

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

10483UPK

FILED

**WORKERS' COMPENSATION COURT
STATE OF OKLAHOMA
December 21, 2017
Katrina Stephenson
COURT CLERK**

In re claim of:

VIRGINIA E SHAW)
Claimant)
CITY OF BROKEN ARROW)
Respondent)
CITY OF BROKEN ARROW (OWN RISK #14157))
Ins. Carrier)

Court Number: 2017-00826A

Claimant's Social Security
Number: xxx-xx-8834

**ORDER DETERMINING COMPENSABILITY AND AWARDING
PERMANENT PARTIAL IMPAIRMENT BENEFITS**

Now on this 7th day of DECEMBER, 2017, this cause came on for consideration pursuant to regular assignment and hearing on DECEMBER 5, 2017, before JUDGE MICHAEL W MCGIVERN, at Tulsa, Oklahoma, at which time claimant appeared in person and by counsel, SCOTT TULLY and respondent and insurance carrier appeared by counsel, LEAH P KEELE.

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 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 OCTOBER 1, 2013, claimant became aware she had sustained accidental personal injury as a result of cumulative trauma to the RIGHT HAND and LEFT HAND arising out of and in the course of claimant's employment. Claimant's last injurious exposure to said trauma was on OCTOBER 1, 2013.

- 2 -

THAT at time of injury, claimant's wages were sufficient to establish the rates of compensation at \$771.00 per week for temporary total disability and \$323.00 per week for permanent partial impairment.

- 3 -

THAT as a result of said injury, claimant sustained 18 percent permanent partial impairment to the RIGHT HAND (SURGERY - ENDOSCOPIC CARPAL TUNNEL RELEASE, DISTAL FOREARM FASCIOTOMY, WEAKNESS, CREPITANCE) and 18 percent permanent partial disability to the LEFT HAND (SURGERY - ENDOSCOPIC CARPAL TUNNEL RELEASE, DISTAL FOREARM FASCIOTOMY, WEAKNESS, CREPITANCE), for which claimant is entitled to compensation for 79.2 weeks at \$323.00 per week, or the total amount of \$25,581.60 of which 79.2 weeks have accrued and shall be paid in a lump sum of \$25,581.60.

- 4 -

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

- 5 -

THAT respondent or insurance carrier shall pay claimant the award herein in lump sum of \$25,581.60 (less attorney fee).

- 6 -

THAT Respondent shall pay court costs; Special Occupational Health and Safety Fund Tax of three-fourths of one percent (0.75%) of the amounts paid in lump sum of \$191.86. Pursuant to 85 O.S., Section 407, as amended by Laws 2013, HB 2201, c. 254, Section 49, eff. January 1, 2015, Respondent, if Own Risk, shall pay \$511.63 to the Workers' Compensation Administration Fund created by 85 O.S. Section 407, to be used for the costs of administering the Workers' Compensation Code as applicable to the Oklahoma Workers' Compensation Court of Existing Claims, representing two percent (2%) of the permanent disability award herein.

- 7 -

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.

- 8 -

THAT the sum of \$5,116.32 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/ Michael W McGivern

MICHAEL W MCGIVERN, JUDGE

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: SCOTT TULLY
PO BOX 2141
BROKEN ARROW, OK 74013-

Respondent's Attorney: LEAH P KEELE
10441 S REGAL BLVD STE 200
TULSA, OK 74133-

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.

Kathrina Supleason

Court Clerk
December 21, 2017

