

REGULAR MEETING OF THE  
OKLAHOMA WORKERS' COMPENSATION  
COMMISSION

**APPEALS**

Friday June 15, 2018  
9:00 a.m.  
Commission Chambers  
1915 N. Stiles Ave.  
Oklahoma City, Oklahoma  
[www.wcc.ok.gov](http://www.wcc.ok.gov)

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*AGENDA*

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**CALL TO ORDER .....Presiding Appellate Officer, Chairman Liotta**

**ROLL CALL .....Presiding Appellate Officer, Chairman Liotta**

**BUSINESS .....Presiding Appellate Officer, Chairman Liotta**

**A. MINUTES:**

- The drafted Minutes of the Special Appeal Meeting of May 18, 2018, 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 Commissioners may recess for lunch.

The procedure for the hearings before the Commission en banc is as follows:

- Each side 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. Cynthia Harwell v. City of Del City Own Risk #11388) File # CM2015-01284J**

Claimant an appeal from the order issued by Administrative Law Judge Egan. Jeffrey M. Cooper is the attorney of record for the Claimant. Jack B. Fried and Heather A. Lehman Fagan 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 Appellate 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. Meryl Lynn Edwards v. Texas County & CompSource Mutual Ins. Co. (FKA CompSource Oklahoma) File #CM2016-05900K**

Respondent filed an appeal from the order issued by Administrative Law Judge Egan. Joseph C. Biscone, II is the attorney of record for the Claimant and Barry Zlotogura 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 Appellate 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. Bryan Glenn Weatherly v. Federal Express Corp. (Own Risk #16593) File #CM2017-08088L**

Claimant filed an appeal from the order issued by Administrative Law Judge McMillin. D. Eliot Yaffe is the attorney of record for the Claimant and R. Ted Leslie 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 Appellate 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.

**4. Robert J. Hudson, Jr. v. Probuild Holdings Inc. & Liberty Mutual Insurance Co., File #CM2015-08091Y**

Claimant filed an appeal from the order issued by Administrative Law Judge Inhofe. Kevin B. White is the attorney of record for the Claimant and John A. McCaleb 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 Appellate 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.

**5. Shari M. Tyson v. Gore Health Services LLC & Metropolitan Health Care SI Group (Group #75220) File #CM2017-05193H**

Respondent filed an appeal from the order issued by Administrative Law Judge Lawyer. Arthur H. Adams is the attorney of record for the Claimant and Jacob Jean is the attorney of record for 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 Appellate 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.

**6. Thomas E. Tanner v. American Airlines & New Hampshire Insurance Co., File #CM2017-05203R**

Respondent filed an appeal from the order issued by Administrative Law Judge Inhofe. Bryce A. Hill is the attorney of record for the Claimant and Donald A. Bullard is the attorney of record for 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 Appellate 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.

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

**1. Ronnie Pressler v. Lowes Home Centers LLC (OWN RISK #18931) File #CM2016-06814H**

Claimant filed an appeal from the order issued by Administrative Law Judge Inhofe. Eric W. Quandt represented the Claimant and Jordan Ensley represented the Respondent.

This case came on for Oral Argument on May 18, 2018. After reviewing the record, hearing oral argument of counsel, and deliberating, the Commission took the case under advisement. A proposed order has been 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, July 19, 2018. Commission's next regular meeting regarding Appeals is scheduled for Friday, July 20, 2018.

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