

STATE OF CALIFORNIA
DIVISION OF WORKERS' COMPENSATION

Case No. LBO 244548

NYETA MARSHALL,

Applicant

v.

DESIGNER IMPORTS
INTERNATIONAL;
TRANSAMERICA INSURANCE
COMPANY,

Defendants.

Findings and Order

Jeffrey Sklan by Desiree Medellin,
hearing representative for applicant.
Law Offices of Kegel, Tobin & Truce
by Melissa Atovich, attorneys for defendants.

An application having been filed herein; all parties having appeared, and the matter having been heard and regularly submitted, the Honorable E. P. Kiernan, Workers' Compensation Judge, finds and orders as follows:

FINDINGS OF FACT

1. Nyeta Marshall, did not sustain an injury arising out of and occurring in the course of her employment during the period of April 1991 to April 1992.

ORDER

IT IS ORDERED that applicant take nothing by virtue of this claim.

Filed and Served by mail on: 3/11/94
On all parties on the
Official Address Record.
By: *Cynthia Magaña*

MAR 10 1994

KIERNAN, J.

**E. P. KIERNAN
WORKERS' COMPENSATION JUDGE**

NYETA MARSHALL

vs.

DISIGNER IMPORTS INTERNATIONAL;
TRANSAMERICA INSURANCE COMPANY,

Workers' Compensation Judge:
E.P. Kiernan

OPINION ON DECISION

At the time of the trial of this case, which was on December 10, 1993, applicant complained of an industrial injury to her body consisting of headaches, back, wrists, psyche, and blurred vision resulting from her employment activities during the period of "April 1991 to April 1992". Having reviewed all of the medical exhibits received in this case, I have relied upon the report of Dr. Reznick, dated August 6, 1992, for her orthopedic and other various claims and upon the report of Dr. William Head, dated August 19, 1992, for my opinion.

INJURY AOE/COE TO:

Back: First, as to the complaints concerning the back, Dr. Reznick comments as follows: "This patient clearly sustained no injury during the course of her employment, nor is her employment responsible for any of her complaints" (Report of Dr. Reznick, Pg 10).

Wrist injury: On page 6 of his report, Dr. Reznick notes essentially normal findings relating to both wrists.

Blurred vision, headaches & psyche: No complaints relating to this alleged condition is found by Dr. Reznick. On page 3 of this report, Dr. Reznick comments as follows: "There is no history of headaches, blurred vision--".

In reference to the complaints made to Dr. William Head, it is noted that Ms. Marshall complains of "headaches, low back pain, nervousness and depression". However, the findings of Dr. William Head Jr. (a board certified psychiatrist and neurologist) are as follows:

"I would characterize Ms. Marshall's subjective complaint of headaches as occasional and minimal.

I would also characterize her subjective complaint for low back pain as occasional and minimal.

Objectively I find no evidence of any neurological findings that would substantiate Ms. Marshall's

subjective complaints. Ms. Marshall had essentially normal neurological examination findings.

Objectively, I find no evidence of any psychiatric findings that would substantiate Ms. Marshall's emotional complaints. Ms. Marshall had essentially normal psychiatric examination findings."

I accept the opinions of Drs. Reznick and Head, and it will be found that applicant did not sustain any injury AOE/COE.

All other issues are moot.

MAR 1 1984

~~KIERNAN J.~~

E. P. KIERNAN
WORKER'S COMPENSATION JUDGE