

SPECIAL MEETING OF THE
OKLAHOMA WORKERS' COMPENSATION
COMMISSION

APPEALS

Thursday December 15, 2016

9:00 a.m.

Commission Chambers

1915 N. Stiles Ave.

Oklahoma City, Oklahoma

www.wcc.ok.gov

AGENDA

CALL TO ORDER Presiding Appellate Officer, Chairman Gilliland

ROLL CALL Presiding Appellate Officer, Chairman Gilliland

NOTICE OF COMPLIANCE.....Dana Esparza

BUSINESS Presiding Appellate Officer, Chairman Gilliland

A. MINUTES:

- The drafted Minutes of the Special Meeting of October 21, 2016 will be considered for approval.

THE FOLLOWING MATTERS ARE PRESENTED FOR CONSIDERATION AND ACTION, IF ANY, DEEMED APPROPRIATE BY THE COMMISSION

B. Appeal Hearings before the Commission En Banc from Orders Issued by the Commission's Administrative Law Judges

The hearings before the Commission en banc will be conducted pursuant to the authority and jurisdiction of the Administrative Workers' Compensation Act, Title 85A O.S. §1 et seq., and the Workers' Compensation Commission's Permanent Rules, OAC 810. The procedure for the hearings before the Commission en banc is as follows:

- Each party will be allowed ten (10) minutes for oral arguments.
- The appellant will present first. Appellant may divide his or her ten minutes for argument, allowing a portion of that time for rebuttal.

- Both parties are subject to questioning by Commissioners.

1. Michael Alfieri v American Airlines & New Hampshire Insurance Co., File #CM2015-00635F

Respondent filed an appeal from the order issued by Administrative Law Judge Sommer. Jack G. Zurawick is the attorney of record for the Claimant and Jordan S. Ensley is the attorney of record for the Respondent.

Possible Action:

Possible action may include, but is not limited to: taking no action, affirming the order and decision of the Administrative Law Judge and issuing an order to that effect, or taking preliminary action in the matter to reverse, modify, remand or if otherwise do not fully affirm the order of the Administrative Law Judge and instructing the Law Clerk or other staff member to draft a proposed Order to be considered in further deliberations at a future Commission meeting, or continuing the matter.

2. Mary Powell v. Flex n Gate Oklahoma LLC (Own Risk #19362), File #CM2015-03191J

Respondent filed an appeal from the order issued by Administrative Law Judge Inhofe. TR Banks is the attorney of record for the Claimant and Jeffrey D. Black is the attorney of record for the Respondent.

Possible Action:

Possible action may include, but is not limited to: taking no action, affirming the order and decision of the Administrative Law Judge and issuing an order to that effect, or taking preliminary action in the matter to reverse, modify, remand or if otherwise do not fully affirm the order of the Administrative Law Judge and instructing the Law Clerk or other staff member to draft a proposed Order to be considered in further deliberations at a future Commission meeting, or continuing the matter.

3. Lyle S. Corbeil v. Emricks van & Storage Co. & Guarantee Insurance Co., File #CM2015-05535R

Claimant filed an appeal from the order issued by Administrative Law Judge McMillin. Ryan D. Philip is the attorney of record for the Claimant and Donald A. Bullard is the attorney of record for the Respondent.

Possible Action:

Possible action may include, but is not limited to: taking no action, affirming the order and decision of the Administrative Law Judge and issuing an order to that effect, or taking preliminary action in the matter to reverse, modify, remand or if otherwise do not fully affirm the order of the Administrative Law Judge and instructing the Law Clerk or other staff member to draft a proposed Order to be considered in further deliberations at a future Commission meeting, or continuing the matter.

4. Doris Ward v. Walmart Stores Inc. (Own Risk #20000), File # CM2016-00262Q

Claimant filed an appeal from the order issued by Administrative Law Judge Inhofe. Donald E. Smollen, II is the attorney of record for the Claimant and Norman Lemonik is the attorney of record for the Respondent.

Possible Action:

Possible action may include, but is not limited to: taking no action, affirming the order and decision of the Administrative Law Judge and issuing an order to that effect, or taking preliminary action in the matter to reverse, modify, remand or if otherwise do not fully affirm the order of the Administrative Law Judge and instructing the Law Clerk or other staff member to draft a proposed Order to be considered in further deliberations at a future Commission meeting, or continuing the matter.

5. Saul Delgado v. J&B Flooring LLC & Midwest Flooring Installation & Farmers Insurance Exchange, File#CM2016-00970R

Respondent filed an appeal from the order issued by Administrative Law Judge McMillin. Aaron Corbett is the attorney of record for the Claimant and John D. Valentine, Mike Lloyd & Lacy N. Vassar are the attorneys of record for the Respondents.

Possible Action:

Possible action may include, but is not limited to: taking no action, affirming the order and decision of the Administrative Law Judge and issuing an order to that effect, or taking preliminary action in the matter to reverse, modify, remand or if otherwise do not fully affirm the order of the Administrative Law Judge and instructing the Law Clerk or other staff member to draft a proposed Order to be considered in further deliberations at a future Commission meeting, or continuing the matter.

6. William Cole v. Premier Community Services Inc., & Security National Insurance Co. (AMTRUST), Case #CM2016-01269J

Respondent filed an appeal from the order issued by Administrative Law Judge McMillin. Margaret E. Dunn Otterson is the attorney of record for the Claimant and Steven K. Bunting is the attorney of record for the Respondent.

Possible Action:

Possible action may include, but is not limited to: taking no action, affirming the order and decision of the Administrative Law Judge and issuing an order to that effect, or taking preliminary action in the matter to reverse, modify, remand or if otherwise do not fully affirm the order of the Administrative Law Judge and instructing the Law Clerk or other staff member to draft a proposed Order to be considered in further deliberations at a future Commission meeting, or continuing the matter.

7. Marsha A. Reppond v. Bacone College Inc. & Travelers Indemnity Co. of America, File #CM2016-02339K

Claimant filed an appeal from the order issued by Administrative Law Judge Inhofe. John R. Colbert is the attorney of record for the Claimant and Kevin D. Berry is the attorney of record for the Respondent.

Possible Action:

Possible action may include, but is not limited to: taking no action, affirming the order and decision of the Administrative Law Judge and issuing an order to that effect, or taking preliminary action in the matter to reverse, modify, remand or if otherwise do not fully affirm the order of the Administrative Law Judge and instructing the Law Clerk or other staff member to draft a proposed Order to be considered in further deliberations at a future Commission meeting, or continuing the matter.

D. Announcements

Commission's next special meeting regarding Appeals is scheduled for Friday, December 16, 2016. Commission's next special business meeting is Tuesday, December 19, 2016.

ADJOURNMENT.....Presiding Appellate Officer, Chairman Gilliland