

DEPARTMENT OF INDUSTRIAL RELATIONS
Workers' Compensation Appeals Board
Office of the Commissioners
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January 13, 2010

Martin S. Weinstein
1530 The Alameda, Suite 108
San Jose, California 95126

Re: Steven Bowden v. Sunray Termite Control, Inc. and National Liability & Fire,
adjusted by Berkshire Hathaway, WCAB Case No. ADJ4536632 (SJO 0263192)

Dear Mr. Weinstein:

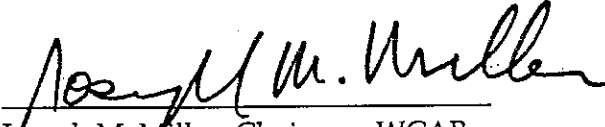
Thank you for your ex parte letter of December 23, 2009, requesting that the *Bowden* decision be designated a Significant Panel Decision.

The commissioners have discussed and considered your request and have decided not to designate *Bowden* as a Significant Panel Decision. We believe it is a purely fact driven case and is not meant to be a statement of legal importance to the community.

Furthermore, and in response to your penultimate paragraph, Significant Panel Decisions are citable panel decisions but are not binding legal precedent in any other matters.

Thank you for your inquiry.

Very truly yours,


Joseph M. Miller, Chairman WCAB

Cc: Capurro & Rocha
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