## BEFORE THE WORKERS' COMPENSATION COURT OF THE STATE OF OKLAHOMA

| In re claim of:                  |   | WORKERS' COMPENSATION COURT  |
|----------------------------------|---|------------------------------|
|                                  |   | STATE OF OKLAHOMA            |
|                                  |   | August 30, 2013              |
| RICHARD HARTLESS                 | ) | Joyce Sanders<br>COURT CLERK |
| Claimant                         | ) | COURT CLERK                  |
|                                  | ) | Court Number: 2012-12948Q    |
| CITY OF NORMAN                   | ) |                              |
| Respondent                       | ) |                              |
|                                  | ) | Claimant's Social Security   |
| CITY OF NORMAN (OWN RISK #10970) | ) | Number: xxx-xx-8025          |
| Ins. Carrier                     | ) |                              |
|                                  |   |                              |

EII ED

## ORDER AWARDING THE NATURE AND EXTENT OF PERMANENT PARTIAL DISABILITY BENEFITS

Now on this 28th day of AUGUST, 2013, this cause came on for consideration pursuant to regular assignment and hearing on AUGUST 22, 2013, before JUDGE MICHAEL J HARKEY, at Oklahoma City, Oklahoma, at which time claimant appeared in person and by counsel, NICOLE LYNN BELL appearing for RICHARD A BELL and respondent and insurance carrier appeared by counsel, JEANNE SNIDER.

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, claimant was employed by the above named respondent and such employment was subject to and covered by the provisions of the Workers' Compensation Act of the State of Oklahoma; and on said date claimant sustained accidental personal injury to the LEFT GREAT TOE arising out of and in the course of claimant's employment.

- 2 -

THAT at time of injury, claimant's wage were sufficient to establish the rate of compensation at \$323.00 per week for permanent partial disability.

-3-

THAT determination of the rate of temporary total disability of compensation is reserved for future hearing.

-4 -

THAT as a result of said injury, claimant sustained 29 percent permanent partial disability to the LEFT GREAT TOE, for which claimant is entitled to compensation for 9.57 weeks at \$323.00 per week, or the total amount of \$3,091.11 of which 9.57 weeks have accrued and shall be paid in a lump sum of \$3,091.11.

- 5 -

THAT respondent and/or insurance carrier shall pay all reasonable and necessary medical expenses incurred by claimant as a result of said injury.

- 6 -

THAT respondent or insurance carrier shall pay claimant the award herein in lump sum of \$3,091.11 (less attorney fee).

- 7 -

THAT respondent or insurance carrier shall pay court costs; Special Occupational Health and Safety Fund Tax shall be paid in the sum of \$23.18, representing three-fourths of one percent (0.75%). Respondent, if Own Risk, shall pay \$61.82 to the Workers' Compensation Administration Fund, representing two percent (2%) of the permanent disability award herein.

- 8 -

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 to the Court Administrator.

- 9 -

THAT the sum of \$618.22 shall be deducted from the award herein and paid in lump sum to claimant's attorney as a fair and reasonable attorney fee; within twenty (20) days from the date of filing of this order, respondent or insurance carrier shall comply herewith.

BY ORDER OF:

/S/ Multif of Amly MICHAEL J HARKEY JUDGE

pg/FBennett

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:

RICHARD A BELL

PO BOX 1529

NORMAN, OK 73070-1529

Respondent's Attorney:

JEANNE SNIDER

**PO BOX 370** 

NORMAN, OK 73070-

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.

SEAL

Court Clerk

August 30, 2013