

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

AWCC NOS. F110527 & F111406

BERTRAM E. MILLER, EMPLOYEE

CLAIMANT

VS.

MILK TRANSPORT SERVICES, EMPLOYER

RESPONDENT

ROYAL INDEMNITY COMPANY, CARRIER

RESPONDENT

ORDER FILED DECEMBER 8, 2006

Upon review before the FULL COMMISSION, Little Rock, Pulaski County, Arkansas.

Claimant represented by HONORABLE THOMAS W. MICKEL, Attorney at Law, Conway, Arkansas.

Respondent represented by HONORABLE ANDREW IVEY, Attorney at Law, Little Rock, Arkansas.

ORDER

Presently before the Commission is Respondents' Motion to Extend Stay on the Appeal to the Full Commission. The Respondents filed a timely notice of appeal from the Administrative Law Judge opinion issued on May 23, 2006. After filing the notice of appeal, the parties reached a tentative settlement agreement. By agreement of the parties, the clerk of the commission held the appeal in abeyance until November 13, 2006, and the claim was remanded to an Administrative Law Judge for a Joint Petition hearing. Due to Medicare issues a Joint Petition hearing has yet to be scheduled. Respondents file the present motion seeking an additional stay of the appeal.

Claimant does not object to the requested extended stay. The parties advise that upon receipt of the necessary documentation regarding the Medicare issues, a Joint Petition will be filed and a hearing will be requested. Accordingly, we find that good cause exist to hold the present appeal in abeyance until January 31, 2007. If the Joint Petition is approved, the appeal will be dismissed; however, if a joint petition hearing cannot be held on or before January 31, 2007, or if it is held and the petition is denied, this claim will be submitted to the Full Commission on our January 31, 2007, docket.

IT IS SO ORDERED.

OLAN W. REEVES, Chairman

SHELBY W. TURNER, Commissioner

KAREN H. MCKINNEY, Commissioner