

REGULAR MEETING OF THE
OKLAHOMA WORKERS' COMPENSATION
COMMISSION

APPEALS

Friday November 3, 2017
9:00 a.m.
Commission Chambers
1915 N. Stiles Ave.
Oklahoma City, Oklahoma
www.wcc.ok.gov

AGENDA

CALL TO ORDERPresiding Appellate Officer, Chairman Liotta

ROLL CALLPresiding Appellate Officer, Chairman Liotta

BUSINESSPresiding Appellate Officer, Chairman Liotta

A. MINUTES:

- The drafted Minutes of the Special Appeal Meeting of October 20, 2017, 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. **Victoria Chiri v. Girl Scouts Western Oklahoma & Indemnity Insurance Co. of North America File #CM2016-04749Q**

Respondent filed an appeal from the order issued by Administrative Law Judge Egan. Daniel M. Davis 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 Commission Counsel 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. **Jerry Neal Harwood v. Ardagh Glass Inc. & Travelers Indemnity Co. of America & Ardagh Group & Travelers Indemnity Co. of America File # CM2016-05122R**

Claimant filed an appeal from the order issued by Administrative Law Judge Sommer. John L. Harlan is the attorney of record for the Claimant and Amanda K. Naifeh and Greg K. Ballard 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 Commission Counsel 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. **Gerald Anton Kassin v. Western Oklahoma State College & Compsource Mutual Ins. Co. (FKA Compsource Oklahoma) File #CM2016-02553L**

Claimant filed an appeal from the order issued by Administrative Law Judge Sommer. Gerald Anton Kassin is self-represented 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 Commission Counsel or other staff member to draft a proposed Order to be considered in further deliberations at a future Commission meeting, or continuing the matter.

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

Ismael Hernandez v. DCP Midstream & DCP Midstream, LLC, & American Zurich Insurance, File #CM2015-04163A

Respondent filed an appeal from the order issued by Administrative Law Judge Egan. G. Todd Ralstin and L. Randall Lee represented the Claimant. Gary D. Long and David Brenner represented the Respondent.

After hearing oral arguments on September 15, 2017, the Commission en Banc took this matter under advisement for continued action at a future meeting. After reviewing the record, considering the arguments of counsel and deliberating, a proposed order was drafted and distributed to the Commissioners for consideration of adoption.

Possible Action:

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

Robert Dowdy v. Resource One & Great American Alliance Insurance Co., File # CM2015-05911F

Claimant filed an appeal from the order issued by Administrative Law Judge Egan. Micah Felton represented the Claimant and Laurie Judie represented the Respondent.

After hearing oral arguments on October 20, 2017, the Commission en Banc took this matter under advisement for continued action at a future meeting. After reviewing the record, considering the arguments of counsel and deliberating, a proposed order was drafted and distributed to the Commissioners for consideration of adoption.

Possible Action:

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

D. Announcements

Commission's next regular business meeting is Thursday, November 9, 2017. Commission's next regular meeting regarding Appeals is scheduled for Friday, December 15, 2017.

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