

BEFORE THE IOWA WORKERS' COMPENSATION COMMISSIONER

THERESA M. ZINNS,

Claimant,

Vs.

MENARD, INC.,

Employer,

-and-

PRAETORIAN INSURANCE COMPANY,

Insurance Carrier,
Defendants.

File No. 5053054
DOI: 8/16/2014

JOINT MOTION FOR ORDER NUNC
PRO TUNC

FILED
JAN 31 2017
WORKERS' COMPENSATION

COME NOW the Claimant and Defendant, by and through their respective counsel, and move the Agency for an Order Nunc Pro Tunc. In support thereof, the Claimant and Defendants state as follows:

1. This case was tried before Deputy Industrial Commissioner McGovern on August 12, 2016. It was deemed submitted on September 9, 2016.
2. On January 17, 2017, Deputy McGovern issued her Decision.
3. At page two of the Decision, Deputy McGovern wrote: "Prior to the date of the hearing, defendants paid claimant 73.357 weeks of weekly benefits at the rate of \$195.96 per week for a total of \$73,266.11 paid in indemnity benefits ..."
4. The calculation on page two is incorrect. Weekly benefits of \$195.96 per week for 73.357 weeks is \$14,375.04.

SUSTAINED
The Joint motion for
Order NUNC PRO TUNC
IS SUSTAINED in its
entirety.

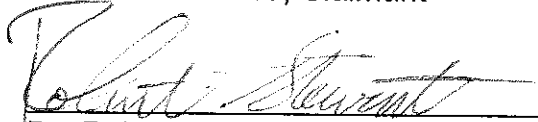
February 15th 2017
Michelle A. McGovern
DEPUTY WORKERS' COMPENSATION COMMISSIONER

5. Defendants' Exhibit G details the benefits paid to Claimant. Defendants paid Claimant indemnity benefits of \$14,375.09. They paid her **medical** benefits of \$73,266.11. Def.'s Ex. G.

6. For purposes of clarifying the record, the parties both stipulate that Defendants paid indemnity benefits of \$14,375.09, consisting of \$10,665.29 for the period beginning January 23, 2015 and ending January 14, 2016 and \$3,709.80 for Claimant's 4% impairment rating issued by Dr. Stokesbary. The parties further stipulate that Defendants paid medical, hospital and surgical expenses of \$73,266.11.

WHEREFORE Claimant and Defendants respectfully request the Agency enter an Order Nunc Pro Tunc, clarifying that Defendants have paid indemnity benefits of \$14,375.04 and \$73,266.11 in medical benefits.

THERESA ZINNS, Claimant



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