STATE OF CALIFORNIA
DIVISION OF WORKERS' COMPENSATION

LORI HANEY, *Applicant* vs. MUTUAL OF OMAHA; ST. PAUL FIRE & MARINE INSURANCE COMPANY, *Defendants.*	Case No. 93 PA 0019895 FINDINGS, AWARD & ORDER

An application having been filed herein; all parties having appeared, and the matter having been regularly submitted, the Honorable L. W. WARREN, Workers' Compensation Judge, finds, awards and orders as follows:

FINDINGS OF FACT

1. Lori Ann Haney did not sustain injury arising out of and occurring in the course of her employment during the period beginning April 1, 1991 to and including April 24, 1992.

2. Applicant reasonably, actually and ncessarily incurred expense for medical reports to prove a contested case, payable in amounts to be adjusted by the parties or determined herein the filing of a petition and supporting documents.

AWARD

AWARD IS MADE in favor of LORI ANN HANEY against ST. PAUL FIRE & MARINE INSURANCE COMPANY, of medical-legal costs as set forth in Finding 2 above.

ORDER

IT IS ORDERED that applicant take nothing.

Filed and Served by mail on: JUL 1 9 1994
On all parties on the Official Address Record.
By: Charlotte Hunt

L. W. WARREN
WORKERS' COMPENSATION JUDGE

CASE NUMBER 93 PA 019895

LORI ANN HANEY	VS	MUTUAL OF OMAHA; ST. PAUL FIRE & MARINE INSURANCE CO.,
WORKERS' COMPENSATION JUDGE: INJURY:		LEONARD W. WARREN APRIL 1, 1991 THRU APRIL 24, 1992

OPINION ON DECISION

This matter concerns a 36 year old secretary, who claims injury to her psyche over the period April 1, 1991 through April 24, 1992 while employed by the defendants. The matter has been extensively litigated with the applicant testifying linked along with a rebuttal witness from the employer, her alleged harasser. After studying this matter very thoroughly, we have reached the conclusion that applicant's claim cannot be supported by the preponderance of the evidence. We believe after reviewing all of the testimony, this is a case where the applicant over reacted to normal office discipline and subsequently filed this claim. Her present situation now, that of a college student with no apparent hindrance, mitigates against her claim of disability. Also, her residual of fear of ladies with certain type of hair color and a particular make of automobile is not particularly persuasive.

Medically we are relying on the report of Dr. Irvin Savodnik of December 7, 1992, whose opinion conforms to our impression of this case. Dr. Savodnik is of the opinion that there is no psychiatric injury. His report appears to be of substance and therefore, we are going to follow it.

Therefore, the applicant shall take nothing on account of this injury herein.

MEDICAL-LEGAL COSTS:
Applicant necessarily incurred medical-legal costs to prove a contested claim, the reasonableness of which is to be adjusted by and between the parties.

L. W. WARREN
WORKERS' COMPENSATION JUDGE

LWW:ph