

STATE OF CALIFORNIA
WORKERS' COMPENSATION APPEALS BOARD

ROSALIND MOORE,

Applicant,

vs.

UNISYS CORPORATION;
COMCO MANAGEMENT, INC.

Defendants.

Case No. ANA 0223561

FINDINGS, AWARD AND ORDER

Issues as framed at hearing of September 21, 1994 been duly submitted for decision, Samuel Banis, Workers' Compensation Judge, finds, awards and order as follows:

FINDINGS OF FACT

(1) That applicant, Rosalind Moore, born April 7, 1946 while employed on July 17, 1988 to July 17, 1989 as a data input clerk Group 41, at Mission Viejo, California, by Unisys Corporation insured by Comco Management, Inc. did not sustained injury arising out of and occurring in the course of said employment.

(2) Applicant is not entitled to self-procured and those liens are denied.


AWARD

Applicant is awarded medical-legal for each of the parts claimed.

ORDER

IT IS ORDERED that applicant take nothing.

Filed and Served by mail on: NOV 30 1994
On all parties on the
Official Address Record.
By: _____
N.A. Cunanan


SAMUEL C. BANIS
WORKERS' COMPENSATION JUDGE

ANA 0223561

ROSALIND MOORE

vs.

UNISYS CORPORATION;
COMCO MANAGEMENT, INC.

Samuel C. Banis
Workers' Compensation Judge

DOI: July 17, 1988 to July 17, 1989

Date: NOV 30 1994

NICK O'MALLEY By: Don Baker
Attorney for Applicant

KEGEL, TOBIN AND TRUCE By: Georgia Connolly
Attorneys for Defendant

OPINION ON DECISION

Applicant has denied defendant due process in refusing to appear and submit to cross examination.

It is noted that applicant testimony was not persuasive. Applicant actions were inconsistent with her testimony. Applicant complained of problem sitting down. Applicant complained of inability to sit for long periods. Yet, applicant sat in the court for at least 40 minutes without apparent difficulty. It is this court opinion, applicant did not have an industrial injury.

Dr. Hunt finds no basis for applicant claim and generously indicates applicant complaint as occasional minimal pain. This court does not think there was an industrial injury.

Dr. Frank finds no industrial injury.

Applicant is not entitled to self-procured and those liens are denied.

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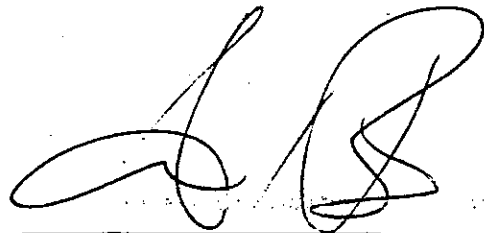
Opinion on Decision

Re: Elizabeth Towers vs Albertson's Inc.

WCAB CASE NO. ANA 0282144

There has not been a showing of fraud. Therefore, it is this court opinion that medical legal is appropriate consistent with the law. Applicant is awarded medical-legal for each of the parts claimed.

Applicant is ordered to take nothing by reason of this claim except the medical legal costs above.



SAMUEL C. BANIS
Workers' Compensation Judge

RL:mac

cc: Nick O'Malley
Georgia Conolly