

BEFORE THE WORKERS' COMPENSATION COURT OF EXISTING CLAIMS
STATE OF OKLAHOMA

FILED

**WORKERS' COMPENSATION COURT
STATE OF OKLAHOMA
August 25, 2014
Katrina Stephenson
COURT CLERK**

In re claim of:

JIMMY ANDREWS)	
Deceased)	
)	
CARLA FAYE STOKES ANDREWS)	
Surviving heir-at-law)	
Claimant)	Court Number: 2012-00538L
)	
CITY OF NORMAN)	
Respondent)	Decedent's Social Security
)	Number: xxx-xx-8661
CITY OF NORMAN (OWN RISK #10970))	
Ins. Carrier)	

ORDER AWARDING PERMANENT PARTIAL DISABILITY

Now on this 19th day of AUGUST, 2014, this cause comes on for consideration pursuant to regular assignment and hearing on AUGUST 18, 2014, before JUDGE MARGARET BOMHOFF, at Oklahoma City, Oklahoma, at which time claimant appeared in person and by counsel, MARK LITTON and respondent and insurance carrier appeared by counsel, BRADLEY J MCCLURE.

The Court having considered the evidence and records on file, and being well and fully advised in the premises FINDS AND ORDERS AS FOLLOWS:

- 1 -

THAT on AUGUST 2, 2011, deceased was employed by the above named respondent and such employment was subject to and covered by the provisions of the Workers' Compensation Code of the State of Oklahoma; and on said date deceased sustained accidental personal injury to the RIGHT FOOT and RIGHT LEG arising out of and in the course of deceased's employment.

- 2 -

THAT on MARCH 16, 2013, JIMMY ANDREWS, deceased, died as a result of a condition unrelated to the accidental personal injury of AUGUST 2, 2011, and by reason thereof this is a cause that can be properly revived by law.

- 3 -

THAT notice of this hearing was properly published.

- 4 -

THAT CARLA FAYE STOKES ANDREWS is the surviving spouse of the deceased, a surviving dependent heir-at-law and entitled to workers' compensation benefits; that CARLA FAYE STOKES ANDREWS is hereby substituted as the claimant in this case and therefore entitled to the award herein.

- 5 -

THAT claimant's Motion for Revivor is granted.

- 6 -

THAT at time of injury, deceased's wages were sufficient to establish the rates of compensation at \$605.16 per week for temporary total disability and \$323.00 per week for permanent partial disability.

- 7 -

THAT as a result of said injury, deceased sustained 20 percent permanent partial disability to the RIGHT FOOT (OVER AND ABOVE PRE-EXISTING 10%), and 20 percent permanent partial disability to the RIGHT LEG (OVER AND ABOVE PRE-EXISTING 10%), for which claimant is entitled to compensation for 99 weeks at \$323.00 per week, or the total amount of \$31,977.00 of which 99 weeks have accrued and shall be paid in a lump sum of \$31,977.00.

- 8 -

THAT respondent or insurance carrier shall pay claimant the award herein in lump sum of \$31,977.00 (less attorney fee).

- 9 -

THAT respondent or insurance carrier shall pay court costs; Special Occupational Health and Safety Fund Tax shall be paid in the sum of \$239.83, representing three-fourths of one percent (0.75%). Respondent, if Own Risk, shall pay \$639.54 to the Workers' Compensation Administration Fund, representing two percent (2%) of the permanent disability award herein.

- 10 -

THAT pursuant to Title 85 O.S. Section 368, a final award fee of one hundred forty dollars (\$140.00) is taxed as a cost in this matter, and shall be paid by respondent.

- 11 -

THAT the sum of \$6,395.40 shall be deducted from the award herein and paid in lump sum to claimant's attorney as a fair and reasonable attorney fee; within 20 days from the date of filing of this order, respondent shall comply herewith.

BY ORDER OF:

/s/ Margaret A. Bomhoff
MARGARET BOMHOFF, JUDGE

gs/CRichardson

A copy of the above and foregoing Court Order was mailed, by regular or Certified United States Mail, on this filed stamped date to:

Claimant's Attorney: CRAIG DAWKINS
1601 NW EXPRESSWAY SUITE 1420
OKLAHOMA CITY, OK 73118-

Respondent's Attorney: JEANNE SNIDER
PO BOX 370
NORMAN, OK 73070-

BRADLEY J MCCLURE
1327 N ROBINSON
OKLAHOMA CITY, OK 73103-4848

I do hereby certify that the above and foregoing is a true and correct copy of the original order signed by the Judge herein. Witness by my hand and the official seal of this court on this date.



Court Clerk
August 25, 2014

