

SPECIAL MEETING OF THE
OKLAHOMA WORKERS' COMPENSATION
COMMISSION

~ APPEALS ~

Wednesday, April 22, 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 April 1, 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. David W. Holybee v. Southern Oklahoma Regional Disposal Inc. & CompSource Mutual Ins. Co., File #2014-03050F

Respondent filed an appeal from the order issued by Administrative Law Judge Sommer. John R. Colbert is the attorney of record for the Claimant and Warren E Mouldoux, III 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. Theresa Maxwell v. Sprint PCS & American Casualty Co. of Reading PA File #2014-03443H

Claimant filed an appeal from the order issued by Administrative Law Judge Sommer. Bob Burke is the attorney of record for the Claimant and John A. McCaleb 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. Jacob Bradley v. Superior Fabrication Inc. & Bitco General Insurance Company (FKA Bituminous Casual), File #2014-05411R

Claimant filed an appeal from the order issued by Administrative Law Judge Inhofe. Aaron Corbett is the attorney of record for the Claimant and Dan M. Caldwell 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. 9:45 a.m. William Spears v. Big Lots Stores Inc. & Arch Insurance Co., File #2014-06475A

Claimant filed an appeal from the order issued by Administrative Law Judge Sommer. Mark Litton 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.

5. 10:05 a.m. Kylea M. Green v. Advance America Cash Advance Centers Inc. & Hartford Accident & Indemnity Co., File #2014-06664A

Respondent filed an appeal from the order issued by Administrative Law Judge Sommer. Herbert E. Elias 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.

6. 10:25 a.m. Jimmie Lee Long v. Burdt Masonry LLC & American Interstate Insurance Co., File # 2014-07689A

Respondent filed an appeal from the order issued by Administrative Law Judge Sommer. Gary Prochaska is the attorney of record for the Claimant and Paul A. Scott 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. 11:00 a.m. Matthew Miller v. H&H Plumbing & Utilities Inc. & Valley Forge Insurance Co., File #2014-07820R

Respondent filed an appeal from the order issued by Administrative Law Judge Egan. John R. Colbert is the attorney of record for the Claimant and Jerrod Geiger 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.

8. 11:20 a.m. Jerry D. Hoffman v. Tulsa Gas Technologies Inc. & Commerce & Industry Insurance Co., File #2014-08354J

Claimant filed an appeal from the order issued by Administrative Law Judge Curtin. Arthur H. Adams is the attorney of record for the Claimant and Kevin E. McCarty 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.

9. 11:40 a.m. Octavio Pina v. American Piping Inspection Inc. & Berkshire Hathaway Homestate Insurance Co. (BHHIC), File #2014-09405Y

Claimant filed an appeal from the order issued by Administrative Law Judge Egan. Kim N. Nguyen is the attorney of record for the Claimant and Jacque Brawner Dean 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.

10. Announcements

Commission's next regularly scheduled meeting is Thursday, May 8, 2015.

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