

DEPARTMENT OF INDUSTRIAL RELATIONS
DIVISION OF WORKERS' COMPENSATION
Workers' Compensation Appeals Board
2701 Ocean Park Boulevard, Suite 220
Santa Monica, CA 90405-5288



December 22, 1997

Mallery & Stern
11835 W. Olympic Blvd., #1090
Los Angeles, CA. 90064
ATTN: Dennis Grenemyer, Esq.

RE: SANDRA THOMPSON-SCOTT vs. COMMERCIAL CREDIT
WCAB Case No.: MON 219-362; 219-363
CASE STATUS: Testimony Concluded 11/24/97

Dear Mr. Grenemyer:

The Court has reviewed the Summary of Evidence in light of Sandra Adams' correspondence dated December 8, 1997. Based on that review, the Court will make the two changes as proposed by attorney Adams.

By copy of this letter to Sandra Adams, the Court instructs the parties to change the name Mike Folsie to Mike Falls on page 3, Line 24. Furthermore, on Page 5, Line 22, the phrase "Applicant had returned" should be replaced with "Art had returned." Those changes have already been made in the Summary of Evidence.

Your courtesy and attention to this matter is appreciated.

Very truly yours,

Yosh Yamanaoka
YOSH YAMANAKA
WORKERS' COMPENSATION JUDGE

YY:dm

cc: Kegel, Tobin et al.,
330 Golden Shore Dr., #150
Long Beach, CA. 90802
ATTN: SANDRA ADAMS, Esq.

CASE NUMBER MON 219-362
CASE NUMBER MON 219-363

SANDRA THOMPSON-SCOTT

vs.

COMMERCIAL CREDIT CORP.;
THE TRAVELERS INS. CO.,

DATE OF INJURY:
12/3/96
12/4/96

WORKERS' COMPENSATION JUDGE:

YOSH YAMANAKA

OPINION ON DECISION

INJURY AOE/COE:

Applicant alleged injury to her neck, back, shoulders and legs while lifting boxes on December 3, 1996 and December 4, 1996. She has a record of dishonesty, and in the instant claim, collected SDI for the period January 30, 1997 through June 23, 1997, although she had testified on February 10, 1997 that she was then working and had been working "since the second week in January." Applicant was not a credible witness and her testimony was refuted by each of the defense witnesses. As such, the Court finds that Applicant did not sustain industrial injuries on December 3, 1996 or on December 4, 1996.

LIABILITY FOR MEDICAL-LEGAL EXPENSE:

Dr. Guy Gottschalk will be allowed \$260.65 for the initial examination and report dated January 7, 1997 and \$400 for ML102 on April 3, 1997, for a total of \$660.65.

Dr. James Haas will be allowed \$644.68 for his examination and report of March 24, 1997.

Computerized Diagnostic Imaging Center and Radiologist Ronald Otto overbilled for the MRI, failed to sign the report and failed to attach the requisite declaration under penalty of perjury. As such, Computerized Diagnostic Imaging Center's lien will be disallowed.

OTHER ISSUES:

All other issues are moot.



YOSH YAMANAKA
WORKERS' COMPENSATION JUDGE

YY:dm

SUA

STATE OF CALIFORNIA
DIVISION OF WORKERS' COMPENSATION

Case No. MON 219-362/3

SANDRA THOMPSON-SCOTT,

Applicant

vs.

COMMERCIAL CREDIT CORP.;
THE TRAVELERS INSURANCE CO.,

Defendants.

**FINDINGS AND AWARD
FOR MEDICAL-LEGAL COSTS
ONLY
and
ORDERS**

The above-entitled matter having been heard and regularly submitted,
The Honorable YOSH YAMANAKA, Workers' Compensation Judge, now
makes his decision as follows:

FINDINGS OF FACT

1. Sandra Thompson-Scott, did not sustain injury arising out of and
occurring in the course of her employment to her neck, back, shoulders and
legs on December 3, 1996 and December 4, 1996.

2. Applicant reasonably and necessarily incurred medical-legal expense
to prove a contested case, payable as follows: Dr. Guy Gottschalk in the sum
of \$660.65; and Dr. James Haas in the sum of \$644.68, lien claimants. The
medical-legal lien from Computerized Diagnostic Imaging Center will be
disallowed pursuant to Opinion on Decision.

3. All other issues are moot.

A W A R D

AWARD IS MADE in favor of SANDRA THOMPSON-SCOTT against
THE TRAVELERS INSURANCE COMPANY, as follows:

(a) Reimbursement for medical-legal expense payable as follows:
\$660.65 payable to Dr. Guy Gottschalk and \$644.68 payable to Dr. James Haas.

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ORDERS

NOW THEREFORE, IT IS ORDERED that applicant take nothing further in this case.

IT IS FURTHER ORDERED that Computerized Diagnostic Imaging Center's lien be, and it hereby is disallowed.

Dated: 2/26/98

Yosh Yamanaka
YOSH YAMANAKA
WORKERS' COMPENSATION JUDGE

Date: 2/27/98
Served by mail on persons shown on the Official Address Record.
By: Delia Morales
Delia Morales

SANDRA THOMPSON-SCOTT
MON 219-362/3