1	WORKERS' COMPENSATION APPEALS BOARD	
2	STATE OF CALIFORNIA	
3		Case No. ADJ7048296
4	ELAYNE VALDEZ,	Case 110. ADD 7040270
5	Applicant,	
6	vs.	OPINION AND ORDER GRANTING
7		RECONSIDERATION
8	WAREHOUSE DEMO SERVICES; ZURICH	(EN BANC)
9	NORTH AMERICA, Adjusted by ESIS,	
10	Defendant(s).	
11		
12	On April 20, 2011, the Appeals Board issued an en banc decision which held that where	
13	unauthorized treatment is obtained outside a validly established and properly noticed MPN, reports	
14	from the non-MPN doctors are inadmissible, and therefore may not be relied upon, and that	
15	defendant is not liable for the cost of the non-MPN reports.	
16	On May 16, 2011, applicant Elayne Valdez filed a timely petition for reconsideration from	
17	the Appeals Board's en banc decision. On May 27, 2011, defendant filed an answer to	
18	applicant's petition for reconsideration. On June 3, 2011, applicant submitted a request to file a	
19	supplemental pleading in response to defendant's answer, along with the supplemental pleading,	
20	which we allow pursuant to WCAB Rule 10848 (Cal. Code Regs., tit. 8, § 10848).	
21	Taking into account the statutory time co	nstraints for acting on the petitions, and after
22	again reviewing the entire record, we believe reconsideration must be granted in order to allow	
23	sufficient opportunity to further study the factual and legal issues in this case. We believe that this	
24	action is necessary to give us a complete understanding of the record and to enable us to issue a	
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27	¹ On May 16, 2011, Armando Saldivar, an applicant in another case (ADJ7516842), also filed a petition for reconsideration, or in the alternative, a petition for removal, from the Appeals Board's en banc decision.	

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     just and reasoned decision. Reconsideration will be granted for this purpose and for such further
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     proceedings as we may hereinafter determine to be appropriate.
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            For the foregoing reasons,
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            IT IS ORDERED that Reconsideration of the Opinion and Decision After Reconsideration
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     (En Banc) issued on April 20, 2011, is GRANTED.
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1	IT IS FURTHER ORDERED that pending the issuance of a Decision After		
2	Reconsideration in the above case, all further correspondence, objections, motions, requests and		
3	communications shall be filed with the Workers' Compensation Appeals Board, P. O. Box 429459,		
4	San Francisco, California 94142-9459, ATTENTION : Office of the Commissioners, and not with		
5	any local office.		
6	WORKERS COMPENSATION APPEALS BO APP		
7	WORKERS' COMPENSATION APPEALS BOARD		
8	/s/ Joseph M. Miller		
9	JOSEPH M. MILLER, Chairman		
10	/a/ F1- M. D		
11	/s/ Frank M. Brass FRANK M. BRASS, Commissioner		
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13	/s/ Ronnie G. Caplane RONNIE G. CAPLANE, Commissioner		
14	KONNIE G. CAFLANE, Commissioner		
15	/s/ Alfonso J. Moresi		
16	ALFONSO J. MORESI, Commissioner		
17	/a/ Daidna E. I. avva		
18	/s/ Deidra E. Lowe DEIDRA E. LOWE, Commissioner		
19			
20	DATED AND FILED AT SAN FRANCISCO, CALIFORNIA		
21	7/14/2011		
22	SERVICE MADE BY MAIL ON ABOVE DATE ON THE PERSONS LISTED BELOW AT THEIR ADDRESSES AS SHOWN ON THE CURRENT OFFICIAL ADDRESS RECORD:		
23			
24	ELAYNE VALDEZ JEFFREY N. SARDELL		
25	JOHN MENDOZA		
26	CARL FELDMAN		
27	VB/bea		