

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F005922

BARRY NEEDHAM	CLAIMANT
JOHNSON CONTROLS, INC.	RESPONDENT
SPECIALTY RISK SERVICE, INC. INSURANCE CARRIER	RESPONDENT

OPINION FILED OCTOBER 13, 2003

Hearing before ADMINISTRATIVE LAW JUDGE ELIZABETH DANIELSON in Springdale, Washington County, Arkansas.

Claimant represented by JAY TOLLEY, Attorney, Fayetteville, Arkansas.

Respondents represented by CURTIS NEBBEN, Attorney, Fayetteville, Arkansas.

STATEMENT OF THE CASE

A hearing was held on August 12, 2003, in Springdale, Arkansas and on the respondents' Motion to Dismiss.

The documentary evidence submitted in this matter consists of the respondents' Motion to Dismiss marked Commission's Exhibit No. 1. The claimant submitted three letters marked Claimant's Exhibit No. 1, 2 and 3 respectfully and a hand written note dated May 5, 2003, marked Claimant's Exhibit No. 4. All these exhibits were admitted without objection.

DISCUSSION

No testimony was offered from the claimant or from the respondents, however, statements were made by the claimant's attorney as well as the respondents' attorney.

Subsequent to the hearing, the claimant filed a request for a hearing as well as a pre-hearing information sheet requesting that the claimant be found permanently and totally disabled or entitled

to wage loss as well as additional medical and attorney's fee. Based on the claimant's request for a hearing on his entitlement to additional benefits, the respondents Motion for Dismissal is hereby denied.

ORDER

The respondents' Motion to Dismiss is hereby denied.

IT IS SO ORDERED.

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ELIZABETH DANIELSON  
ADMINISTRATIVE LAW JUDGE