

STATE OF CALIFORNIA
WORKERS' COMPENSATION APPEALS BOARD

Case No. VEN 0094800

EDWARD MANNER

Applicant

vs.

LOS ANGELES UNIFIED SCHOOL DIST;
HELMSMAN MANAGEMENT SERVICES
Defendants.

FINDINGS AND ORDER

The above-entitled matter having been heard and regularly submitted, the Honorable DANNY D. HULLINGER, Workers' Compensation Judge, now makes his decision as follows:

FINDINGS OF FACT

- (1) Edward Manner, born 12/19/53, at Los Angeles, California, during the period of 9/1/93 to 9/1/94, did not sustain injury to the psyche arising out of and occurring in the course of his employment as a senior carpenter, by Los Angeles Unified School District, who was then permissibly self-insured.
- (2) The stipulations as entered into between the parties at time of hearing are accepted as true and are incorporated herein by reference as findings of fact.
- (3) Applicant is not entitled to reimbursement of medical-legal expense.
- (4) It having been determined that applicant did not sustain injury arising out of and occurring in the course of his employment, all other and further issues are rendered moot.

ORDER

- (a) Applicant shall take nothing.

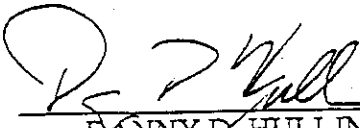
Dated at Ventura, California.

Dated: 11-1-96

DDH:jn
Filed and Served by mail on: 11-4-96

On all parties on the
Official Address Record.

By: Stan Nelson


DANNY D. HULLINGER
WORKERS' COMPENSATION JUDGE

E. CHARLES MAKI

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OPINION ON DECISION

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2 Based upon all testimony at time of trial and a review of the
3 entire medical record, it is found that applicant did not sustain injury
4 to his psyche arising out of and occurring in the course of his
5 employment during the period of 9/01/93 to and including 9/01/94.

6 Although applicant was found to be a generally credible
7 witness, his testimony as to matters leading to his claimed
8 psychiatric injury were not found to be worthy of reliance.

9 The reports of Dr. Karbelnig, were reviewed with eye towards
10 defendants Petition to Strike, based upon an allegation that the
11 reports of Dr. Karbelnig did not comply with the labor code. It being
12 determined that the reports of Dr. Karbelnig did not comport with
13 the requirements of the code, the reports of Dr. Karbelnig shall be
14 stricken, along with any obligation of defendants to pay therefore.

15 It having been determined that applicant did not sustain
16 injury arising out of or in the course of his employment, all claims for
17 reimbursement of self-procured treatment expense shall be denied.

18 There being no pool of funds to provide for such payment, the
19 claim of applicant's attorney for an award of attorney fees as a lien
20 against compensation will be denied.

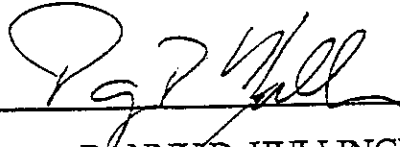
21 The stipulations as entered into between the parties at time
22 of hearing are accepted as true and incorporated herein by reference.

23 Based upon the finding that applicant did not sustain injury
24 arising out of or in the course of his employment, all other and
25 further issues are rendered moot.

26
27 Dated at Ventura, California.

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Dated: 11-1-96



DANNY D. HULLINGER
WORKERS' COMPENSATION JUDGE

DDH:jn

Served by mail on
interested parties
of record by:

Stan Nelson

Date: 11-4-96