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Record workers' comp recovery in California

By **Amanda Bronstad** [Contact](#) [All Articles](#)

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Asvar Law's Christopher Asvar

A former painter who suffered psychotic episodes and multiple personality disorder after falling 20 feet from a scaffold on a job site in Santa Monica, Calif., has settled his workers' compensation claim for \$8.9 million – among the largest such settlements in California.

Antonio Enriquez, who suffered injuries to his knee and shoulder from the 2004 fall, developed mental disorders that made it difficult for him to handle daily life.

"Physical injuries were obvious," said Enriquez's attorney, Christopher Asvar of Asvar Law in Los Angeles, where the case was filed before California's Workers' Compensation Appeals Board. "But they very much paled in comparison to the problems the injuries had caused from a cognitive standpoint."

Defense attorney Gary Cunial of the Law Offices of Gary D. Cunial in Westlake Village, Calif., did not return a call for comment.

Asvar said the recovery was the highest known workers' compensation settlement in California.

"That would definitely be, if not the largest, one of the largest workers' comp settlements I've ever heard of," said Julius Young, a partner at Oakland, Calif.'s Boxer & Gerson and author of the blog www.workerscompzone.com. "Clearly, with the increasing costs of medical treatment, some of these cases are worth substantial amounts if people have catastrophic injuries like this."

Asvar credited the \$8.9 million amount – most of which represents future medical expenses – to depositions of numerous caretakers at Enriquez's rehab facility who testified about his condition.

"I remember that when we walked out of our third deposition, the defense attorney was a little bit concerned about running into our client in the hallway because of all the horror stories he had heard about what had happened over the years," Asvar said.

The settlement, which is structured, was reached on Jan. 24 and approved 30 days later, he said.

Asvar said the case demonstrates how many applicants get lost in the whirlwind business

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"On the applicant side, when you get into the volume business, many things can be missed on these serious catastrophic cases," he said. "And unless you're under critical observation where people understand these things, it can very well be missed in that 15 to 20 minutes that a paralegal sees you to ask you some questions and send you on your way."

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