

CAROL VIZARD

-vs-

BEVERLY HILLS SECURITIES;  
INDUSTRIAL INDEMNITY

WORKERS' COMPENSATION JUDGE: GEORGE C. ROTHWELL  
DATED: OCT 9 - 1990

OPINION ON DECISION

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

Based on the credible testimony of the applicant, along with the testimony of her supervisor Carol Smith who believes the applicant honestly perceived stress or problems on her job and the findings of Dr. Daigle that as a result of this job applicant was "tired, deflated and mildly depressed" and found that applicant did sustain injury arising out of and occurring in the course of her employment during the period March 1, 1987 to and including July 14, 1989 to her psyche.

TEMPORARY AND PERMANENT DISABILITY:

Applicant has alleged no temporary disability as a result of this injury. Based on applicant's credible testimony and the report of Dr. Daigle, it is found that applicant suffered no residual permanent disability as a result of this injury. The issue of apportionment is moot.

NEED FOR FURTHER MEDICAL TREATMENT AND LIABILITY FOR SELF-  
PROCURED MEDICAL TREATMENT:

Based on the findings of Dr. Daigle, applicant was not in need of further medical treatment at any time to cure or relieve from the effects of the injury herein. No further medical treatment is required.

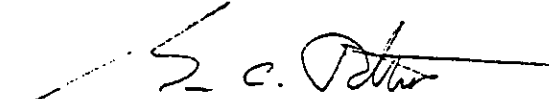
LIEN CLAIMS:

Defendants have made an objection to the bill and lien of Stress Care based on the finding in the case of Ledwin vs. WCAB, 54 CCC 452 (Writ denied) and 54 CCC 281 (Writ denied). Defendants also point out that the medical reports were performed by parties who were given blank forms to fill out for evaluation. It is judicially noticed that the blank forms used by the evaluators had no provision for finding that the injury could possibly be non-industrial! The lien of Stress Care was ordered off calendar to allow lien claimant to respond to defendant's objection. No response has been received. Based on the failure of the lien claimant to respond, the Board will issue a notice of intention to disallow the lien of Stress Care in its entirety concurrent with the Findings and Award in this case.

VIZARD, CAROL  
MON 122840

ATTORNEY FEES:

There are no funds available for attorney fees in this matter.



GEORGE C. ROTHWELL  
Workers' Compensation Judge

GCR:jm

STATE OF CALIFORNIA  
DIVISION OF WORKERS' COMPENSATION

**CAROL VIZARD,**

*Applicant,*

vs.

**BEVERLY HILLS SECURITIES;  
INDUSTRIAL INDEMNITY COMPANY,**  
*Defendants.*

Case No. MON 122840

**FINDINGS OF FACT AND NOTICE  
OF INTENTION TO DISALLOW  
LIEN**

William Erdmier, attorney(s) for applicant.

Kegel, Tobin, Hamrick & Truce, by Rex Altman, attorney(s) for defendant.

The above-entitled matter having been heard and regularly submitted, the Honorable  
GEORGE C. ROTHWELL, Workers' Compensation Judge, now makes his decision as  
follows:

**FINDINGS OF FACT**

1. Carol Vizard, born December 7, 1951, while employed as a Quality Control Technician, Group 39, at Encino, California, during the period March 1, 1987 to and including July 14, 1989 by Beverly Hills Securities, then insured as to workers' compensation liability by Industrial Indemnity Company, sustained injury arising out of and occurring in the course of her employment to her psyche.
2. Applicant's earnings at the time of injury were maximum.
3. This injury caused no residual permanent disability.
4. Applicant will not require further medical treatment to cure or relieve from the effects of this injury.
5. There are no funds available to allow attorney fees in this matter.

STATE OF CALIFORNIA  
DIVISION OF WORKERS' COMPENSATION

NOTICE OF INTENTION TO DISALLOW LIEN

It appearing that lien claimant, Stress Care, has not responded to defendant's objection to their lien; and

**GOOD CAUSE APPEARING:**

NOTICE IS HEREBY given that the lien of Stress Care will be disallowed in its entirety 30 days after service hereof unless Good Cause to the contrary is shown in writing within said time.

DATED: OCT 9 - 1990

  
GEORGE C. ROTHWELL  
Workers' Compensation Judge

Copy served by mail or personal service  
on parties as shown on Official  
Address Record effected on above date.

BY:

  
W. Mc Connie

VIZARD, CAROL  
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