

STATE OF CALIFORNIA
WORKERS' COMPENSATION APPEALS BOARD

CASE NO. OXN 0124597

KAREN KRAVITZ

Applicant,

BANK OF AMERICA;
ROYAL & SUNALLIANCE
Defendants,

FINDINGS AND ORDER

The above-entitled matter having been heard and regularly submitted, the Honorable Oliver D. Boyer III Workers' Compensation Administrative Law Judge, now makes his decision as follows:

FINDINGS OF FACT

1. Karen Kravitz, born 5/4/50, at Ojai, California, during the period of 4/27/2000 though 4/12/2001 did not sustain injury to her neck, back, left upper extremity, right knee or left knee arising out of and occurring in the course of her employment with Bank-of-America.

2. The issues of earning, temporary disability, permanent and stationary date, apportionment, permanent disability, further medical treatment, self-procured medical treatment and attorneys fees are rendered moot.

3. The lien of EDD, and treatment liens of Channel Islands Orthopedic Medical Group, Dr. Wolff, Westlake Surgical Medical Group, Pacific Hospital of Long Beach must be denied.

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E. CHARLES MAKI

DEC 12 2002

ORDER

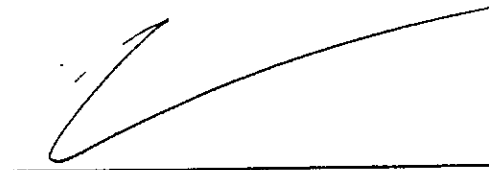
IT IS HEREBY ORDERED that applicant take nothing and that all treatment liens must be denied and disallowed.

DATED AT OXNARD, CALIFORNIA

DATED: 12/10/02

SERVED BY MAIL ON: 12-10-02
ON THE PARTIES AS SHOWN ON THE
OFFICIAL ADDRESS RECORD

BY: Jean Nelson
JEAN NELSON



OLIVER D. BOYER, III
WORKERS' COMPENSATION
ADMINISTRATIVE LAW JUDGE

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OPINION ON DECISION

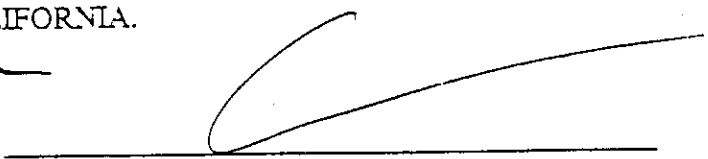
INJURY AOE/COE:

Dr. Nelson, at least in part, based his conclusions concerning the issue of injury AOE/COE on an inaccurate history. Dr. Nelson reports that applicant lifted weights over her shoulder level and carried bags up to 50 pounds. It further appears that Dr. Nelson failed to adequately discuss the reasons for his conclusions concerning causation. Based upon a review of the documents offered by the parties and the testimony of the witnesses that testified at the time of trial it is found that the report of Dr. Rosenberg is better reasoned and more persuasive and therefore based upon said report it is found that applicant did not sustain injury arising out of and occurring in the course of her employment to her neck, back, left upper extremity, right knee or left knee during the period of 4/27/2000 to 4/12/2001.

It is further therefore found that the issues of earnings, temporary disability, permanent and stationary date, apportionment, permanent disability, future medical treatment, self-procured medical treatment, and the liens of EDD, Channel Islands Orthopedic Medical Group, Dr. Wolff, Westlake Surgical Medical Group, and Pacific Hospital of Long Beach as well as the issues of attorneys fees are rendered moot.

DATED AT OXNARD, CALIFORNIA.

DATED: 12/10/01



OLIVER D. BOYER, III

WORKERS' COMPENSATION ADMINISTRATIVE

LAW JUDGE

Served by mail on all parties

As shown on the official address record

By: Karen Nelson On: 12-10-01