

STATE OF CALIFORNIA  
WORKERS' COMPENSATION APPEALS BOARD

ADJ12594740

██████████,  
  
*Applicant,*  
v.  
**HOME DEPOT, HELMSMAN  
MANAGEMENT,**  
  
*Defendant,*

**FINDINGS AND ORDER**

This matter having been heard and submitted, Stuart R. Crymes, Workers' Compensation Administrative Law Judge, now makes the following Findings of Fact:

**FINDINGS OF FACT**

1. Applicant, ██████████ ██████████, born 1/29/64, while employed during the cumulative trauma period from 9/6/18 through 9/6/19 as an associate, occupational group 360, at Watsonville, CA, by The Home Depot, USA, Inc., did not sustain an injury AOE/COE to her left foot, right foot, left ankle, right ankle, left leg and right leg.
2. At the time of the injury, the employer was permissibly self-insured, administered by Helmsman Management.
3. All other issues are mot.

**ORDER**

**IT IS ORDERED** that applicant take nothing further by virtue of her claim filed herein.



**STUART R. CRYMES**  
**Workers' Compensation**  
**Administrative Law Judge**

Served: 1/20/21  
On parties as shown on the  
Official Address Record.

By: **NORA MARTINEZ**

██████████  
**ADJ12594740**

## **OPINION ON DECISION**

The matter was submitted for decision on the issues outlined below.

### **INJURY AOE/COE**

The WCJ has determined that applicant did not sustain an industrial injury to various body parts based on the well-reasoned opinions of Steven Feinberg, MD. In his original report dated 5/20/20, Dr. Feinberg reviewed extensive medical records and he concludes that applicant probably has diabetic peripheral neuropathy. He also concludes that applicant physical problems are not work related. (Report, supra, pp. 13-14; Exh. D-2.) Dr. Feinberg recommends that the medical records of Princy Arora, MD, be obtained and rewarded for his review and a supplemental report.

These records (and 416 pages of total records) were obtained and provided to Dr. Feinberg who issues a supplemental report on 9/4/20. According to Dr. Feinberg these records confirm that applicant's findings are consistent with moderately severe diabetic peripheral neuropathy. Dr. Feinberg concludes that applicant's condition and the disability in her lower extremities is not work related. (Report, 9/4/20, p. 6; Exh. D-2.)

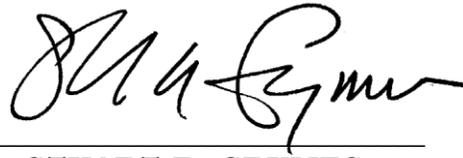
Dr. Feinberg was deposed on 9/10/20 and Dr. Feinberg explains the reasons for his conclusions that applicant's lower extremity problems are not work related. ) Deposition, supra, pp. 10-11; Exh. D-3.)

The opinions of the agreed medical examiner are entitled to great weight and respect in addressing workers compensation issues. Dr. Feinberg's opinions are thorough and consistent with the medical records and the conclusions of Dr. Arora. His opinions are also based on a comprehensive physical examination and review of relevant medical records. His opinions constitute substantial evidence in support of the WCJ's determination.

The opinions of Dr. Gowda were not persuasive evidence on the issues herein. Her conclusions were contradicted by the well-reasoned opinions of Dr. Feinberg.

### **ALL OTHER ISSUES ARE MOOT**

In view of the WCJ's determination on the injury issue, all other issues are moot.

A handwritten signature in black ink, appearing to read "Stuart R. Crymes". The signature is fluid and cursive, with a long horizontal stroke at the end.

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**STUART R. CRYMES**  
**Presiding**  
**Workers' Compensation**  
**Administrative Law Judge**