

ALI KADHIM JAWA K. AL-ZUBAIDI
(Appellant)

v.

BARBER FOODS, LLC
(Appellee/Self-Insured)

Conference held: April 8, 2026
Decided: July 9, 2026

PANEL MEMBERS: Administrative Law Judges Murphy, Hirtle, and Sands
BY: Administrative Law Judge Hirtle

[¶1] Ali Kadhim Jawa K. Al-Zubaidi appeals from a decision of an administrative law judge of the Workers' Compensation Board (*Chabot, ALJ*) granting in part Mr. Al-Zubaidi's Petition for Award regarding an injury date of October 30, 2020. The ALJ relied on the opinion of the independent medical examiner (IME) appointed pursuant to 39-A M.R.S.A § 312 to find that Mr. Al- Zubaidi sustained a work-injury, but the effects of that injury had ended by March of 2021. Mr. Al-Zubaidi disagrees with this outcome. We find no reversible error and affirm the decision.

I. BACKGROUND¹

[¶2] Ali Kadhim Jawa K. Al-Zubaidi injured his left knee on October 30, 2020, while working for Barber Foods. Mr. Al-Zubaidi’s employment with Barber Foods ended on March 21, 2021. Barber Foods refused to pay workers’ compensation benefits, and Mr. Al-Zubaidi filed a Petition for Award, seeking ongoing incapacity benefits. Mr. Al-Zubaidi is not able to read, write, or communicate in English. During the hearing process, he communicated through an interpreter.

[¶3] Mr. Al-Zubaidi was seen at Barber Foods’ chosen provider, Bayside Employee Health, on November 7, 2020, where he was diagnosed with “left knee contusion with gastrocnemius strain.” He was then seen on December 3, 2020, at Maine Medical Center’s emergency department, where the providers recorded that he had left knee pain but a normal range of motion.

[¶4] Mr. Al-Zubaidi returned to Bayside Health in January 2021. A course of physical therapy was recommended but was halted after Mr. Al-Zubaidi canceled several appointments. On March 5, 2021, a Bayside Health provider recorded that Mr. Al-Zubaidi’s left knee “appears stable and his knee provocation tests are negative.” He underwent an MRI on March 16, 2021, which revealed moderate

¹ Mr. Al Zubaidi is not represented by counsel on appeal and did not file a record on appeal or an appendix. Accordingly, we draw facts of the case from the ALJ’s findings and the hearing exhibits, including the IME’s report and deposition testimony.

degenerative changes in medial meniscal cartilage, and suspected partial tear or degeneration of the ACL. On March 24, 2021, Dr. Susan Upham reviewed the MRI study and found that it did not explain Mr. Al-Zubaidi's reports of left knee pain or limitations. She recorded that Mr. Al-Zubaidi's work-related left knee injury had resolved, and he had recovered a regular duty work capacity.

[¶5] One year later, on March 16, 2022, Mr. Al-Zubaidi reported left knee pain to a provider at Northern Lights Mercy Internal Medicine, who referred him to an orthopedic doctor for his knee. The orthopedist, Dr. Benjamin Huffard, asked for a repeat MRI study after finding a limited range of motion and a lax ACL. The MRI occurred on October 13, 2024, and showed tears to both the ACL and the medial meniscus.

[¶6] On September 19, 2024, Mr. Al-Zubaidi saw Dr. Matthew Donovan for an independent medical examination pursuant to 39-A M.R.S.A. § 312. In his report, Dr. Donovan wrote that Mr. Al-Zubaidi experienced a work-related left knee contusion and strain on October 30, 2020, but that the effects of the injury ended by March 2021. Dr. Donovan later reviewed Dr. Huffard's medical records and the second MRI report, but indicated in both a supplemental report and at his deposition that he did not change his opinion. Dr. Donovan testified that it was unlikely that the 2024 MRI results are causally related to the October 2020 work injury.

¶7] A hearing was held on March 17, 2025. The ALJ relied upon the opinions of Dr. Donovan and Dr. Upham to find that Mr. Al-Zubaidi experienced a work related left knee contusion and strain, but that the effects of the injury had ended by March 2021. The ALJ denied the claim for benefits. Mr. Al-Zubaidi requested further findings of fact and conclusions of law. The ALJ denied the request, and this appeal followed.

II. DISCUSSION

A. Standard of Review

¶8] In general, an ALJ of the Board is required to adopt the medical findings of an IME appointed pursuant to 39-A M.R.S.A. § 312, unless “there is clear and convincing evidence to the contrary in the record that does not support the medical findings.” 39-A M.R.S.A. § 312(7). When, as in this case, the ALJ adopts the IME’s findings, we will reverse only if those findings are not supported by any competent evidence, or the record discloses no reasonable basis to support the decision. *See Pomerleau v. United Parcel Serv.*, 464 A.2d 206, 209 (Me. 1983); *Dillingham v. Great N. Paper*, Me. W.C.B. No. 15-7, ¶ 3 (App. Div. 2015).

B. The Independent Medical Examiner’s Opinion

¶9] We construe Mr. Al-Zubaidi’s argument on appeal to be that the evidentiary record compels a finding that his current knee problems result from the injury he sustained at work on October 30, 2020. Barber Foods argues that Dr.

Donovan's findings are supported by competent evidence and the ALJ's decision must therefore be affirmed. We agree with Barber Foods.

[¶10] Dr. Donovan testified in his deposition that Mr. Al-Zubaidi's early medical treatment showed a stable knee with modest findings in the MRI study. Dr. Upham opined that the work injury had resolved, and she issued a release to full duty on March 24, 2021. Dr. Donovan explained that when Mr. Al-Zubaidi returned to care for his left knee in 2022, his medical providers noted an unstable knee joint and an MRI in 2024 showed tears of the ACL and medial meniscus. Because of this timeline of findings, Dr. Donovan gave more credence to the earlier medical records, and did not think it likely that Mr. Al-Zubaidi's current left knee symptoms were caused by the 2020 work injury. The more contemporaneous treatment records and Dr. Upham's full duty release provide a reasonable basis to support Dr. Donovan's opinion that the work injury had resolved as of March 2021.

[¶11] The ALJ adopted Dr. Donovan's opinion and that opinion was supported by competent evidence. The presence of any conflicting evidence in the record does not compel a contrary result. *See Dillingham*, W.C.B. No. 15-7, ¶ 7. Accordingly, we affirm.

The entry is:

The administrative law judge's decision is affirmed.

Any party in interest may request an appeal to the Maine Law Court by filing a copy of this decision with the clerk of the Law Court within twenty days of receipt of this decision and by filing a petition seeking appellate review within twenty days thereafter. 39-A M.R.S.A. § 322.

Pursuant to board Rule, chapter 12, § 19, all evidence and transcripts in this matter may be destroyed by the board 60 days after the expiration of the time for appeal set forth in 39-A M.R.S.A. § 322 unless (1) the board receives written notification that one or both parties wish to have their exhibits returned to them, or (2) a petition for appellate review is filed with the law court. Evidence and transcripts in cases that are appealed to the law court may be destroyed 60 days after the law court denies appellate review or issues an opinion.

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