

STATE OF CALIFORNIA
WORKERS' COMPENSATION APPEALS BOARD

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Case No. POM 0174106

Myrna Vines,

Applicant

vs.

City of West Covina,
Permissibly Self-Insured,

Defendants.

FINDINGS AND AWARD

Richard Wooley by Michael Hamilton, attorneys for applicant;
Kegel, Tobin & Truce by Beverly Newman, attorneys for defendant.

Application having been filed herein, all parties having appeared and the matter having been regularly submitted, the HONORABLE J. MICHAEL MORGAN, Judge, now finds, awards and orders as follows:

FINDINGS OF FACT

1. Myrna Vines, born September 17, 1953, while employed as a police records clerk for the period of April 1990 to April 24, 1992 by the City of West Covina who is permissibly self-insured, sustained injury arising out of and in the course of employment to her cervical area.

2. Applicant has been adequately compensated for temporary disability.

3. This injury caused permanent disability of 10%, equivalent to 30.25 weeks at \$140.00 per week, in the total sum of \$4,235.00.

1 MYRNA VINES
2 POM 0174106

3 4. Further medical treatment to cure or relieve from the effects of this injury is not
4 required.

5 5. There is no basis for apportionment.

6 6. Applicant is entitled to reimbursement of medical-legal costs in an amount to be
7 adjusted by and between the parties, or absent such adjustment to be determined by a workers'
8 compensation judge.

9 7. Applicant is entitled to reimbursement of self-procured medical treatment in an
10 amount to be adjusted by and between the parties, or absent such adjustment to be determined by
11 a workers' compensation judge .

12 8. The reasonable value of the services of applicant's attorney is \$510.00.

13 A W A R D

14 AWARD IS MADE in favor of Myrna Vines against City of West Covina of:

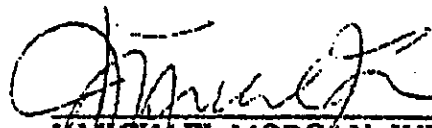
15 (a) Permanent disability compensation in the amount of \$4,235.00 payable
16 forthwith;

17 (b) together with reimbursement for medical-legal costs and self-procured medical
18 expenses as provided in Findings No. 6 and 7 respectively, less credit for sums paid, if any;

19 (c) together with interest as provided by law, less the sum of \$510.00, payable to
20 the law firm of Richard Wooley, as attorneys' fees.

21 DATED AT POMONA, CALIFORNIA

22 NOV 24 1993


MICHAEL MORGAN, JUDGE
WORKERS' COMPENSATION APPEALS BOARD

23 SERVED BY MAIL ON PERSONS SHOWN ON
24 THE OFFICIAL ADDRESS RECORD

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STATE OF CALIFORNIA
WORKER'S COMPENSATION APPEALS BOARD
CASE NO. POM 0174106

Myrna Vines

vs.

City of West Covina
Permissibly self-insured.

JUDGE: J. MICHAEL MORGAN

DATE: NOV 24 1983

Richard Wooley by Michael Hamilton, representative for applicant.

Kegel, Tobin & Truce by Beverly Newman, attorneys for defendants.

OPINION ON DECISION

It is not felt that the applicant's claim of internal or psychiatric injury to be credible in light of the job that she had. Basically, a clerical job with some lifting requirements, but it was not exactly life in the fast lane, and it is my perception there was not the pressure nor stress that it would take to cause psychiatric or internal disability as claimed.

However, it appears that, given the applicant's diminutive size, that her lifting of files may have caused her cervical problems, and it is felt that she has sustained a cervical strain as a result of her activities. It does not appear that she is seriously injured as indicated by her consult Dr. Zarins, but it appears that her disability falls within the range of evidence as follows: 18.1 - 10 - F - 10, which equates to the sum of \$4,235.00. Permanent disability is to be paid forthwith. Attorney's fees are awarded in the sum of \$510.00.

It appears that the applicant has been adequately compensated for the periods of temporary disability, the applicant was after all terminated for excessive absenteeism and no doubt appears capable of going back to that type of work.

She does not appear to require further medical treatment as her disability and my assessment are more in line with the analysis of Dr. Gladstein, which appears to be far more reasonable than applicant's consult.

All medical legal liens are to be adjusted as well as self-procured liens with jurisdiction reserved in the event that the parties are unable to resolve the same.


J. MICHAEL MORGAN, JUDGE
WORKERS' COMPENSATION APPEALS BOARD

JMM:ap

cc: Richard Wooley
Kegel, Tobin & Truce