

SPECIAL MEETING OF THE
OKLAHOMA WORKERS' COMPENSATION
COMMISSION

Appeals and Business Meeting

Wednesday, December 23, 2020
10:00 a.m.
Commission Chambers
1915 N. Stiles Ave.
Oklahoma City, Oklahoma
www.wcc.ok.gov

[Interim Guidance on Commission Appellate Proceedings](#)

AGENDA

CALL TO ORDERPresiding Appellate Officer, Chairman Liotta

ROLL CALLPresiding Appellate Officer, Chairman Liotta

BUSINESSPresiding Appellate Officer, Chairman Liotta

STATEMENT OF COMPLIANCE BY CHAIRMAN

A. MINUTES:

- The drafted Minutes of the Regular Appeals Meeting of December 18, 2020, will be considered for approval.

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

B. Commission Consideration of Adoption of Final Order in the Following Cases:

1. Glenn Stonebridge v. American Airlines Inc. and New Hampshire Insurance Co., File #CM2018-00189L

Claimant filed an appeal from the order issued by Administrative Law Judge Inhofe. Pam Cornett represented the Claimant. Lee Endicott represented Respondent.

This case came on for Oral Argument on February 21, 2020. After reviewing the record, hearing oral argument of counsel, and deliberating, the Commission took this case under advisement.

Possible Action:

Possible action may include, but is not limited to: taking no action, adopting an order as proposed or as modified at the hearing, or continuing the matter.

2. Diana Burbank v. Tropical Plant Design Inc. and Compsource Mutual Ins. Co. (FKA Compsource Oklahoma), File #CM2017-01135Q

Claimant and Respondent filed an appeal from the order issued by Administrative Law Judge Inhofe. Edward Grimes appeared for the Claimant and Cynthia J. Braly appeared for the Respondent.

This case came on for Oral Argument on June 19, 2020. After reviewing the record, hearing oral argument of counsel, and deliberating, the Commission took this case under advisement.

Possible Action:

Possible action may include, but is not limited to: taking no action, adopting an order as proposed or as modified at the hearing, or continuing the matter.

3. Victor Martinez v. Multiple Injury Trust Fund, File #CM2018-02303YMIF

Claimant filed an appeal from the order issued by Administrative Law Judge McMillin. Marcus Gowens appeared for the Claimant and Jon Derouen appeared for the Respondent.

This case came on for Oral Argument on October 23, 2020. After reviewing the record, hearing oral argument of counsel and deliberating, Commissioner Russell moved to take preliminary action to affirm the Administrative Law Judge's Order and instruct Appellate Counsel or other staff member to draft a proposed order to be considered at a future meeting.

Possible Action:

Possible action may include, but is not limited to: taking no action, adopting an order as proposed or as modified at the hearing, or continuing the matter.

4. Bernard Debord Jr. v. Action Group Staffing and CompSource Mutual Ins. Co. (FKA COMPSOURCE OKLAHOMA) and Flintco LLC and Arch Insurance Co., File #CM2019-02911A

Respondent Flintco, and its insurance carrier, Arch Insurance Company, filed an appeal from the order issued by Administrative Law Judge Inhofe. Respondent Action Group Staffing, and its insurance carrier, CompSource Mutual Insurance Company, filed a cross-

appeal. David P. Reid appeared for the Claimant. Dana L. Gish appeared for Action Group Staffing and CompSource Mutual Insurance Company. John A. McCaleb appeared for Flintco and Arch Insurance Company.

This case came on for Oral Argument on October 23, 2020. After reviewing the record, hearing oral argument of counsel, and deliberating, the Commission took this case under advisement.

Possible Action:

Possible action may include, but is not limited to: taking no action, adopting an order as proposed or as modified at the hearing, or continuing the matter.

5. Bobby Collings v. Multiple Injury Trust Fund, File #CM2017-00899FMIF

Respondent filed an appeal from the order issued by Administrative Law Judge Curtin. Joe Farnan appeared for the Claimant. John Derouen appeared for the Respondent.

This case came on for Oral Argument on October 23, 2020. After reviewing the record, hearing oral argument of counsel, and deliberating, the Commission took this case under advisement.

Possible Action:

Possible action may include, but is not limited to: taking no action, adopting an order as proposed or as modified at the hearing, or continuing the matter.

6. Steven Bachlor v. IC Bus of Oklahoma LLC and IC Bus of OK A Navistar Inc. Co. (OWN RISK #19208), File #CM2017-05790A

Claimant filed an appeal from the order issued by Administrative Law Judge Egan. Ray Lahann appeared for the Claimant and David J. Frette appeared for Respondent.

This case came on for Oral Argument on October 23, 2020. After reviewing the record, hearing oral argument of counsel, and deliberating, the Commission took this case under advisement.

Possible Action:

Possible action may include, but is not limited to: taking no action, adopting an order as proposed or as modified at the hearing, or continuing the matter.

7. **Quincy Tran v. Boeing Co. and Indemnity Insurance Co. of North America, File #CM2017-05844R**

Respondent filed an appeal from the order issued by Administrative Law Judge McMillin. Claimant represented himself pro se. Theresa Bullard appeared for the Respondent.

This case came on for Oral Argument on October 23, 2020. After reviewing the record, hearing oral argument of counsel and deliberating, Commissioner Russell moved to take preliminary action to reverse and remand the Administrative Law Judge's decision as contrary to law and instruct Appellate Counsel or other staff member to draft a proposed order to be considered for continued action at a future meeting.

Possible Action:

Possible action may include, but is not limited to: taking no action, adopting an order as proposed or as modified at the hearing, or continuing the matter.

8. **Charlene Skene v. Dress Barn Inc. and Safety National Casualty Corp., File #CM2018-04158A**

Claimant filed an appeal from the order issued by Administrative Law Judge Inhofe. Arthur H. Adams and Bret A. Unterschuetz are the attorneys of record for the Claimant and Clark P. Bushyhead is the attorney of record for the Respondent.

This case came on for Oral Argument on December 18, 2020. After reviewing the record, hearing oral argument of counsel, and deliberating, the Commission took this case under advisement.

Possible Action:

Possible action may include, but is not limited to: taking no action, adopting an order as proposed or as modified at the hearing, or continuing the matter.

9. **Vincent Dopler v. NCED Conference Center Marriot and Marriot International Inc. (OWN RISK), File #CM2018-06999K**

Claimant filed an appeal from the order issued by Administrative Law Judge Egan. Kurt W. Goodwin and Spencer Housley are the attorneys of record. Jennifer Finley is the attorney of record for the Respondent.

This case came on for Oral Argument on December 18, 2020. After reviewing the record, hearing oral argument of counsel and deliberating, Commissioner Russell moved to take preliminary action to reverse and remand the Administrative Law Judge's decision as contrary to law and instruct Appellate Counsel or other staff member to draft a proposed order to be considered for continued action at a future meeting.

Possible Action:

Possible action may include, but is not limited to: taking no action, adopting an order as proposed or as modified at the hearing, or continuing the matter.

THE FOLLOWING MATTERS ARE PRESENTED FOR CONSIDERATION AND VOTE TO APPROVE, DISAPPROVE, OR TAKE ANY OTHER ACTION CONSISTENT WITH THE COMMISSION'S AUTHORITY.

E. Business Meeting Item

10. Discussion and Possible Action regarding "Intent to Lease Office Space" agreement for the new WCC Tulsa office

House Bill 4139 (2020) directed OMES to relocate state agencies currently housed within the Kerr Edmondson Building in Tulsa, Oklahoma, including the Workers' Compensation Commission, to a property owned by the Commissioners of the Land Office (CLO). The CLO and OMES have requested all agencies affected by this move sign a Letter of Intent to enter into a lease for space in the Executive Center upon its renovation.

Possible Action:

Possible action may include, but is not limited to: taking no action; voting to approve this letter and directing the Chairman to sign on behalf of the Commission; continuing the matter; or taking other action consistent with Commission authority.

D. Announcements

The Commission's next regular business meeting is Thursday, January 28, 2021, at 1:30 p.m. The Commission's next regular appeals meeting is Friday, January 29, 2021, at 9:00 a.m.

ADJOURNMENT.....Presiding Appellate Officer, Chairman Liotta