Given the information reviewed to date, which unfortunately is "scant," yet coupled with my direct observations and assessments of this injured worker, it is reasonable to draw the conclusion that the nature of his employment at/with Alton Management Corporation, caused and contributed to the specific injury as known, as well as caused and contributed to the injuries to his neck, upper back, shoulders, (GHJ & ACJ), and supporting tissues, as well as both wrists, forearms, and elbows, including the components of the lower back, the latter unknown, as apparently no imaging has been undertaken to elucidate any pathologies accountable for the chronicity of LBP.

APPORTIONMENT:

I have taken ample time to study SB-899 and the Escobedo v Marshalls and CNA Insurance Company (GRO 0029816 and GRO 0029817) case law on the issue of apportionment to causation of disability, as well as E.L Yeager Construction v WCAB (Gatten), 146 Cal App. 4th 922, opinion on apportionment to causation. The following excerpt is taken from Escobedo v. Marshalls:

"Apportionment of permanent disability caused by other factors both before and subsequent to the initial injury, including prior industrial injuries, may include not only disability that could have been apportioned prior to SB899, but it also may include disability that formally could not have been apportioned, (e.g., pathology asymptomatic prior conditions, and retroactive prophylactic restrictions), provided there is substantial medical evidence that these factors have caused permanent disability."

All the opinions I offer in this section, as well as all opinions offered herein, are based on the stated medical history, my face-to-face encounter and examination of/with Mr. Grande, yet absent the medical record file. These opinions are my own and are predicated on reasonable medical probability, as I have previously stated. I have attempted, throughout this report, to clearly provide my reasoning behind my opinions and not merely my conclusions. **For instance, I did not speculate or guess when forming these opinions.** This approach allows me to comply with the mandates as set forth in the E.L Yeager Construction v WCAB (Gatten).

Strictly speaking, addressing apportionment is inappropriate currently, as the specific injury of February 09, 2021, **is not** currently deemed suitable for impairment rating, as the records that were provided indicated the FRP was occurring, and "other" body parts claimed as cumulative injury, have yet to be fully elucidated and thus remain underdiagnosed and therefore, undertreated.

All further comments regarding apportionment will be deferred until such time as I have been privy to review ALL the medical records and Mr. Grande has completed ALL reasonable and necessary diagnostic assessments and potential treatments.

It is foreseeable that the records yet to be reviewed may identify pre-existing pathologies that would warrant consideration of apportionment. **I will not speculate or guess when forming these opinions**

Applying the WCAB's en banc decision in Vigil v. County of Kern will be addressed once MMI/P&S has been attained.

OCCUPATIONAL STATUS:

Mr. Grande is not working. He claims that his physical limitations prevent him from returning to the laborious work he was previously accustomed to, and he has been unsuccessful in finding suitable, gainful employment, and at his age he remains uncertain that he will ever work again.