

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**

Department of Employment Services

MURIEL BOWSER  
MAYOR



DEBORAH A. CARROLL  
DIRECTOR

**COMPENSATION REVIEW BOARD**

**CRB No. 15-031 (R)**

**DEWAYNE JACKSON,  
Claimant,**

v.

**WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY,  
Self-Insured Employer.**

On Remand from the District of Columbia Court of Appeals  
No. 15-AA-891, Mem. Op. & J. (D.C. July 29, 2016)

DEPT. OF EMPLOYMENT  
SERVICES  
COMPENSATION REVIEW  
BOARD  
2016 AUG 9 AM 11 31

(Issued August 9, 2016)

**REMAND ORDER**

On July 29, 2016 the District of Columbia Court of Appeals (DCCA) remanded a July 7, 2015 Compensation Review Board decision that affirmed a January 28, 2015, Compensation Order by an Administrative Law Judge (ALJ) (Douglas A. Seymour) in AHD No. 14-070, OWC No. 697614.

The DCCA held that the ALJ's Compensation Order did not give proper consideration to one part of the October 2, 2013 independent medical examination (IME) report of Dr. Stanley Rothschild. The DCCA pointed out that neither the ALJ nor the CRB commented on whether Dr. Rothschild's statement that Claimant's problems were "not necessarily related to any single one" of Claimant's accidents, could be construed as either saying Claimant's problems could be related to the most recent accident or could be attributed to the cumulative effect of Claimant's five work-related accidents.

The DCCA held that this part of the IME could affect the ALJ's determinations that Dr. Rothschild's IME rebutted the presumption and if so, whether Claimant carried his burden of proving causation. The DCCA remanded this case "for further proceedings consistent with this opinion."

Therefore, consistent with the remand instructions, we remand this matter to the Administrative Hearings Division for further proceedings.

*So ordered.*