

SEM

STATE OF CALIFORNIA  
WORKERS' COMPENSATION APPEALS BOARD

JUAN LOPEZ,

*Applicant,*

v.

S&J FASHIONS, INC.; ILLINOIS MIDWEST  
INS. CO.,

*Defendants.*

Case No. ADJ7130820

**FINDINGS OF FACT  
AND ORDER**

**HINDEN & BRESLAVSKY, APC.**

By: ROMAN FERD, ESQ.

Attorneys for Applicant

**BRADFORD & BARTHEL, LLP**

By: SOPHIA E. MARTINEZ, ESQ.

Attorneys for Defendant

Applications having been filed herein; all parties having appeared and the above entitled matters having been heard and submitted, the **Honorable LISA A. SUSSMAN**, Workers' Compensation Administrative Law Judge ("WCJ"), finds as follows:

**FINDINGS OF FACT**

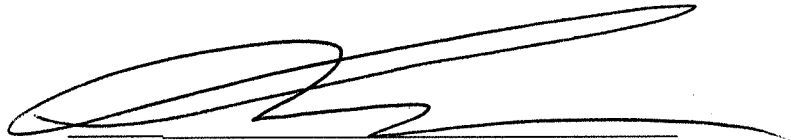
1. Applicant failed to sustain his burden of proving he sustained a continuous trauma injury to his spine, both upper extremities, both knees, both ears, and internal injury in the form of hypertension and diabetes arising out of and in the course of his employment with defendant S&J Fashions, Inc., during the period January 1, 1992 through November 8, 2008.

2. All other issues are therefore rendered moot.

**ORDER**

The conditions of compensation pursuant to Labor Code Section 3600 having been shown not to have been met, IT IS ORDERED that applicant takes nothing.

Dated: 8-2-11



HON. LISA A. SUSSMAN  
Workers' Compensation Judge

Filed and Served by mail on: 8-2-11  
On all parties on the Official  
Address Record

By: 

WCAB Case No. ADJ7130820

JUAN LOPEZ,  
Applicant

S & J FASHIONS, INC.,  
vs. Employer

01/01/92 – 11/08/08  
Date of Injury

ILLINOIS MIDWEST INS. CO.  
Insurance Company

Workers' Compensation Administrative Law Judge:

LISA A. SUSSMAN

**OPINION ON DECISION- ADJ7130820**

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

Applicant, Juan Lopez, born May 6, 1956, while employed during the period January 1, 1992 through November 8, 2008 as a machine operator, at Los Angeles, California, by S&J Fashions, claims to have sustained injury arising out of and in the course of his employment to his spine, both upper extremities, both knees, both ears, and internal injury in the form of hypertension and diabetes.

The court heard testimony and was provided evidence by the parties. In addition, the parties were given an opportunity to file and serve post-trial briefs, which the court has received.

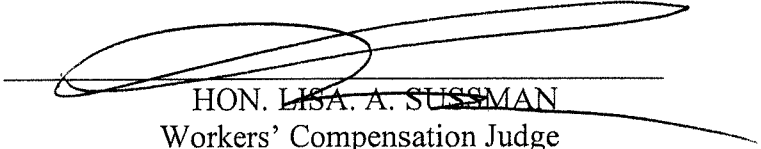
The court has considered the evidence, as well as the testimony and credibility of the applicant as well as that of the defendant witness Soon Ok Park.

After a review of the admissible medical and documentary evidence, including, but not limited to the report of Y. Aghakhanians, D.C. dated 12/4/09, and the designated portions of the records of Felix Aguilar, M.D., and considering the sworn trial testimony of the applicant and defendant's witness, it is found that the Applicant failed to sustain in his evidentiary burden of proving he sustained a continuous trauma injury to any of the parts of body alleged arising out of and in the course of his employment with defendant S&J Fashions, Inc., during the period January 1, 1992 through November 8, 2008.

**OTHER ISSUES:**

All other issues are rendered moot by the finding that there was no injury arising out of and occurring in the course of employment for the period January 1, 1992 through November 8, 2008.

Date: 8-2-11

  
HON. LISA A. SUSSMAN  
Workers' Compensation Judge