. (See Opinion and Order Granting Petition for Reconsideration and Notice of

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<sup>2</sup> All section references are to the Labor Code, unless otherwise indicated.

Intent to Impose Sanctions, December 1, 2025, p. 2, “FACTS”, through p. 5, “DISCUSSION.”)

In the WCJ’s Report, the WCJ noted discrepancies in the Petition for Reconsideration as follows:

The Petitioner argues that the undersigned “improperly relied on the applicant's subjective belief that Alex was a supervisor to toll the statute of limitations, despite evidence that Alex Mendez was not a supervisor and did not recall the applicant. The Appeals Board has consistently held that an employee's subjective belief about a coworker's supervisory status is insufficient to toll the statute of limitations when that belief is contradicted by substantial evidence. *Olson v. Workers' Comp. Appeals Bd.* (1997) 62 Cal.Comp.Cases 334, 338; *Reynolds v. Workers' Comp. Appeals Bd.* (1974) 12 Cal.3d 726, 729-730.” Petition for Reconsideration, page 16, lines 7-14.

Petitioner’s cited case law is improper for the following reasons:

1. *Olson v. Workers' Comp. Appeals Bd.* (1997) 62 Cal.Comp.Cases 334 does not exist.
2. *Reynolds v. Workers' Comp. Appeals Bd.* (1974) 12 Cal.3d 726, 729-730, does not stand for the argument being made by petitioner.

The undersigned entered the citation of “62 Cal.Comp.Cases 334” into the Lexis+ search bar, which resulted in the case of “*Brannon v. Workers Compensation Appeals Bd.*, 62 Cal. Comp. Cases 333.” The case itself involves a decision where the WCJ found the applicant had sustained an industrially related cumulative trauma based on the PQME findings. The WCAB reversed the WCJ’s findings because they had not addressed the AME findings, who found that the applicant had not sustained injury, and the board substituted their findings of no AOE/COE. This case did not involve the applicant’s subjective belief about a coworkers’ supervisory status and the tolling of the statute of limitations.

When the undersigned entered “*Olson v. Workers' Comp. Appeals Bd.*” into Lexis+, this resulted in a case by said name, but with the citation of “74 Cal. Comp. Cases 1197.” This case also did not deal with the subjective belief of a coworker’s supervisory status and the tolling of the statute of limitations. Instead, the case involved issues of PD, apportionment and substantial evidence.

This issue with petitioner citing to *Reynolds v. Workers' Comp. Appeals Bd.* (1974) 12 Cal.3d 726, 729-730, is that it does not involve the subjective belief of a coworker’s supervisory status and the tolling of the statute of limitations. While the case does involve the statute of limitations, in the case, the Supreme Court of California reversed the WCAB’s finding that the statute of limitations had run, because it was found that the employer had the obligation to provide the injured worker with notices for his potential claim, and could not raise the “technical defense of the statute of limitations to defeat petitioner’s claim.” *Reynolds*, 12

Cal.3d 726, 729-730.

While petitioner listed a case that exists, the specific page numbers referenced of “729-730” as support for his argument that the appeals board “*has consistently held* that an employee's subjective belief about a coworker's supervisory status is insufficient to toll the statute of limitations when that belief is contradicted by substantial evidence...” is improper and a bad faith action. (*emphasis added*) Further, petitioner repeated the same argument with both cases cited a second time on page 17 of their Petition for Reconsideration.

(Report, at pp. 13-14.)

In the Supplemental Petition,<sup>3</sup> defendant admitted that an AI chatbot from Sullivan on Comp called ChatSOC had generated the false citations in the Petition for Reconsideration. Defendant stated that:

Defense counsel utilized the Sullivan on Comp treatise as part of his research when drafting the Petition for Reconsideration. As a part of this research, defense counsel drafted several specific questions that were inputted into the Sullivan on Comp’s artificial intelligence tool called, ChatSOC. It was within the answers provided by ChatSOC function, that the four improper cases were obtained.

\* \* \*

Defense counsel has since inquired with Sullivan on Comp to understand why ChatSOC would provide fabricated or blatantly incorrect information related to case law. Defense counsel was informed that AI limitations, systems like ChatSOC can sometimes generate what are called "hallucinations." These hallucinations are described as fabricated information that appear authoritative, but are incorrect or entirely made up.

(Supplemental Petition, October 15, 2025, p. 5, lines 18-23; p. 6, lines 9-14.)

## II.

### DISCUSSION

While we do not address the merits of the underlying decision by the WCJ, this case still involves the legal question of whether to impose sanctions for AI-generated misrepresentations in the Petition for Reconsideration.

As the Second District of the California Court of Appeal observed last year, attorney use of AI is a growing problem:

In the last two years, many courts have confronted briefs populated with fraudulent legal citations resulting from attorneys’ reliance on generative AI. One court noted:

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<sup>3</sup> We accept the Supplemental Petition as an amendment to the Petition for Reconsideration.

“The issue of AI programs populating and citing to fake or nonexistent legal authority, what has become known as AI ‘hallucinations,’ is an issue for courts that is becoming far too common.” (*Powhatan County School Board v. Skinger* (E.D. Va., June 2, 2025, No. 3:24cv874) 2025 WL 1559593, p. 9 (*Powhatan*)). Another court referenced a case citation that “has all the markings of a hallucinated case created by generative artificial intelligence (AI) tools such as ChatGPT and Google Bard that have been widely discussed by courts grappling with fictitious legal citations and reported by national news outlets.” (*United States v. Hayes* (E.D. Cal. 2025) 763 F.Supp.3d 1054, 1065 (*Hayes*)). And yet another noted a plaintiff’s “false citations” that “appear to be hallmarks of an artificial intelligence (‘AI’) tool,” observing that “[i]t is now well known that AI tools ‘hallucinate’ fake cases.” (*Schoene v. Oregon Department of Human Services* (D.Or., July 18, 2025, No. 3:23-cv-742-SI) 2025 WL 2021654 (*Schoene*), p. 7; see also *Hall v. Academy Charter School* (E.D.N.Y., Aug. 7, 2025, No. 2:24-cv-08630-JMW) 2025 WL 2256653, p. 4 [“The appearance of hallucinated citations in briefs generated from AI is no longer in its nascent stage. Regrettably, the number and regularity with which courts have been faced with hallucinations in court filings continues to rise”].)

One recent article suggests that the problem of AI hallucinations is getting worse, not better, noting that OpenAI’s newest models hallucinated “30–50% of the time, according to company tests.” (Murray, *Why AI ‘Hallucinations’ Are Worse Than Ever*, Forbes.com (May 6, 2025) <<https://www.forbes.com/sites/conormurray/2025/05/06/why-ai-halluncinations-are-worse-than-ever/>> [as of Sept. 12, 2025], archived at <<https://perma.cc/Q8NU-AEZ9>>.) The article explained that many AI models “are designed to maximize the chance of giving an answer, meaning the bot will be more likely to give an incorrect response than admit it doesn’t know something.” (*Ibid.*) A district court recently noted that this means AI hallucinations are “more likely to occur when there are little to no existing authorities available that clearly satisfy the user’s request” (*In re Richburg* (Bankr. D.S.C., Aug. 27, 2025, No. AP 25-80037-EG) 2025 WL 2470473, p. 5, fn. 11)—such as, for example, when a lawyer asks a generative AI tool to supply a citation for an unsupported principle of law. And, because AI responses generally are “grammatically correct and ... presented as fact” (Murray, *supra*, Forbes.com), fabrications are not readily apparent. (See *Malone-Bey v. Lauderdale County School Board* (S.D.Miss., July 25, 2025, No. 3:25-cv-380-KHJ-MTP) 2025 WL 2098352, p. 4 [“[H]allucinated cases look like real cases. They are identified by a case name, a citation to a reporter, the name of a district or appellate court, and the year of the decision. [Citation.] But, they are not real cases. These hallucinated cases are instead inaccurate depictions of information from AI models that suffer from incomplete, biased, or otherwise flawed training data”].)

(*Noland v. Land of the Free, L.P.* (2025) 114 Cal.App.5th 426, 443-444.)

Since the *Noland* case, in which the court imposed monetary sanctions of \$10,000.00 on the offending attorney for hallucinated case citations generated by AI, the California Courts of

Appeal have addressed the same issue in several other cases, including: *People v. Alvarez* (2025) 114 Cal.App.5th 1115, 1118-1120 [sanctions of \$1,500.00 for misciting cases and citing a nonexistent case]; *Schlichter v. Kennedy* (2025) 116 Cal.App.5th 24, 33-34 [sanctions of \$1,750.00 for fabricated legal authority]; *Shayan v. Shakib* (2025) 116 Cal.App.5th 619, 623-626 [sanctions of \$7,500.00 for misrepresented citations]; *In re Domestic Partnership of Torres Campos & Munoz* (2026) 118 Cal.App.5th 1112, 1129-1130 [sanctions of \$5,000.00 for citing fabricated cases]; *Sheerer v. Panas* (2026) 119 Cal.App.5th 367, 370-371 [not imposing sanctions, but establishing that unrepresented litigants can be sanctioned for false citations generated by AI]; and *Quinteros v. Harbor Distributing, LLC* (2026) \_\_\_ Cal.App.5th \_\_\_ [2026 Cal. App. LEXIS 363, at pp. 26-31] [sanctions of \$6,000.00 upheld for AI-generated citations to nonexistent cases].

Federal Courts have also taken note of this issue, most recently in *Malkeet Lnu v. Blanche* (2026) \_\_ F.4th \_\_ [2026 U.S. App. LEXIS 16174, at pp. 26-33], where the United States Court of Appeals for the Ninth Circuit ordered two attorneys to pay monetary sanctions of \$2,500.00 each for citing nonexistent cases, misattributing quotations, and misrepresenting real cases. The attorneys in that case, who implausibly denied using generative AI, were also suspended from appearing before the Ninth Circuit for six months. The Ninth Circuit additionally ordered all attorneys in their law firm to include with any filing in the next two years a statement, made under penalty of perjury, addressing whether generative AI was used, disclosing the name of the tool used, and certifying that the attorney signing the brief or other filing personally reviewed the filing and that all citations and quotations therein refer to existing authority. The Ninth Circuit further ordered the two attorneys to serve a copy of the sanctions order on every client, opposing counsel, and presiding judge in all pending state or federal cases in which they are counsel of record.

We share the state and federal courts' serious and legitimate concerns regarding the risks inherent in relying upon generative AI to prepare legal documents. We recognize that the use of generative AI in preparing petitions and other documents for filing with the WCAB is not specifically prohibited, however WCAB Rule 10940(c) requires that: "Every petition and answer shall be verified upon oath in the manner required for verified pleadings in courts of record. A verification . . . shall be attached to each petition and answer. . . ." (Cal. Code Regs., tit. 8, § 10940(c).) **This requirement that a petition for reconsideration must be verified under penalty of perjury is clear.** Moreover, it is presumed that attorneys will comply with their

professional obligation<sup>4</sup> to check all filings for factual and legal errors and correct any such errors prior to filing. While the WCAB strives to avoid encumbrance of any character and is frequently more lenient than civil and appellate courts, there is no room in workers' compensation proceedings for avoidable misrepresentation of facts and law.

We repeat here what we previously noted in the December 1, 2025 Opinion and Order Granting Petition for Reconsideration and Notice of Intent to Impose Sanctions. Section 5813 permits the WCAB to issue sanctions of up to \$2,500.00, for acts which result from “. . . bad-faith actions or tactics that are frivolous or solely intended to cause unnecessary delay.” (Lab. Code, § 5813.) WCAB Rule 10421(b) states in relevant part that:

Bad faith actions or tactics that are frivolous or solely intended to cause unnecessary delay include actions or tactics that result from a willful failure to comply with a statutory or regulatory obligation, that result from a willful intent to disrupt or delay the proceedings of the Workers' Compensation Appeals Board, or that are done for an improper motive or are indisputably without merit.

(Cal. Code Regs., tit. 8, § 10421(b).)

WCAB Rule 10421(b) further provides a comprehensive but non-exclusive list of actions that could be subject to sanctions. As applicable here, subdivision (b) states that a party may be subject to sanctions where the party has engaged in the following actions:

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(2) Filing a pleading, petition or legal document unless there is some reasonable justification for filing the document.

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(4) Failing to comply with the Workers' Compensation Appeals Board's Rules of Practice and Procedure . . .

(6) Bringing a claim, conducting a defense or asserting a position:

(A) That is:

(i) Indisputably without merit;

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(7) Presenting a claim or a defense, or raising an issue or argument, that is not warranted under existing law . . .

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(8) Asserting a position that misstates or substantially misstates the law . . .

(Cal. Code Regs., tit. 8, § 10421(b).)

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<sup>4</sup> Under section 4907, non-attorney representatives are bound by the professional obligations that apply to attorneys.

Further, Business and Professions Code section 6068 provides in part that an attorney must respect the courts of justice and judicial officers (subdivision (b)); maintain only actions that are legal or just (subdivision (c)); be truthful at all times, including never to mislead a judge or judicial officer by false statement of fact or law (subdivision (d)); and, refrain from beginning or continuing a proceeding from “any corrupt motive” (subdivision (g)). Rule 3.3 of the California Rules of Professional Conduct provides in part that a lawyer shall not: “(1) knowingly make a false statement of fact or law to a tribunal or fail to correct a false statement of material fact or law previously made to the tribunal by the lawyer; (2). . . knowingly misquote to a tribunal the language of a book, statute, decision or other authority.”

Here, and as noted in the WCJ’s Report, defendant’s Petition contains numerous citations that are incorrect.

While we appreciate the candor and the tone contained in former defense counsel’s Response to our NIT, the conduct that has occurred here is highly improper and sanctionable. In essence, counsel has delegated legal work in this matter to a non-attorney AI computer program. Attorneys are responsible for the work that they submit. This principle is not new, nor is there any room for an exception where AI is used as a tool for legal research and drafting. We accept the admission by former defense counsel that Sullivan on Comp’s AI generated misrepresentations and incorrect citations, but *the attorney who signs the pleading is ultimately responsible for checking the work*. There is simply no excuse for filing documents that contain misrepresentations or fabricated quotations.

Compounding the seriousness of this error is the fact that defendant’s attorney verified the Petition for Reconsideration under penalty of perjury. As previously noted in a panel decision, our concern is with the misrepresentations of fact and law in a verified petition filed with the WCAB, more than the issue of whether AI was used to generate the false material. (*Sedano v. Live Action General Engineering Inc., et al.* (2025) 90 Cal.Comp.Cases 1190, 1201.) Filing a verified document that misrepresents facts and law, whether or not it was prepared with the assistance of AI, constitutes *prima facie* evidence of sanctionable conduct under section 5813 and WCAB Rule 10421.

Without diminishing our position that any misrepresentation of facts and citations in a verified document is sanctionable on its face, the amount of monetary sanctions to be assessed under section 5813 can be in any amount up to \$2,500.00, and the exact amount falls squarely

within our discretion. Without implying any limitation on the factors that may be considered with respect to an appropriate amount of monetary sanctions, we suggest that relevant factors in mitigation or aggravation might include the degree of care exercised, the amount of harm or delay caused, and the extent to which sanctions appear to be necessary to deter further sanctionable conduct.

In this case, counsel for defendants admitted that he failed to exercise an appropriate level of care by assuming that the output of ChatSOC was accurate, but he was also apparently not fully aware of the problematic nature of reliance upon AI. All parties who file documents with the WCAB must carefully check the veracity of all petitions, briefs, and other materials before filing. This opinion is intended to dispel any remaining ignorance on the subject and will serve as actual or constructive notice that use of an AI program to prepare a document or pleading does not excuse this obligation.<sup>5</sup>

Former defense counsel and his law firm's thorough and forthcoming Response to the NIT persuades us that they accept responsibility for their actions. We expect them to avoid engaging in further sanctionable conduct. Under the circumstances here, their Response mitigates, but does not excuse, their sanctionable conduct because they (1) admitted full responsibility, (2) genuinely apologized, (3) voluntarily proceeded to ethical training on use of AI, (4) created firmwide policies to prevent use of AI hallucinations, and (5) created a firmwide training program for all attorneys on the use of AI.

Because the Response to the NIT shows acceptance of responsibility, credible expressions of contrition, and concrete actions taken to prevent the recurrence of the mistakes that were made in this case, under these circumstances, we will reduce the amount of sanctions contemplated in the NIT. Although it is by no means exculpatory, attorney Ali Vassigh has voluntarily completed a continuing education course concerning the ethical and appropriate use of artificial intelligence tools in the practice of law. His law firm, California Self-Insurance Law, has conducted an internal review and implemented firm-wide corrective measures, including prohibiting the use of artificial intelligence or automated tools to generate or supply legal authority for legal filings without verification of the applicability and accuracy of such legal authority, and imposing internal controls to require all attorneys responsible for client matters to independently verify the existence,

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<sup>5</sup> Here, applicant has alleged no harm or delay as a result of the incorrect citations and assertions in defendant's Petition for Reconsideration, and the contentions raised in the Petition were not meritless or frivolous.

accuracy, applicability, and citation of all legal authority directly from official sources, and remove any authority identified during verification as inaccurate, unsupported, or inapplicable prior to submission.

Notwithstanding these mitigating efforts, we note that former defense counsel's conduct is unquestionably sanctionable. He verified under penalty of perjury that the Petition for Reconsideration was accurate. Although he filed an amended Petition for Reconsideration by way of his Supplemental Petition, his firm should have already implemented adequate measures to ensure the existence, accuracy, applicability, and citation of all legal authority in petitions filed with the WCAB before any of this conduct occurred. Rule 5.3 subsection (a) of the Rules of Professional Conduct requires any lawyer who individually or together with other lawyers possesses managerial authority in a law firm to make reasonable efforts to ensure that the firm has in effect measures giving reasonable assurance that all work complies with all of the professional obligations of the lawyer. (Cal. Rules of Prof. Conduct, Rule 5.3(a).) Such measures should be in place at every law firm to ensure that any information obtained from lawyers and non-lawyers alike and any other legal resources does not violate a lawyer's duty of candor to the Appeals Board, or to any other tribunal.

Given the above considerations that mitigate but do not excuse former defense counsel's sanctionable conduct, including a commendable Response to the NIT, we will reduce the monetary sanction of \$2,500.00 proposed in the NIT to the amount of \$1,000.00 against former defense counsel Ali Vassigh and his firm, California Self Insurance Law, jointly and severally.<sup>6</sup> We do not impose sanctions against employer defendant SWI Finishing, Inc., defendant's insurer Arch Insurance Group, or defendant's administrator Gallagher Bassett, who according to the Response to the NIT did not participate in counsel's error. The amount of sanctions imposed is unique to this case and is in no way intended to dilute the message that this conduct is sanctionable.

It is important to recognize that in the future, the amount of sanctions imposed may not be so lenient, because of the serious and clearly sanctionable nature of the misconduct as explained above, and because of the actual and constructive notice to the legal community provided by

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<sup>6</sup> Any sanctions imposed on an attorney over the designated amount requires reporting to the State Bar of California under Business and Professions Code section 6068, subdivision (o)(3). However, reporting is also now required by the State Bar Rules of Professional Conduct, under rule 8.3, which requires any attorney aware of conduct "involving dishonesty, fraud, deceit, or reckless or intentional misrepresentations" to report such conduct to the State Bar without undue delay, irrespective of whether sanctions were imposed in any amount for the conduct. (Bus. & Prof. Code, § 6068(o)(3); Cal. Rules of Prof. Conduct, rule 8.3(a).)

previous opinions issued by both the Appeals Board and the Courts of Appeal. **We remind all attorneys and non-attorney representatives to check the veracity of all documents filed with the WCAB, including those generated by or with the assistance of ChatSOC or any other AI tools.**

Accordingly, as our Decision After Reconsideration, *we impose sanctions in the amount of \$1,000.00 against former defense counsel Ali Vassigh and his firm, California Self Insurance Law, jointly and severally*, and we rescind the Findings of Fact issued by the WCJ on August 22, 2025, and return this matter to the trial level for further proceedings consistent with this opinion.

For the foregoing reasons, as the Decision after Reconsideration,

**IT IS ORDERED** as the Decision After Reconsideration of the Workers' Compensation Appeals Board that pursuant to Labor Code section 5813 and WCAB Rule 10421 (Cal. Code Regs., tit. 8, § 10421), defendant's attorneys, Ali Vassigh (California State Bar #261260) and California Self Insurance Law, APC pay sanctions in the amount of \$1,000.00 to the General Fund. Payment shall be made within twenty (20) days plus five (5) additional days for mailing (Cal. Code Regs., tit. 8, §§ 10605(a)(1), 10600) after service of this Order. Payment shall be made by check payable to the Workers' Compensation Appeals Board, Tax I.D. 94-3160882, for transmission to the General Fund and shall reference *Gilberto Lopez Mendoza v. SWI Finishing, Inc., et al.*, ADJ17889413. Payment shall be sent to: Workers Compensation Appeals Board, Office of the Commissioners, 455 Golden Gate Avenue, 9th Floor, San Francisco, CA 94102, ATTENTION: Sanctions Coordinator.

**IT IS FURTHER ORDERED** that the Findings of Fact issued by the WCJ on August 22, 2025 is **RESCINDED**, and the matter is **RETURNED** to the trial level for further proceedings consistent with this decision.

**WORKERS' COMPENSATION APPEALS BOARD**

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

**I CONCUR,**

**/s/ KATHERINE A. ZALEWSKI, CHAIR**

**/s/ PAUL F. KELLY, COMMISSIONER**



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

**JUNE 26, 2026**

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

**GILBERTO LOPEZ MENDOZA  
FOCIL LAW FIRM  
LAW OFFICES OF LYDIA B. NEWCOMB  
ALI VASSIGH  
CALIFORNIA SELF INSURANCE LAW, APC  
LLARENA, MURDOCK, LOPEZ & AZIZAD APC  
ARCH INSURANCE GROUP  
GALLAGHER BASSETT  
SWI FINISHING INC**

**CWF/cs**

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