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

WORKERS' COMPENSATION COURT
STATE OF OKLAHOMA February 11, 2014
Joyce Sanders COURT CLERK
)
) Court Number: 2012-13572F
)
)
) Claimant's Social Security
) Number: xxx-xx-9401
)

TIT TO

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

Now on this 10th day of FEBRUARY, 2014, this cause came on for consideration pursuant to regular assignment and hearing on FEBRUARY 6, 2014, before JUDGE MARGARET BOMHOFF, at Oklahoma City, Oklahoma, at which time claimant appeared in person and by counsel, KENT ELDRIDGE 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 3, 2012, 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 SHOULDER arising out of and in the course of claimant's employment.

-2-

THAT claimant did not sustain separate injury to the LEFT ARM.

- 3 -

THAT at time of injury, claimant's wages were sufficient to establish the rates of compensation at \$735.00 per week for temporary total disability and \$323.00 per week for permanent partial impairment.

- 4 -

THAT claimant returned to work full duty and worked full duty until NOVEMBER 2013, when he injured his RIGHT SHOULDER while playing volleyball at work.

- 5 -

THAT as a result of said injury, claimant sustained 18 percent permanent partial impairment to the WHOLE MAN LEFT SHOULDER (arthroscopic rotator cuff repair, biceps tenodesis, acromioplasty, clavicle resection and extensive debridement), for which claimant is entitled to compensation for 90 weeks at \$323.00 per week, or the total amount of \$29,070.00 of which 45 weeks have accrued and shall be paid in a lump sum of \$14,535.00.

- 6 -

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

- 7 -

THAT respondent or insurance carrier shall pay claimant the accrued portion of the award herein in lump sum of \$14,535.00 and pay the balance of said award at the rate of \$323.00 per week until the total award of \$29,070.00 (less attorney fee) has been paid to claimant.

- 8 -

THAT respondent or insurance carrier shall pay court costs; Special Occupational Health and Safety Fund Tax shall be paid in the sum of \$218.03, representing three-fourths of one percent (0.75%). Respondent, if Own Risk, shall pay \$581.40 to the Workers' Compensation Administration Fund, representing two percent (2%) of the permanent disability award herein.

-9-

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.

- 10 -

THAT the sum of \$5,814.00 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:

MARGARET BOMHOFF, JUDGE

1s/ Margaret & Bombit

gs/KAnderson

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:

KENT ELDRIDGE

PO BOX 607

OKLAHOMA CITY, OK 73103-

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

February 11, 2014