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STATE OF CALIFORNIA  
WORKERS' COMPENSATION APPEALS BOARD

<p>JAY FULADI,</p> <p style="text-align: center;"><i>Applicant</i></p> <p style="text-align: center;">vs.</p> <p>UNITED CEREBRAL PALSY; AMERICAN HOME INSURANCE CO.,</p> <p style="text-align: center;"><i>Defendants.</i></p>
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Case Nos. VNO 0246495 & AGO 0002872

**DECISION & ORDER  
RE: PETITION  
TO REOPEN**

Attorney for Applicant: STEVE SCHMIDT, ESQ.

Attorney for Defendant: KEGEL, TOBIN & TRUCE, by ROBERT WILLS

The parties having submitted for decision following trial the issue of Good Cause to Reopen for New and Further Disability, the Honorable MARK FELDMAN, decides and orders as follows:

**OPINION ON DECISION**

(1) PETITION TO REOPEN

Based on a review of the entire record, the Workers' Compensation Judge's determination as to applicant's credibility, and the reports of Dr. Berman, which are found to be better reasoned and more persuasive, it is found that there is no good cause to reopen for new and further disability and, therefore, defendant is not held liable for additional disability benefits.

(2) MEDICAL-LEGAL AND MEDICAL TREATMENT CHARGES:

It is found that defendant is liable for reasonable and necessary medical-legal expenses. Defendant is ordered to adjust the lien of Dr. Alpern and the bill of Comprehensive Medical Clinics for the report dated 8-12-94.

The bill of Pathology Lab is denied, as this is for cardiac treatment and no cardiac industrial injury

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is found, based on applicant's report from Dr. Alpern.

The medical treatment bill of Comprehensive Medical Clinics is allowed for the first three (3) months of treatment only. The allowance is based on the stipulation that there "may be" need for further treatment (see Stipulation With Request For Award) and Dr. Berman's report dated 9-30-91. The disallowance as to the balance of the bill is based on Dr. Berman's report dated 12-12-95, applicant's testimony, and defendant's objection.

Jurisdiction over adjustment of the medical-legal lien, bill, and medical treatment charges is reserved to the Workers' Compensation Appeals Board.

Other Issues: All other issues are moot.

### ORDER


It is ordered that applicant take nothing by way of the Petition To Reopen for New and Further Disability.


It is further ordered that defendant adjust for payment medical-legal and medical treatment expenses as per the Opinion on Decision.

All other issues are rendered moot.

DATED: 12-30-96

Filed and Served by mail: 12-30-96  
On all parties on the  
Official Address Record.

By:   
J. ROSS

  
MARK FELDMAN  
Workers' Compensation Judge