

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. E306806

JOHN O'HARA, EMPLOYEE	CLAIMANT
J. CHRISTY CONSTRUCTION CO., INC., EMPLOYER	RESPONDENT NO. 1
TRAVELERS CASUALTY & SURETY CO., INSURANCE CARRIER	RESPONDENT NO. 1
DEATH & PERMANENT TOTAL DISABILITY TRUST FUND	RESPONDENT NO. 2

ORDER FILED NOVEMBER 22, 2010

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

Claimant represented by the HONORABLE FLOYD M. THOMAS, JR.,
Attorney at Law, El Dorado, Arkansas.

Respondents No. 1 represented by the HONORABLE BETTY J.
HARDY, Attorney at Law, Little Rock, Arkansas.

Respondent No. 2 represented by the HONORABLE CHRISTY L.
KING, Attorney at Law, Little Rock, Arkansas.

ORDER

In an opinion delivered March 30, 2010, the Full
Commission affirmed and adopted an administrative law
judge's opinion filed September 16, 2009. The
administrative law judge found that he did not have
authority to order that the attorney's fees be paid in a
lump sum by Respondent No. 2, Death & Permanent Disability

Trust Fund. The Arkansas Court of Appeals has reversed and remanded, holding that the Commission's decision was clearly erroneous as a matter of law. *O'Hara v. Death & Permanent Disability Trust Fund*, No. CA10-452 (Oct. 20, 2010).

The Full Commission remands this case to the administrative law judge for further proceedings consistent with the findings of the Court of Appeals.

IT IS SO ORDERED.

A. WATSON BELL, Chairman

KAREN H. MCKINNEY, Commissioner

PHILIP A. HOOD, Commissioner