

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F501764

PAULA J. ARD, EMPLOYEE CLAIMANT

ST. VINCENT HEALTH SERVICE, EMPLOYER RESPONDENT

ALTERNATIVE INSURANCE MANAGEMENT, CARRIER RESPONDENT

Claimant represented by the HONORABLE STEVEN MCNEELY, Attorney at Law, Little Rock, Arkansas.

Respondents represented by the HONORABLE WALTER MURRAY, Attorney at Law, Little Rock, Arkansas.

DEFAULT JUDGEMENT FILED APRIL 13, 2006

Now on this 12th day of April, 2006, the above styled case was scheduled for a contested hearing. A hearing notice was sent to the respondents by certified mail on March 13, 2006, (see correspondence attached).

The claimant appeared in person and by her attorney, Steven McNeely. Although duly notified, the respondents did not appear. Accordingly, the Commission enters the following order:

1. The Arkansas Workers' Compensation Commission has jurisdiction of this claim in which the relationship of employer/employee/carrier existed among the parties on January 31, 2005, at which time the claimant sustained a compensable injury caused by a specific incident arising out of and in the course of her employment which produced physical bodily harm, supported by objective findings, requiring medical treatment and producing disability, at a compensation rate of \$466.00/\$350.00.
2. The respondent is directed to pay temporary total disability benefits from March 2, 2005 to a date yet to be determined, as the claimant remains in a healing period,

totally unable to work.

3. Respondents are directed to pay all reasonable and necessary medical expenses related to this injury, pursuant to Commission Rule 30, as well as mileage expenses.
4. Respondents are directed to pay the liens filed by the third-parties, Unum Life Insurance Co. and Healthcare Recoveries, pursuant to Ark. Code Ann. §11-9-411.
5. This claim was controverted and claimant's counsel is entitled to the maximum attorney's fee, to be paid in accordance with Ark. Code Ann. §11-9-715, §11-9-801, and WCC Rule 10.
6. Respondents are directed to pay the court reporter's fees and expenses within 30 calendar days of this order. All other issues are reserved.

AWARD

Respondents are directed to pay benefits in accordance with the Findings of Fact above along with their proportionate share of attorney's fees. All accrued sums shall be paid in a lump sum without discount and this award shall earn interest at the legal rate until paid, pursuant to A.C.A. §11-9-809, and Couch v. First State Bank of Newport, 49 Ark. App. 102, 898 S.W.2d 57 (Ark. Ct. App. 1995), and Burlington Industries, et al v. Pickett, 64 Ark. App 67, 983 S.W.2d 126 (1998), 336 S.W. 515, 988 S.W.2d 3 (1999).

IT IS SO ORDERED.

ELIZABETH W. HOGAN
Administrative Law Judge