

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

JONATHAN SILVERA, *Applicant*

vs.

**J HOWARD IV, LLC dba PRIME PIZZA; HARTFORD CASUALTY INSURANCE
COMPANY, administered by THE HARTFORD, *Defendants***

**Adjudication Numbers: ADJ16635028, ADJ16634492
Long Beach District Office**

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

Paperwork & More (petitioner), non-attorney representative for lien claimant Premier Psychological Services (lien claimant), on its own behalf, seeks reconsideration of Findings and Order Imposing Sanctions (F&O), issued by the workers' compensation administrative law judge (WCJ) on March 23, 2026, wherein the WCJ issued an Order imposing sanctions on Paperwork & More.

Petitioner contends that when its client, lien claimant Premier Psychological Services, settled its lien, the issue of the WCJ's notice of intent to issue sanctions against petitioner was also resolved. Petitioner also contends that non-appearance at a lien conference does not warrant the imposition of sanctions. Further, Petitioner contends that there is no evidence in the court's file that notice of the December 5, 2024, lien conference was served and thus the failure to appear does not warrant the imposition of sanctions.

Petitioner attached numerous documents to the Petition for Reconsideration. Petitioner is reminded that "Copies of documents that have already been received in evidence or that have already been made part of the adjudication file shall not be attached or filed as exhibits to petitions for reconsideration Documents attached in violation of this rule may be detached from the petition or answer and discarded." (Cal. Code Regs., tit. 8, § 10945(c)(1).) As the attachments

appear duplicative of the exhibits admitted at trial, we do not accept and have not considered the documents attached to the Petition for Reconsideration.

We have not received an answer from any party.

The WCJ issued a Report and Recommendation on Petition for Reconsideration (Report) recommending that the Petition be denied.

We have considered the allegations in the Petition and the contents of the Report with respect thereto.

Based on our review of the record, and for the reasons discussed below, we will grant the Petition, rescind the WCJ's March 23, 2026 Order Imposing Sanctions, and substitute new Findings and Order to add the name of non-attorney representative Stanley B. Johnson.

BACKGROUND

The following pertinent factual background is taken from our Opinion and Order, dated October 13, 2025:

On December 18, 2023, lien claimant Premier Psychological Services filed a notice and request for allowance of lien in case number ADJ16635028.

On February 6, 2024, Stanley B. Johnson of Paperwork & More filed a notice of representation by non-attorney representative on behalf lien claimant in case numbers ADJ16634492 and ADJ16635028.

The case-in-chief settled by compromise and release (C&R) and a Joint Order Approving Compromise and Release (OACR) issued on April 4, 2024, in case numbers ADJ16634492 and ADJ16635028.

On October 5, 2024, lien claimant filed a Declaration of Readiness (DOR), stating:

According to EAMS, the case in chief is resolved. However, the lien claim of Premier Psychological Services remains an issue. Prior resolution efforts by way of submitting the bills and supporting documents and/or demand letter(s) have been unsuccessful. Therefore, the assistance of the WCAB is requested.

Please note, that if resolution is not reached on or before the hearing discovery may be necessary.

The defendant or any other party or authority may contact the author of this DOR at: sbjohnson@paperworkandmore.com.

(DOR, dated October 4, 2024, served October 5, 2024, p. 7, original in all-caps.)

On November 8, 2024, The Hartford filed a substitution of attorney, appointing Law Offices of Lydia Newcomb in place of Albert & Mackenzie in both case numbers. Lien claimant's non-attorney representative Paperwork & More was not listed on the proof of service.

On December 5, 2024, Daniel Szabatura of the Law Offices of Lydia B. Newcomb appeared at a lien conference on behalf of The Hartford. No appearance was entered for lien claimant. The minutes state "NOI to dismiss Premier Psych shall issue." (Minutes, dated December 17, 2024, p. 1.)

On December 30, 2024, a notice of intention to dismiss lien issued:

Lien Claimant, PREMIER PSYCHOLOGICAL SVCS LONG BEACH, having been served with notice and having failed to appear for Conference on December 5, 2025, at 8:30 am, and;

GOOD CAUSE APPEARING:

NOTICE IS HEREBY GIVEN that ten (10) days hence an order dismissing said lien claim shall issue absent an objection showing good cause to the contrary filed and served within said time.

(Notice of intention to dismiss lien, p. 1.)

On January 6, 2025, lien claimant Premier Psychological Services filed a written objection to the notice of intention to dismiss the lien,

On January 13, 2025, the WCJ issued an Order dismissing the lien.

On February 7, 2025, lien claimant filed a timely Petition for reconsideration.

On April 14, 2025, we granted reconsideration, rescinded the Order of dismissal, dated January 13, 2025, and returned the matter to the WCJ for further proceedings and to issue a decision consistent with the requirements of Labor Code section¹ 5313.

On April 15, 2025, the WCJ issued a notice of intention to impose sanctions, arising out petitioner's failure to appear at the December 5, 2024, lien conference.

On April 16, 2025, the WCJ issued a notice of hearing for an in-person lien conference on May 13, 2025. The notice of hearing delineated two issues for hearing and stated that:

¹ All statutory references are to the Labor Code unless otherwise stated.

...[T]he parties are expected to execute a Pre-Trial Conference Statement limited to the following two issues:

(1) Whether there is Good Cause to sustain the 1/6/25 Objection to the 12/30/24 Notice of Intention to Dismiss Lien, and

(2) Whether sanctions are appropriate for Premier Psychological Services and Paperwork and More having missed the December 5, 2024 lien conference.

(April 16, 2025 Notice of Hearing, p. 1.)

On May 7, 2025, defendant filed a pre-trial conference statement.

On May 9, 2025, lien claimant filed an objection to notice of intention to impose sanctions.

On May 12, 2025, defendant filed a joint request that the lien conference be ordered taken off calendar on the grounds that the parties had reached a settlement. The WCJ granted the request and the conference was ordered off calendar.

On July 10, 2025, the WCJ issued an Order imposing sanctions, without a hearing.

On August 4, 2025, lien claimant filed a timely Petition for Reconsideration.

On October 13, 2025, we granted reconsideration, rescinded the Order imposing sanctions, dated July 10, 2025, and returned the matter to the WCJ for further proceedings and to issue a decision consistent with the requirements of section 5313 on the remaining issue of sanctions.

On December 1, 2025, the matter proceeded to a pre-trial conference. Stanley B. Johnson appeared for lien claimant Premier Psychological Services at the pre-trial conference and the matter was for trial on January 13, 2026.

On January 13, 2026, the matter proceeded to trial on the following issues:

1. Lien claimant: Premier Psychological Services. Type of lien: Treatment now resolved.

2. Whether sanctions should be imposed against Lien Claimant and/or their representative.

3. Whether further attempts to impose sanctions after an order taking off calendar (OTOC) is appropriate or valid.

(Minutes of Hearing and Summary of Evidence (MOH/SOE), January 13, 2026 trial, p. 2.)

At trial, Stanley B. Johnson appeared for lien claimant Premier Psychological Services. Eighteen exhibits were offered and admitted into evidence. No testimony was offered.

The Minutes of Hearing contains the following statement by the WCJ:

LET THE MINUTES REFLECT that the Court has reviewed the EAMS filing system. EAMS reflects a Notice of Hearing submitted to the parties on October 7, 2024, and sent out to Paperwork & More via U.S. Mail, Premier Psychological Services via U.S. Mail, Jonathan Silvera via U.S. Mail, Hamideh Law Long Beach via e-mail, and Prime Threw, LLC, via U.S. Mail.

(MOH/SOE, p. 2.)

On March 23, 2026, the WCJ issued the following Findings and Order:

1. Paperwork and More, on behalf of Premier Psychological Services, has failed to offer a reasonable excuse for their failure to attend the December 5, 2024 lien conference in accordance with CCR 10421 (b)(1).
2. Sanctions should be imposed against Paperwork and More for the failure to attend the lien conference on December 5, 2024.
3. Sanctions should not be imposed upon Premier Psychological Services for the failure to attend the lien conference on December 5, 2024.
4. The trial and submission on January 13, 2026, has rendered any concerns regarding imposing sanctions after an Order Taking Off Calendar moot.

ORDER IMPOSING SANCTIONS

IT IS ORDERED THAT Paperwork and More pay a sanction of \$250.00 by check payable to the Workers' Compensation Appeals Board within 20 days and payment to be made to the following address:

Petitioner filed a Petition for Reconsideration on April 17, 2026.

DISCUSSION

I.

Former section 5909 provided that a petition for reconsideration was deemed denied unless the Appeals Board acted on the petition within 60 days from the date of filing. (Lab. Code, § 5909.) Effective July 2, 2024, section 5909 was amended to state in relevant part that:

(a) A petition for reconsideration is deemed to have been denied by the appeals board unless it is acted upon within 60 days from the date a trial judge transmits a case to the appeals board.

(b)

(1) When a trial judge transmits a case to the appeals board, the trial judge shall provide notice to the parties of the case and the appeals board.

(2) For purposes of paragraph (1), service of the accompanying report, pursuant to subdivision (b) of Section 5900, shall constitute providing notice.

Under section 5909(a), the Appeals Board must act on a petition for reconsideration within 60 days of transmission of the case to the Appeals Board. Transmission is reflected in Events in the Electronic Adjudication Management System (EAMS). Specifically, in Case Events, under Event Description is the phrase “Sent to Recon” and under Additional Information is the phrase “The case is sent to the Recon board.”

Here, according to Events, the case was transmitted to the Appeals Board on April 27, 2026, and 60 days from the date of transmission is June 26, 2026. This decision is issued by or on June 26, 2026, so that we have timely acted on the Petition as required by section 5909(a).

Section 5909(b)(1) requires that the parties and the Appeals Board be provided with notice of transmission of the case. Transmission of the case to the Appeals Board in EAMS provides notice to the Appeals Board. Thus, the requirement in subdivision (1) ensures that the parties are notified of the accurate date for the commencement of the 60-day period for the Appeals Board to act on a petition. Section 5909(b)(2) provides that service of the Report shall be notice of transmission.

Here, according to the proof of service for the Report by the WCJ, the Report was served on April 27, 2026, and the case was transmitted to the Appeals Board on April 27, 2026. Service of the Report and transmission of the case to the Appeals Board occurred on the same day. Thus, we conclude that the parties were provided with the notice of transmission required by section 5909(b)(1) because service of the Report in compliance with section 5909(b)(2) provided them with actual notice as to the commencement of the 60-day period on April 27, 2026.

II.

As set forth in the WCJ’s Opinion on Decision:

Whether Sanctions Should be Imposed Against Lien Claimant and/or their Representative [t]he regulations mandate that lien claimants appear at all lien conferences, either in person or by attorney or non-attorney representative.¹ The failure to appear at a hearing is sanctionable conduct.² Sanctions are appropriate for failures to appear where a reasonable excuse is not offered or the offending party has demonstrated a pattern of such conduct.³ (Emphasis added.)

Lien Claimant, Premier Psychological Services (Premier) represented by Paperwork and More (Paperwork), received notice of hearing for a lien conference to be held on December 5, 2024, at 8:30 am.⁴ Premier and/or Paperwork failed to appear at that hearing and a Notice of Intent to Impose Sanctions issued on April 15, 2025.⁵

Paperwork objected to the NOI on May 9, 2025.⁶ The Objection initially states that Paperwork did not get notice of hearing.⁷ Then the Objection states that Paperwork had notice of hearing by reviewing the public search function in EAMS, but does not know when they learned about the hearing.⁸ And even further then, the Objection states that Paperwork had an “in-house clerical error which contributed to the non-appearance” and that the hearing was scheduled for the afternoon instead of the morning.⁹

The issue of sanctions seems to turn on whether there is a “reasonable excuse” offered. The record demonstrates that Paperwork had notice of the hearing that was missed, either actual notice from the Board or notice from Lien Claimant’s own EAMS search. The Objection seems to blame an “in-house clerical error” for the non-appearance; however, there is no explanation as to what constitutes an “in-house clerical error.” Paperwork’s superficial statement as to “in-house clerical error” does not constitute a “reasonable excuse.” Additionally, there is little to no contrition demonstrated by Paperwork in the record that warrants avoidance of sanctions. Lastly, the undersigned has reviewed and weighed Paperwork’s numerous other exhibits offered and finds them of little to no relevant value on the issue of sanctions.¹⁰

As a result, the undersigned is reminded that sanctions are designed to provide the Court with a tool for controlling their calendars.¹¹ Sanctions provide

¹ CCR 10875 (a)

² CCR 10421 (b)(1)

³ Id.

⁴ MOH & SOE, Page 2, Lines 1-4

⁵ Lien Claimant Exhibit 6; although not raised at trial, or by anyone prior, the Court notes the NOI erroneously stated the hearing was December 4, 2025. This error is a harmless error and is disregarded appropriately under CCP 475.

⁶ Lien Claimant Exhibit 10

⁷ Id. at Page 2, Line 22

⁸ Id. at Page 3, Lines 3-5

⁹ Id. at Page 3, Lines 12-18

¹⁰ E.g., Lien Claimant’s Exhibit 8 is a Notice of Hearing for a subsequent lien conference. This has zero bearing on the missed hearing and the conduct at issue.

¹¹ *Duncan v. Workers’ Comp. Appeals Bd.* (2008) 166 Cal.App.4th 294, 302

remedial and penal aspects.¹² Paperwork’s failure to appear and subsequent response warrants a remedial and penal consequence. Accordingly, sanctions are appropriate. In evaluating the monetary amount of sanctions, the undersigned has reviewed various panel decisions where the WCAB seemingly endorses \$250.00 as the monetary amount for a single issue absent extraordinary circumstances. As this is a single missed hearing, the undersigned will affix \$250.00 as the monetary amount.

Lastly, the Objection demonstrates that this was Paperwork’s concern only and not that of Premier. Accordingly, the sanction will be imposed solely upon Paperwork.

Whether Further Attempts to Impose Sanctions after an Order Taking Off Calendar is Appropriate or Valid

Subsequent proceedings in this matter, i.e., the trial and submission, have cured any defect or procedural concern that this issue touches upon. As a result, the undersigned finds this issue is rendered moot.

(March 23, 2026 Opinion on Decision, pp. 1-2.)

III.

In the Report, the WCJ provides the following additional discussion:

On October 13, 2025, the WCAB issued another panel decision returning the matter yet again for even further proceedings. The decision indicated stated, “Upon return to the trial level, we recommend that the WCJ hold a hearing to allow lien claimant to frame the issues, submit exhibits as evidence, call witnesses, if necessary, lodge any objections, and make their legal arguments.”¹

So, the undersigned did just that.

The undersigned held an in person hearing on December 1, 2025 wherein Petitioner filed a Pre-Trial Conference Statement and set the matter for trial.² Trial was set for January 13, 2026. At the trial setting, the matter was submitted after Petitioner provided 18 exhibits and no witnesses.³ The undersigned then issued a Findings and Order, along with Opinion on Decision, dated March 23, 2026, imposing sanctions upon Petitioner in the amount of \$250.00 for the missed hearing of December 5, 2024.

¹² See Ramirez v. Drive Financial Services (2008) 73 Cal.Comp.Cases 1324 (Appeals Board en banc)

¹ Lien Claimant Exhibit 17, Page 8

² It may be relevant for the Board to know that when the hearing was concluded and the undersigned was departing the courtroom, Mr. Stanley Johnson stated to the undersigned, “Come on Judge, what are we doing here?” The undersigned found this odd as it seemed to be dismissive of the further proceedings that Mr. Johnson himself had asked for.

³ Almost all of the exhibits provide no insight into the issue of sanctions, e.g., Lien Claimant’s Exhibit 1 is their own Declaration of Readiness to Proceed

On April 17, 2026, Petitioner filed the third Petition for Reconsideration (referred to herein as Recon) stemming from this failure to appear. It is from this Recon that the undersigned provides the instant Report and Recommendation.

...

“Timeliness of the Opinion on Decision and Order Imposing Sanctions by the WCJ”

The Recon asserts that the Opinion on Decision and Order Imposing Sanctions, dated July 10, 2025, was untimely and therefore should be vacated and set aside. Petitioner cites no authority whatsoever for timelines for this judicial action.

Petitioner introduced as their Exhibit 18 the Board’s OPINION AND ORDER GRANTING PETITION FOR RECONSIDERATION AND DECISION AFTER RECONSIDERATION, dated October 13, 2025. In that Opinion and Order, the Board rescinded the July 10, 2025 Order Imposing Sanctions.

This argument, i.e., that an already rescinded Order should be vacated, is without merit.

“No Evidence of Proper Service”

EAMS generated a Notice of Hearing on October 7, 2024. This is a standard notice and standard process that has remained the same since EAMS was conceived. EAMS reflects that both the lien claimant and Petitioner, were sent Notice of Hearing via US MAIL. It is well established in the Evidence Code, under 641, that “[a] letter correctly addressed and properly mailed is presumed to have been received in the ordinary course of mail.” Proper service was effectuated, to entertain Petitioner’s argument would invalidate the notice process of the EAMS system itself and render “Board Notice” invalid in all instances; whenever it suited them, parties would be free to claim they simply “did not get notice.” Moreover, the record establishes that Petitioner received notice of hearing.⁴

Additionally, Petitioner had constructive notice of the hearing. Petitioner’s prior Petition for Reconsideration, dated August 4, 2025, contained “Exhibit 2” which is an email with defense counsel demonstrating that the hearing of December 5, 2025 is scheduled for the morning.⁵ The subject line of the email reads “12/5 AM SETTLEMENT OFFER.”

As it has been established that Petitioner had been served notice of hearing, the burden shifts to them to prove that they did not receive notice of hearing. The undersigned has weighed the evidence introduced by Petitioner and finds it of

⁴ MOH & SOE, January 13, 2026, Page 2, Lines 1-4

⁵ Lien Claimant, Exhibit 16

no value on this issue. It is again noted that the Board vacated prior Orders so that the undersigned could establish a “record.” Petitioner chose to introduce 18 exhibits, none of which deal with notice of hearing; Petitioner chose not to produce any witnesses. The Court has allowed Petitioner the opportunity to create a “record” on this issue and Petitioner’s efforts have produced a “record” that does not address the issue.

Accordingly, the record clearly establishes that Petitioner received notice of the missed hearing. Petitioner introduces no evidence of probative value to rebut the presumption of received notice.

“Clerical Error does not Warrant a Dismissal of the Lien”

The dismissal order was rescinded by the Board; the lien was resolved and dismissal is now moot. Although the section discusses dismissal and appears to largely be copied and pasted again from both prior Reconsiderations discussions regarding dismissal. There really is no apology or acknowledgement, again, of the wasted time and resources of the Court due to the nonappearance. Instead, the discussion seeks to blame Defendant for failing to call Petitioner during the hearing to locate them.

This argument, i.e., that an already settled lien should not be dismissed, is without merit.

Sanctions are Appropriate

Sanctions under LC 5813 are designed to provide the court with a tool for controlling their calendars.⁶ Accordingly, sanctions are similar to penalties under section 5814, in that they are designed to have both remedial and penal aspects.⁷

Petitioner failed to attend a properly noticed and scheduled lien conference.⁸ Petitioner fails to properly explain their failure to appear; no reasonable excuse has been offered by Petitioner for this failure to appear.⁹ Blanket statements of “excusable neglect” and citations to CCP 473 without any factual backing do not provide automatic relief from sanctions.

The undersigned is now at a loss for how much more of the district office’s limited time and resources need to be allocated to these issues as this is the third Petition for Reconsideration stemming from the failure to appear and the Recon simply reiterates what was found in the prior Petitions for Reconsideration.

⁶ Duncan v. Workers’ Comp. Appeals Bd. (2008) 166 Cal.App.4th 294, 302.

⁷ See Ramirez v. Drive Financial Services (2008) 73 Cal.Comp.Cases 1324 (Appeals Board En Banc).

⁸ The hearing was a remote hearing. It is incredibly simple and easy for a party to appear on an electronic device as there are no longer issues of traffic, car problems, etc., yet missed hearings are still endemic.

⁹ E.g., Petitioner, in the Recon on Page 5, Lines 18-20, states “However, the timeframe we initially found out is unknown, but yet we still tried to appear, but a clerical error took place.” The undersigned does not know what this statement means.

Petitioner, after asking for additional proceedings, was given the opportunity to participate in creating a record but introduced no relevant exhibits and called no witnesses.

(Report, pp. 3-6.)

IV.

With respect to the issue of sanctions, WCAB Rule 10421(b)(1) provides the following:

(b) 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. Violations subject to the provisions of Labor Code section 5813 shall include but are not limited to the following:

(1) Failure to appear or appearing late at a conference or trial where a reasonable excuse is not offered or the offending party has demonstrated a pattern of such conduct.

(Cal. Code Regs., tit. 8, § 10421(b)(1).)

Section 5813 states:

(a) The workers' compensation referee or appeals board may order a party, the party's attorney, or both, to pay any reasonable expenses, including attorney's fees and costs, incurred by another party as a result of bad-faith actions or tactics that are frivolous or solely intended to cause unnecessary delay. In addition, a workers' compensation referee or the appeals board, in its sole discretion, may order additional sanctions not to exceed two thousand five hundred dollars (\$2,500) to be transmitted to the General Fund.

(b) The determination of sanctions shall be made after written application by the party seeking sanctions or upon the appeal board's own motion.

...

(Lab. Code, § 5813(a)-(b).)

As we have previously stated, all parties to a workers' compensation proceeding retain the fundamental right to due process and a fair hearing under both the California and United States Constitutions. (*Rucker v. Workers' Comp. Appeals Bd.* (2000) 82 Cal.App.4th 151, 157-158 [65 Cal.Comp.Cases 805].) A fair hearing is “. . . one of ‘the rudiments of fair play’ assured to every litigant . . .” (*Id.* at 158.) A fair hearing includes but is not limited to the opportunity to call and cross-examine witnesses; introduce and inspect exhibits; and to offer evidence in rebuttal. (See *Gangwish v. Workers' Comp. Appeals Bd.* (2001) 89 Cal.App.4th 1284, 1295 [66 Cal.Comp.Cases 584]; *Rucker, supra*, 82 Cal.App.4th at pp. 157-158 citing *Kaiser Co. v. Industrial Acci. Com.*

(*Baskin*) (1952) 109 Cal.App.2d 54, 58 [17 Cal.Comp.Cases 21]; *Katzin v. Workers' Comp. Appeals Bd.* (1992) 5 Cal.App.4th 703, 710 [57 Cal.Comp.Cases 230].)

However, the “essence of due process is simply notice and the opportunity to be heard.” (*San Bernardino Cmty. Hosp. v. Workers' Comp. Appeals Bd. (McKernan)* (1999) 74 Cal.App.4th 928, 936.)

As the WCJ notes, this matter was previously returned to the trial level in order to provide petitioner due process in the form of a hearing on the issue of the WCJ's notice of intent to impose sanctions.

As to petitioner's specific contentions, we make the following observations in addition to the WCJ's discussions in the Opinion on Decision and Report:

Whether non-appearance at a lien conference warrants the imposition of sanctions is a fact-specific inquiry. Here, petitioner was given ample opportunity to call and cross-examine witnesses, but called no witnesses to trial. Petitioner introduced numerous exhibits, but we note that quantity does not necessarily equate to quality. Petitioner refers to a clerical issue but provided no specific evidence or testimony regarding the nature of the clerical issue, beyond stating that there was a clerical issue.

Petitioner appears to make a distinction between *receiving* notice of the lien conference and being *provided* notice of the conference. (Petition, p. 8: no evidence within the court file that proper notice was ever served.) As the WCJ notes, there is the presumption that a letter correctly addressed and properly mailed is presumed to have been received in the ordinary course of mail. If petitioner wished to rebut this presumption, it was afforded the opportunity to present evidence at trial. However, petitioner also acknowledges that it did in fact learn about the lien conference and did plan to attend.

The issue of whether petitioner's conduct warranted the imposition of sanctions is not moot merely because the lien has been settled.

Similarly, any suggestion that the sanctions order is untimely because it issued months after the underlying lien was resolved is misguided. These are separate and distinct issues.

Petitioner's suggestion that the court should have called petitioner is simply not appropriate. (Petition, p. 8: “In fact, a courtesy phone call would have saved all parties, including the court, a lot of time. This is why all documents filed by this office include the undersigned cell

phone number.”) Not only is the tone unfortunate, bordering on disrespectful, it appears to solicit ex parte communication from the WCJ.

With respect to sanctions, we note that section 5813, subdivision (a) authorizes a WCJ and/or the WCAB to “order a party, the party’s attorney, or both, to pay any reasonable expenses, including attorney’s fees and costs, incurred by another party as a result of bad-faith actions or tactics that are frivolous or solely intended to cause unnecessary delay.” (Lab. Code, § 5813.) Under section 4907(b), non-attorney representatives appearing before the WCAB are held to the same professional standards of conduct as attorneys. (Lab. Code, § 4907(b).) We note that sanctions may be issued jointly and severally against a legal entity, such as a law firm, but orders issued pursuant to section 5813 for a representative’s bad faith or frivolous tactics must identify the natural person against whom sanctions are being issued.

Accordingly, for the reasons stated herein, we grant the Petition for Reconsideration, rescind the Findings and Order Imposing Sanctions issued on March 23, 2026, and substitute a new Order Imposing Sanctions to include the name Stanley B. Johnson.

IT IS ORDERED that lien claimant’s Petition for Reconsideration is **GRANTED**.

IT IS FURTHER ORDERED, as the Decision After Reconsideration of the Workers’ Compensation Appeals Board, that the Findings and Order Imposing Sanctions issued by the WCJ on March 23, 2026 is **RESCINDED** and the following **SUBSTITUTED** in its place:

FINDINGS OF FACT

1. Paperwork and More, on behalf of Premier Psychological Services, has failed to offer a reasonable excuse for their failure to attend the December 5, 2024 lien conference in accordance with CCR 10421(b)(1).
2. Sanctions should be imposed against Paperwork and More and Stanley B. Johnson, jointly and severally, for the failure to attend the lien conference on December 5, 2024.
3. Sanctions should not be imposed upon Premier Psychological Services for the failure to attend the lien conference on December 5, 2024.
4. The trial and submission on January 13, 2026, has rendered any concerns regarding imposing sanctions after an Order Taking Off Calendar moot.

ORDER IMPOSING SANCTIONS

IT IS ORDERED THAT Paperwork and More and Stanley B. Johnson, jointly and severally, pay a sanction of \$250.00 by check payable to the Workers' Compensation Appeals Board within 20 days and payment to be made to the following address:

ANNE SCHMITZ
Secretary and Deputy Commissioner
WORKERS' COMPENSATION APPEALS BOARD
455 Golden Gate Avenue, Suite 9328
San Francisco, CA 94102
Attention: Sanctions Coordinator

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 the case name and number on the memo portion of the check.

WORKERS' COMPENSATION APPEALS BOARD

/s/ KATHERINE A. ZALEWSKI, CHAIR

I CONCUR,

/s/ KATHERINE WILLIAMS DODD, COMMISSIONER

/s/ JOSÉ H. RAZO, 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.

**PREMIER PSYCHOLOGICAL SERVICES
PAPERWORK & MORE
LAW OFFICES OF LYDIA B. NEWCOMB**

JB/pm

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