

COURT OF APPEALS OF VIRGINIA

Present: Judges Kelsey, Petty and Senior Judge Bumgardner

MORNINGSTAR FOODS, L.L.C./
DEAN FOODS COMPANY AND
INDEMNITY INSURANCE COMPANY OF
NORTH AMERICA/ESIS, INC.

v. Record No. 0756-08-3

RICHARD CARL PEROTTI

MEMORANDUM OPINION*
PER CURIAM
JULY 29, 2008

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Joseph F. Giordano; Semmes, Bowen & Semmes, on brief), for
appellants.

(Brody H. Reid; Geoffrey R. McDonald & Associates, P.C., on
brief), for appellee.

Morningstar Foods, L.L.C./Dean Foods Company and its insurer appeal a decision of the Workers' Compensation Commission finding that Richard Carl Perotti proved his ongoing symptoms and associated medical treatment are causally related to his November 21, 2005 compensable injury by accident. We have reviewed the record and the commission's opinion and find that this appeal is without merit. Accordingly, we affirm for the reasons stated by the commission in its final opinion. See Perotti v. Morningstar Foods, L.L.C./Dean Foods Co., VWC File No. 226-65-82 (Feb. 27, 2008). We dispense with oral argument and summarily affirm because the facts and legal contentions are adequately presented in the materials before the Court and argument would not aid the decisional process. See Code § 17.1-403; Rule 5A:27.

Affirmed.

* Pursuant to Code § 17.1-413, this opinion is not designated for publication.