

STATE OF CALIFORNIA
DIVISION OF WORKERS' COMPENSATION

MITCHELL MARDESICH;

Case No. LB 257831

Applicant,

FINDINGS AND AWARD

vs.

ALLIED SIGNAL;
TRAVELERS INSURANCE

Defendants.

An application having been filed herein; all parties having appeared and the matter having been regularly submitted, the Honorable Charles Williams, Workers' Compensation Judge, finds and awards as follows;

FINDINGS OF FACT

- (1) MITCHELL MARDESICH, born 5-8-56, while employed as Group 26, repair technician at Lakewood, California, by Allied Signal Aerospace, insured by Travelers Insurance, sustained no injury arising out of and in the course of said employment from 12-1-81 through 9-3-93.
- (2) There is not need for medical treatment to cure or relieve from the effects of said injury.
- (3) Applicant reasonably incurred medical-legal expense as follows: The lien of San Pedro Physical Therapy, Dr. Robert Smith and Fidelity Radiology are disallowed as they appear to relate to treatment. The lien of EDD is disallowed as no injury has occurred.
- (4) There is no award for permanent disability.
- (5) There are no funds with which to award an attorney fee.

AWARD

Applicant, Mitchell Mardesich, is awarded a take nothing by virtue of this claim.

^{P-25-75-}
Filed and Served by mail on:
On all parties on the WCJ
Official Address Record.
By: *P. H. [Signature]*


CHARLES J. WILLIAMS
WORKERS' COMPENSATION JUDGE

KEGEL, TORIN & TRUCE

AUG 30 1995

FORM

192.1

WORKERS COMPENSATION APPEALS BOARD

MITCHELL MARDESICH

v.

ALLIED SIGNAL;
TRAVELERS INSURANCE
Case No. LB 257831
CHARLES J. WILLIAMS
DOI: 12-1-81 to 9-3-93

JDK

WCAB JUDGE:

OZUROVICH & SCHWARTSZ by Michael Ozurovich;
Attorney for applicant;
KEGEL, TOBIN & TRUCE by Dennis Triplett, Attorney
for defendant;

OPINION ON DECISION

INJURY:

A careful review of the medical file and the testimony offered at trial results in my relying on the report of Dr. Jeffrey Berman dated 1-20-94 and concluded that there has been no permanent disability attributable to the period of time worked at the defendant's place of business by the applicant.

The applicant appears to be a healthy individual capable of engaging in sporting activities of a strenuous nature as well as performing the duties of his work without any difficulty until a non-industrial auto accident in 1992.

I believe the report of Dr. Robert Smith dated 12-14-92 clearly outlines the level of injury to the back as a result of this incident.

The fact that he had further problems in 1993 was somewhat anticipated by Dr. Smith in his report of December 1992.

Dr. Berman's conclusion as stated in his January 20, 1994 report represents a thorough analysis of the factors that come to play in this case.

As a result applicant is awarded no permanent disability, temporary disability, future care or reimbursement for self-procured medical treatment.

LIENS:

The liens of San Pedro Physical Therapy, Dr. Robert Smith and Fidelity Radiology are disallowed in full as they all appear to relate to treatment. The lien of EDD is disallowed as it is found that no injury has occurred.

ATTORNEY FEES:

There are no funds with which to award attorney fees, and therefore no attorney fees are allowed.

Filed and Served by mail on:
On all parties on the 8-25-95
Official Address Record.

By: *R. Holme*

[Signature]
KEGEL TOBIN & TRUCE
CHARLES J. WILLIAMS
WORKERS' COMPENSATION JUDGE
AUG 30 1995