

SPECIAL MEETING OF THE
OKLAHOMA WORKERS' COMPENSATION
COMMISSION

~ APPEALS ~

Thursday, March 26, 2015
8:30 a.m.
Commission Chambers
1915 N. Stiles Ave.
Oklahoma City, Oklahoma
www.wcc.ok.gov

AGENDA

CALL TO ORDER Presiding Appellate Officer, Commissioner Gilliland
ROLL CALL Presiding Appellate Officer, Commissioner Gilliland
NOTICE OF COMPLIANCE.....Dana Esparza
BUSINESS Presiding Appellate Officer, Commissioner Gilliland

A. MINUTES:

- The drafted Minutes of the Special Meeting of February 25, 2015 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 Emergency 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. 8:30 a.m. Glen Walter Rush v. City of Skiatook & CompSource Mutual Ins. Co. (FKA CompSource Oklahoma), File #CM2014-04814R

Respondent filed an appeal from the order issued by Administrative Law Judge Inhofe. Esther M. Sanders is the attorney of record for the Claimant and Leah P. Keele 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. 8:50 a.m. Dora Wells v. Murphy Oil USA Inc. & Liberty Insurance Corp., File #CM2014-05312F

Claimant filed an appeal from the order issued by Administrative Law Judge Curtin. Stacey Lobough is the attorney of record for the Claimant and Aimee J. Treece 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. 9:10 a.m. Rochelle Renee O'Neal v. Accord Human Resources Inc. & Lumbermen's Underwriting Alliance, File #CM2014-08383H

Respondent filed an appeal from the order issued by Administrative Law Judge Curtin. Eliot D. Yaffe is the attorney of record for the Claimant and Jeffrey 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.

4. 9:30 a.m. Kevin S. Tillotson v. Northeastern State University & CompSource Mutual Ins. Co. (FKA CompSource Oklahoma), File #CM2014-08757X

Respondent filed an appeal from the order issued by Administrative Law Judge Egan. Craig R. Armstrong is the attorney of record for the Claimant and Bradley J. McClure 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. Commission Consideration of Adoption of Final Order on the Following Case:

Mark E. Gilstrap v. Southern Oklahoma Regional Disposal Inc. & CompSource Mutual Ins. (FKA CompSource Oklahoma), File #CM2014-06551J

At the February 25, 2015, Special Meeting, the Commission heard the oral argument in this case. After hearing argument from Mr. John Colbert, counsel for the Claimant, and Mr. Warren Mouledoux, III, counsel for the Respondent, the Commission voted to take preliminary action to remand the Administrative Law Judge's Order and instruct the Commission staff to draft a proposed Order for consideration in continued deliberation at a future meeting. The drafted Order has been distributed to the Commissioners. The Commission will consider final action and the adoption of a final order.

Possible Action:

Possible action may include, but is not limited to: taking no action, taking final action, or continuing the matter.

6. Announcements

Commission's next regularly scheduled meeting is Thursday, April 9, 2015 at 1:30 p.m. The next appeal hearings will be on Wednesday, April 1, 2015 at 8:30 a.m.

ADJOURNMENT.....Presiding Appellate Officer, Commissioner Gilliland