WORKERS' COMPENSATION APPEALS BOARD STATE OF CALIFORNIA

TONY RODRIGUEZ, *Applicant*

vs.

CALIFORNIA MANUFACTURING & ENGINEERING;
TECHNOLOGY INSURANCE COMPANY, *Defendants*

Adjudication Numbers: ADJ7764962, ADJ7764965
Fresno District Office

OPINION AND DECISION AFTER RECONSIDERATION

It has come to the attention of the Appeals Board that, while this matter has been pending on reconsideration, the parties have reached a proposed 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 an order reinstating the original 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.

For the foregoing reasons,

IT IS ORDERED as the Decision After Reconsideration of the Workers' Compensation Appeals Board that the WCJ's decision of February 8,2023 is **RESCINDED** and this matter is **RETURNED** to the trial level for further proceedings and decision by the WCJ.

WORKERS' COMPENSATION APPEALS BOARD

/s/ CRAIG L. SNELLINGS, COMMISSIONER

I CONCUR,

/s/ KATHERINE A. ZALEWSKI, CHAIR

KATHERINE WILLIAMS DODD, COMMISSIONER
CONCURRING NOT SIGNING

DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

September 23, 2026

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

TONY RODRIGUEZ
TIMOTHY BARTELL, ESQ.
HANNA, BROPHY, MACLEAN, MCALEER & JENSEN

AS/mc

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