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STATE OF CALIFORNIA
WORKERS' COMPENSATION APPEALS BOARD

Case No. NOR 202927; 202925; 171065

JULIO DAVILA,

Applicant.

vs.

ABCO HARDWARE;
REPUBLIC INDEMNITY CO.,
Defendants.

FINDINGS AND AWARD

HOWARD GOODMAN, Workers' Compensation Judge, finds, and awards, as follows:

FINDINGS OF FACT

1. JULIO DAVILA, born 8/24/63, while employed as a ORDER FILLER, at LYNWOOD, California, by employer, insured by ABCO, did sustain injury AOE/COE to his low back on 8/19/91 (NOR 202927).
2. Applicant did NOT sustain injury AOE/COE to his NOSE, PSYCHE, EYES, THROAT and in the form of HEADACHES during the period 9/19/90 through 9/19/91 (NOR 202925).
3. Applicant did not sustain injury AOE/COE to his NOSE, HEAD, PSYCHE, EYES, THROAT and BACK during the period 2/11/85 to 9/19/90 (NOR 171065).
4. Applicant was employed as an Order Filler, occupational group number 30.
5. Applicant has been adequately compensated for all periods of Temporary Disability in case number NOR 202927.
6. Applicant has NOT sustained any rateable Permanent Disability in case number NOR 202927.

7. There is no basis for apportionment herein, based upon the finding of no Permanent Disability in case NOR 202927.
8. There is no need for further medical treatment in case NOR 202927.
9. Defendants have no liability for medical treatment to Applicant's back subsequent to 9/30/91 in case NOR 202927.
10. Applicant incurred reasonable and necessary medical-legal expenses in amounts to be adjusted by the parties or determined herein upon the filing of a petition and supporting documents.
11. Based upon the finding of Temporary Disability in NOR 202927 and the finding of NO injury in NOR 202925 and NOR 171065, the lien of EDD is hereby disallowed.
12. There is NO basis for any award of penalty herein.
13. There are NO monies herein from which to award an attorney fee.
14. All other issues are rendered moot by the finding of no injury in cases NOR 202925 and NOR 171065.

AWARD

AWARD IS MADE in favor of JULIO DAVILA against ABCO; REPUBLIC INDEMNITY INSURANCE CO. as follows:

- a. Reasonable and necessary medical-legal expenses pursuant to Findings number 10.

Dated:

3/15/93

HOWARD GOODMAN
Workers' Compensation Judge

Service by mail on parties as shown
on Official Address Record effective
on above date.

CASE NUMBER: NOR 202927; 202925; 171065

JULIO DAVILA

VS.

ABCO HARDWARE

JUDGE:

HOWARD GOODMAN

DATE OF INJURY:

8/19/91;
9/19/90 THROUGH 9/19/91;
2/11/85 THROUGH 9/19/90

OPINION ON DECISION

INJURY AOE/COE

Based upon the Stipulation of the parties and the 8/9/94 medical report of Sydney Sperling, M.D., it is found that Applicant did sustain injury AOE/COE to his low back on 8/19/91 (NOR 202927).

Based upon the testimony of Applicant, whom I found to be non-credible, as well as the 5/27/94 medical report of Irwin Savodnik, M.D. and the 5/6/94 medical report of Richard Hyman, M.D., it is found that Applicant did NOT sustain injury AOE/COE to his NOSE, PSYCHE, EYES, THROAT and in the form of HEADACHES during the period 9/19/90 through 9/19/91 (NOR 202925).

Based upon the non-credible testimony of Applicant, as well as the 98/9/94 medical report of Dr. Sperling, the 5/27/94 report of Dr. Savodnick and the 5/6/94 report of Dr. Hyman, it is found that Applicant did not sustain injury AOE/COE to his NOSE, HEAD, PSYCHE, EYES, THROAT and BACK during the period 2/11/85 to 9/19/90 (NOR 171065).

OCCUPATION

Based upon Applicant's testimony with respect to his job duties it is found that Applicant was employed as an Order Filler, occupational group number 30.

TEMPORARY DISABILITY

Based upon the 8/9/94 report of Dr. Sperling, it is found that Applicant has been adequately compensated for all periods of Temporary Disability in case number NOR 202927.

PERMANENT DISABILITY

Based upon the 8/9/94 report of Dr. Sperling, it is found that Applicant has NOT sustained any rateable Permanent Disability in case number NOR 202927.

APPORTIONMENT

There is no basis for apportionment herein, based upon the finding of no Permanent Disability in case NOR 202927.

NEED FOR FURTHER MEDICAL TREATMENT

Based upon the 8/9/94 report of Dr. Sperling, there is no need for further medical treatment in case NOR 202927.

SELF-PROCURED MEDICAL TREATMENT

Based upon the 8/9/94 report of Dr. Sperling, defendants have no liability for medical treatment to Applicant's back subsequent to 9/30/91 in case NOR 202927.

MEDICAL-LEGAL COSTS

Applicant incurred reasonable and necessary medical-legal expenses in amounts to be adjusted by the parties or determined herein upon the filing of a petition and supporting documents.

LIEN OF EMPLOYMENT DEVELOPMENT DEPARTMENT

Based upon the finding of Temporary Disability in NOR 202927 and the finding of NO injury in NOR 202925 and NOR 171065, the lien of EDD is hereby disallowed.

PENALTY

There is NO basis for any award of penalty herein.

ATTORNEY FEES

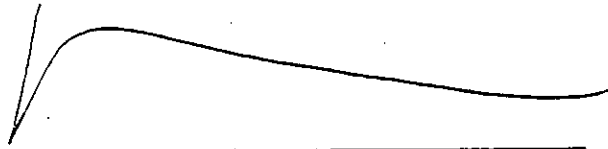
There are NO monies herein from which to award an attorney fee.

OTHER ISSUES

All other issues are rendered moot by the finding of no injury in cases NOR 202925 and NOR 171065.

Dated:

3/16/93



HOWARD GOODMAN
WORKERS' COMPENSATION JUDGE