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State Of California
DIVISION OF WORKERS' COMPENSATION
WORKERS' COMPENSATION APPEALS BOARD

CASE NO. ADJ6526780

NADIA TAN,

Applicant,

**FINDING OF FACTS AND ORDER
ON PETITION TO RE-OPEN
FOR NEW AND FURTHER
DISABILITY**

v.

TOP PRIORITY COURIER; UNITED STATES
FIRE INSURANCE COMPANY, (one of the
Crum & Forster Group of Companies),
Administered by CRUM & FORSTER,

Defendants.

LAW OFFICES OF LESTER J. FRIEDMAN, APC

By: Lester J. Friedman
Attorneys for Applicant

BRADFORD & BARTHEL, LLP

By: J. Douglas Mestad
Attorneys for Defendants

An application having been filed herein; all parties having appeared and the above entitled matter having been heard and regularly submitted, the **Honorable JACQUELINE A. WALKER**, Workers' Compensation Administrative Law Judge ("WCJ"), finds and orders as follows:

ADMITTED FACTS

Nadia Tan, born April 15, 1951, while employed on August 15, 2008, as a Courier, Occupational Group Number 250, at Riverside, California, by Top Priority Courier, sustained injury

arising out of and in the course of employment to her hands, upper extremities, cognitive disorder, head, nose, left hip, left elbow and back.

Applicant received an Award of 99 percent approved on June 12, 2012.

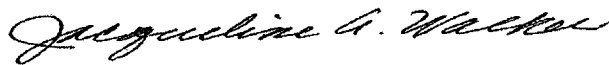
FINDINGS OF FACT

1. It is found that Applicant does not have new and further disability.
2. It is found that the provisions of Labor Code section 4662 are not applicable.
3. Applicant's petition for new and further disability is denied.
4. All other issues are moot.
5. There are no funds from which to award an attorney fee.

ORDER

IT IS ORDERED that the applicant take nothing by virtue of her petition for new and further disability.

Dated: 12/16/2014



JACQUELINE A. WALKER
Workers' Compensation Administrative Law Judge

DATED AND FILED AT MARINA DEL REY, CALIFORNIA.

Filed and Served by mail/email on: 12/16/2014
On all parties on the Official Address Record

By:  Adriana Clark

ADJ6526780
NADIA TAN

WCAB CASE NO. ADJ6526780

NADIA TAN

vs.

**TOP PRIORITY COURIER
UNITED STATES FIRE
INSURANCE COMPANY
CRUM & FORSTER**

Date of Injury:

August 15, 2008

Parts of Body Injured:

**Hands, Upper Extremities,
Cognitive Disorder, Head, Nose,
Left Hip, Left Elbow & Back**

**Workers' Compensation
Administrative Law Judge**

Jacqueline A. Walker

OPINION ON DECISION REGARDING PETITION TO REOPEN

PETITION FOR NEW AND FURTHER DISABILITY:

Applicant received an Award of 99 percent which was approved on June 12, 2012. Subsequently a timely Petition for New and Further Disability was filed on behalf of Applicant.

The parties utilized the services of Alan Sanders, M.D., David Freeman, M.D. and Lawrence Richman, M.D. as Agreed Medical Examiners. Dr. Sanders, in his report dated August 15, 2013 and Dr. Richman, in his report dated June 5, 2013 indicates that Applicant's disability/impairment has improved, not worsen.

While Dr. Freeman, in his report dated June 5, 2013 indicates a slight increase in impairment from his prior report, this medical report is not substantial evidence as it does not include a review of the recent reporting of Drs. Sanders and Richman. However, development of the record is not warranted, because even if his report was substantial evidence, in combination with the recent reports of Drs. Sanders and Richman, Applicant's overall disability would still be less than the current Award.

Finally, based upon the medical reporting and the entire record it is found that the provisions of Labor Code section 4662 are not applicable as the record does not support a determination that Applicant has incurable mental incapacity or insanity.

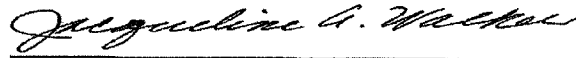
Based upon the medical reporting and the entire record, it is found that there is no new and further disability.

Applicant's Petition for New and Further Disability is denied.

OTHER ISSUES:

All other issues are rendered moot in light of the determination that there is no new and further disability.

Dated: 12/16/14



JACQUELINE A. WALKER
Workers' Compensation Administrative Law Judge

Filed and Served on all parties by mail/email on: 12/16/14
As shown on the Official Address Record.



By: Adriana Clark

DJM

STATE OF CALIFORNIA
DEPARTMENT OF INDUSTRIAL RELATIONS
DIVISION OF WORKERS' COMPENSATION

12-16-2014

OFFICIAL ADDRESS RECORD

Case Number: ADJ6526780

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NADIA TAN Injured Worker, 6672 GILFILLAN FONTANA CA 92336

TOP PRIORITY Employer, 1254 COLUMBIA AVE RIVERSIDE CA 92507
COURIER