

STATE OF CALIFORNIA
Division of Workers' Compensation
Workers' Compensation Appeals Board

GREGORY ORTEGA,

Applicant,

vs.

**SOUTHERN CALIFORNIA GAS COMPANY;
SOUTHERN CAL GAS LOS ANGELES;**

Defendants.

Case No. ADJ10994258

FINDINGS AND AWARD

STOUT, KAUFMAN, HOLZMAN & SPRAGUE
BY: JODY M. KAUFMAN, ESQ.
Attorney for Applicant

BRADOFRD & BARTHEL
BY: JULIANNA CRAWFORD, ESQ.
Attorney for Defendant

The above-entitled matter having been heard and regularly submitted, the Honorable Scott Seiden, Workers' Compensation Administrative Law Judge, now decides as follows:

FINDINGS OF FACT

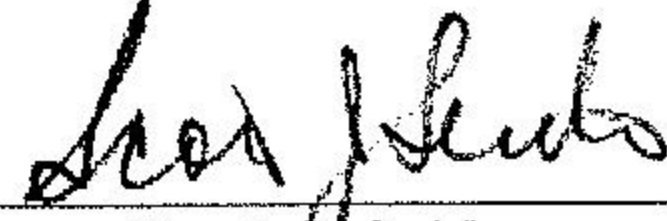
1. Gregory Ortega, born October 22, 1955, while employed on July 22, 2016, sustained injury arising out of and in the course of employment.
2. On November 20, 2019, an Award issued in the amount of 49%, equal to \$476,560.00. All monies due under this Award were paid prior to the filing of a Petition to Reopen. Following the filing of a Petition to Reopen, the Permanent Disability increased to 54%, or \$87,942.50. On March 30, 2023, Defendant paid an additional \$11,400.03. The parties appeared for trial on September 21, 2023, and the Minutes of Hearing reflect under comments 65% stipulation on Petition to Reopen. The Minutes of Hearing also reflect that settlement is pending with that box checked, and the matter was set for trial again on September 28, 2023. The matter was then continued to October 5, 2023, October 16, 2023, and November 14, 2023, at which time the matter proceeded to trial. A Findings and Award issued on February 5, 2024, finding 65% Permanent Disability.
3. Defendant made a payment in the amount of \$17,275.71 on or about November 20, 2023.
4. It is found Applicant has failed to sustain his burden of proof on the issue of penalties, sanctions and costs pursuant to his Penalty Petition dated December 6, 2023.

ORDER

ORDER IS MADE in favor of **Southern California Gas Company** and against **Gregory Ortega** as follows:

- a. Applicant take nothing for costs, sanctions, or penalties per Finding of Fact No. 4.

DATE: July 23, 2024



Scott J. Seiden

PRESIDING WORKERS' COMPENSATION
ADMINISTRATIVE LAW JUDGE

BRADFORD BARTHEL VENTURA, Email
STOUT KAUFMAN GOLETA, US Mail

Served on above parties by method of service shown above at addresses shown on attached Proof of Service:

ON: July 23, 2024

BY: Tanya L. Elliott

PROOF OF SERVICE

**PENALTY OPINION ON DECISION AND
PENALTY FINDINGS OF FACT AND AWARD**

JULY 23, 2024

Case Number: ADJ10994258

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