

SPECIAL MEETING OF THE
OKLAHOMA WORKERS' COMPENSATION
COMMISSION

~ APPEALS ~

Thursday, February 5, 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 January 20, 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. Henry Lopez v. Charles Machine Works, Inc.; (Own Risk #15130), CM2014-04251H

Claimant filed an appeal from the order issued by Administrative Law Judge Curtin. Mike J. Lawter is the attorney of record for the Claimant and Connie M. Wolfe 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. Jared Michael Bennett v. IWTS Gas & Supply & Gray Insurance Company, File #CM2014-05569R

Respondent filed an appeal from the order issued by Administrative Law Judge Inhofe. Brandon J. Burton 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. 9:10 a.m. Yuamary Concepcion Torres v. Seaboard Foods LLC & American Zurich Insurance Co., CM2014-07602Y

Claimant filed an appeal from the order issued by Administrative Law Judge Curtin. Bob Burke & Aaron Corbett are the attorneys of record for the Claimant and Connie M. Wolfe 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. Angie Deason v. Integris Baptist Medical Center (Own Risk #18722), CM2014-08709J

Claimant filed an appeal from the order issued by Administrative Law Judge Curtin. Bob Burke & James Hill are the attorneys of record for the Claimant and John B. Vera 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. Possible Executive Session for Confidential Communications Between the Commission and Its Attorneys Concerning Ongoing Bankruptcy Involving Texoma Peanut Company Pursuant to Title 25 O.S. § 307(B)(4)

Pursuant to 25 O.S. § 307(B)(4), an Executive Session is proposed for the purpose of conducting confidential communications between the Commission and its attorneys concerning ongoing bankruptcy involving the Texoma Peanut Company, a former self-insured.

The Commission's counsel from the Attorney General's Office has advised that public disclosure of the communications relating to this claim will seriously impair the ability of the Commission and their counsel to take appropriate action in the ongoing bankruptcy proceeding and protect the Commission's interest.

a. Motion and Vote to (A) Determine That Disclosure Will Seriously Impair the Ability of the Commission to Take Appropriate Action in the Ongoing Bankruptcy Proceeding and Protect the Commission's Interest and (B) Vote to Go Into Executive Session.

b. Vote to Reconvene in Open Session

6. Discussion and Possible Action to Protect the Commission's Interest in the Bankruptcy Proceeding Involving Texoma Peanut Company.

7. Announcements

Commission's next regularly scheduled meeting is Thursday, February 19, 2015.

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