

STATE OF CALIFORNIA
WORKERS' COMPENSATION APPEALS BOARD

DRT

ARTURO L. VIDAL

Applicant

vs.

EXCLUSIVE ENTERPRISE, INC.;
TRANSAMERICA INSURANCE

Defendants.

Case No. NOR 018654

FINDINGS AND ORDER

Anthony F. Telleria, attorneys for applicant

Kegel, Tobin & Truce, by Dennis R. Triplett,
attorneys for defendants

Application having been filed herein; all parties having appeared, and the matter having been regularly submitted, the Honorable RAFAEL E. VIVERO, Workers Compensation Judge, finds and orders as follows:

FINDINGS OF FACT

1. Arturo L. Vidal, born October 19, 1950, while employed during the period September 21, 1990 through September 28, 1990, as a laborer, at Huntington Park, California did not sustain injury arising out of and occurring in the course of his employment to his nervous system or to his respiratory system by Exclusive Enterprise, Inc., whose workers compensation insurance carrier was Transamerica Insurance.
2. Medical -legal costs are to be adjusted by the parties, with jurisdiction reserved.
3. Other issues not covered by this opinion are deemed moot.

ORDER

IT IS HEREBY ORDERED that applicant take nothing.



RAFAEL E. VIVERO
WORKERS' COMPENSATION JUDGE

Dated: MAY 16, 1994

Service by mail on parties as shown on
Official Address Record effected on above date.

By: 

CASE NO. NOR 0186564

ARTURO L. VIDAL

VS. EXCLUSIVE ENTERPRISE, INC.,
TRANSAMERICA INSURANCE

WORKERS' COMPENSATION JUDGE:

RAFAEL E. VIVERO

DATE OF INJURY:

SEPTEMBER 21, 1990
THRU SEPTEMBER 28, 1990

OPINION ON DECISION

INJURY ARISING OUT OF AND OCCURRING IN THE COURSE OF
EMPLOYMENT:

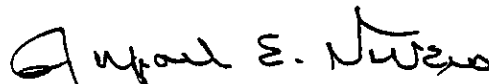
Based on the entire record, particularly applicant's testimony and the report of Dr. Drucker, applicant did not sustain injury arising out of or occurring in the course of employment to his nervous system or to his respiratory system during the period September 21, 1990 through ~~on~~ September 28, 1990.

MEDICAL-LEGAL COSTS:

Medical-legal costs are subject to adjustment between the parties. Jurisdiction is reserved on this issue in the event the parties are unable to agree.

OTHER ISSUES:

In view of the finding of no industrial injury, all other issues are deemed moot and have not been decided.



RAFAEL E. VIVERO
WORKERS' COMPENSATION JUDGE

REV:lc

STATE OF CALIFORNIA
WORKERS' COMPENSATION APPEALS BOARD

ARTURO L. VIDAL

Applicant

vs.

EXCLUSIVE ENTERPRISE, INC.;
TRANSAMERICA INSURANCE

Defendants.

Case No. NOR 0182901

FINDINGS AND ORDER

Anthony F. Telleria, attorneys for applicant

Kegel, Tobin & Truce, by Dennis R. Triplett,
attorneys for defendants

* * * * *

Application having been filed herein; all parties having appeared, and the matter having been regularly submitted, the Honorable RAFAEL E. VIVERO, Workers Compensation Judge, finds and orders as follows:

FINDINGS OF FACT

1. Arturo L. Vidal, born October 19, 1950, while employed on September 28, 1990, as a laborer, at Huntington Park, California did not sustain injury arising out of and occurring in the course of his employment to his neck, back, groin area and eyes by Exclusive Enterprise, Inc., whose workers compensation insurance carrier was Transamerica Insurance.
2. Medical -legal costs are to be adjusted by the parties, with jurisdiction reserved.
3. Other issues not covered by this opinion are deemed moot.

ORDER

IT IS HEREBY ORDERED that applicant take nothing.



RAFAEL E. VIVERO
WORKERS' COMPENSATION JUDGE

Dated: MAY 16, 1994

Service by mail on parties as shown on
Official Address Record effected on above date.

By: 

CASE NO. NOR 0182901

ARTURO L. VIDAL

VS. EXCLUSIVE ENTERPRISE, INC.,
TRANSAMERICA INSURANCE

WORKERS' COMPENSATION JUDGE:

RAFAEL E. VIVERO

DATE OF INJURY:

SEPTEMBER 28, 1990

OPINION ON DECISION

INJURY ARISING OUT OF AND OCCURRING IN THE COURSE OF
EMPLOYMENT:

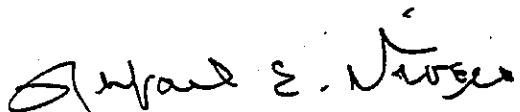
Based on the entire record, particularly the reports of Dr. Amid, and Dr. Galloni, it is found that applicant did not sustain injury arising out of or occurring in the course of employment to his neck, back, and groin area on September 28, 1990. Based on the fact that applicant failed to produce evidence to support his claim of industrial injury to the eyes, it is also found that he did not sustain injury arising out of or occurring in the course of employment to his eyes.

MEDICAL-LEGAL COSTS:

Medical-legal costs are subject to adjustment between the parties. Jurisdiction on this issue is reserved in the event the parties are unable to agree.

OTHER ISSUES:

In view of the finding of no industrial injury, other issues are deemed moot and have not been decided.


RAFAEL E. VIVERO
WORKERS' COMPENSATION JUDGE