

SPECIAL MEETING OF THE
OKLAHOMA WORKERS' COMPENSATION
COMMISSION

APPEALS

Friday January 29, 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 December 11, 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 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. Debra Taylor v. Eskridge Honda & Oklahoma Auto Dealers SIA (Group #75058) File #CM2014-04667Q

Claimant filed an appeal from the order issued by Administrative Law Judge Egan. J. Mike Lawter is the attorney of record for the Claimant and Eric L. Tabor 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. John P. Lagueux v. Smith & Pickel Construction Inc., & National Fire Insurance Co. of Hartford, File #CM2014-06559X

Respondent filed an appeal from the order issued by Administrative Law Judge Inhofe. Joey Marks is the attorney of record for James M. Odor, M.D., Philip D. Ryan is the attorney of record for the Claimant, and Robert P. Powell 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. Jack Allen Mitchell v. Ram Transpiration LLC & Stonetrust Commercial Insurance Co., File #CM2014-11051J

Respondent filed an appeal from the order issued by Administrative Law Judge Inhofe. Darrell L. Moore is the attorney of record for the Claimant and Jeffrey W. Dasovich 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.

**4. Loretta J. Clay v. First Call Medical Inc., & QBE Insurance Corp.,
File #CM2015-00391K**

Respondent filed an appeal from the order issued by Administrative Law Judge Inhofe. Arthur H. Adams is the attorney of record for the Claimant and Nichole S. Bryant 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. WCC Compliance Department v. Stout Transportation (No Insurance)
File #CM2015-01479J**

Respondent filed an appeal from the order issued by Administrative Law Judge Sommer. Lindsey Christopher is the attorney of record for the Claimant and John C. Niemeyer & Harris A. Philips, III are the attorneys 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. Kelley S. Walker v. Circle K Stores INC., & Ace American Insurance CO., File #CM2015-02004K

Respondent filed an appeal from the order issued by Administrative Law Judge Egan. Mike J. Lawter is the attorney of record for the Claimant and Todd A. Estes 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. Reachelle E. Hatcher v. Independent Opportunities Inc., (OWN RISK #19522), File #CM2015-03525K

Respondent filed an appeal from the order issued by Administrative Law Judge Inhofe. Craig Armstrong is the attorney of record for the Claimant and John G. Barnhart 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.

C. Announcements

Commission's next regularly scheduled meeting is Thursday, February 11, 2016. Commission's next Special Meeting regarding Appeals is scheduled for Friday, February 12, 2016.

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