

SPECIAL MEETING OF THE OKLAHOMA WORKERS' COMPENSATION COMMISSION

~ APPEALS ~

Friday, May 8, 2020

10:30 a.m.

Via Zoom

<https://zoom.us/j/97885114521>

or

1 (346) 248-7799

Meeting ID: 978 8511 4521

MINUTES

Members present remotely via Zoom: Chairman Mark Liotta, Commissioner Jordan Russell, and Commissioner Megan Tilly.

Staff present, remotely via Zoom, to support the Commission: Lindsey Christopher and Alexander Watkins.

STATEMENT OF OKLAHOMA OPEN MEETING LAW COMPLIANCE

Chairman Liotta stated the administrative meeting was being held in compliance with the Open Meetings Act.

This meeting is also being conducted under the new emergency provisions of the Open Meeting Act, as amended by SB 661 on Wednesday, March 18, 2020.

CALL TO ORDERPresiding Appellate Officer, Chairman Liotta

Call to order 10:30 a.m. by Chairman Liotta, Presiding Appellate Officer.

ROLL CALLPresiding Appellate Officer, Chairman Liotta

After the roll call was taken, Chairman Liotta announced the presence of a Quorum.

A. MINUTES:

- The drafted Minutes of the Regular Appeal Meeting of March 6, 2020, were considered for approval.

Motion: Commissioner Tilly made a motion to approve the Regular Appeal Meeting of March 6, 2020, minutes.

Second: Commissioner Russell.

Those Voting Aye: Chairman Liotta, Commissioner Russell, and Commissioner Tilly.

THE MOTION CARRIED: MINUTES APPROVED

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

1. John McArthur King Jr. v. Mulford Construction & CompSource Mutual Ins. Co., (FKA CompSource Oklahoma), File #CM2018-01333L

Claimant filed an appeal from the order issued by Administrative Law Judge Egan. Rodney Palmer appeared for the Claimant. Robert A. Manchester appeared for Respondent Milford Construction. Jon L. Derouen Jr. appeared for the Respondent Tim Brown.

This case came on for Oral Argument on October 25, 2019. After reviewing the record, hearing oral argument of counsel, and deliberating, the Commission took this case under advisement.

Motion: Commissioner Tilly moved to approve the proposed order as amended.

Second: Commissioner Russell.

Those Voting Aye: Chairman Liotta, Commissioner Russell, and Commissioner Tilly.

THE MOTION CARRIED: ALJ ORDER ADOPTED

2. Carey B. Howard v. Dane & Associates Electric Co. Inc. and Standard Fire Insurance, File #CM2016-06350J

Claimant filed an appeal from the order issued by Administrative Law Judge McMillin. Daniel M. Davis appeared for the Claimant and Mia C. Rops appeared for the Respondent.

This case came on for Oral Argument on January 24, 2019. After reviewing the record, hearing oral argument of counsel, and deliberating, the Commission took this case under advisement.

Motion: Commissioner Tilly moved to approve the proposed order as drafted and modified by Chairman Liotta.

Second: Commissioner Russell.

Those Voting Aye: Chairman Liotta, Commissioner Russell, and Commissioner Tilly.

THE MOTION CARRIED: ALJ ORDER ADOPTED

3. **Jorge Garcia v. Drake Barnes, Barnes Construction Solutions, and Bitco National Insurance Company (FKA Bituminous Fire), File #CM2019-01894J**

Respondent filed an appeal from the order issued by Administrative Law Judge Inhofe. Arthur H. Adams appeared for the Claimant. Travis A. Fulkerson appeared for the Respondent.

This case came on for Oral Argument on December 13, 2019. After reviewing the record, hearing oral argument of counsel, and deliberating, the Commission took this case under advisement.

Motion: Commissioner Tilly moved to affirm the Administrative Law Judge's Order and authorized the Commission's Presiding Appellate Officer to sign and file an order on behalf of the Commission.

Second: Commissioner Russell.

Those Voting Aye: Chairman Liotta, Commissioner Russell, and Commissioner Tilly.

THE MOTION CARRIED: ALJ ORDER AFFIRMED

4. **Ava Rushing v. Multiple Injury Trust Fund, File #CM2016-05147JMIF**

Claimant filed an appeal from the order issued by Administrative Law Judge Curtin. Donald E. Smolden appeared for the Claimant. Jon Derouen appeared for the 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.

Motion: Commissioner Tilly moved to continue all remaining orders to the next appellate docket.

Second: Commissioner Russell.

Those Voting Aye: Chairman Liotta, Commissioner Russell, and Commissioner Tilly.

THE MOTION CARRIED: ALL REMAINING ORDERS CONTINUED

5. **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 appeared for the Claimant. Lee Endicott appeared for the 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.

Motion: Commissioner Tilly moved to continue all remaining orders to the next appellate docket.

Second: Commissioner Russell.

Those Voting Aye: Chairman Liotta, Commissioner Russell, and Commissioner Tilly.

THE MOTION CARRIED: ALL REMAINING ORDERS CONTINUED

C. Announcements

Commission's next dual SIGFB meeting is Wednesday, May 20, 2020. Commission's next regular business meeting is scheduled for Thursday, May 21, 2020. Commission's next Appeals meeting is Friday May 22, 2020.

ADJOURNMENT

Motion: Commissioner Tilly moved to adjourn the meeting at approximately 10:42 a.m.

Second: Commissioner Russell.

Those Voting Aye: Chairman Liotta, Commissioner Russell, and Commissioner Tilly.

THE MOTION CARRIED: THE MEETING WAS ADJOURNED.