

BEFORE THE IOWA WORKERS COMPENSATION COMMISSIONER

CHRISTINA HYTEN,

Claimant,

vs.

THE HON COMPANY LLC,

Employer,

ACE INSURANCE COMPANY,

Defendant.

FILED
NOV 03 2016

WORKERS' COMPENSATION

WCC NO.: 5051067

Compliance No.: 1577469

DOI: 7/13/2013

MOTION FOR ORDER NUNC PRO
TUNC

COME NOW the Employer and the Insurance Carrier and for their Motion for Order Nunc Pro Tunc state as follows:

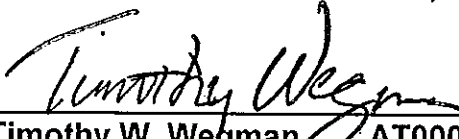
That Deputy Workers' Compensation Commissioner Joseph Walsh, entered his Arbitration Decision on November 1, 2016. In this Decision, Judge Walsh awarded the Claimant 25% functional impairment to the Claimant's arm, entitling the Claimant to 62.5 weeks of permanent partial disability. However, in the Order section of the Arbitration Decision, Judge Walsh inadvertently awarded the Claimant 125 weeks of permanent partial disability. The undersigned believes that Judge Walsh simply provided 25% to the body as a whole when, in fact, the award is 25% to the arm.

Therefore, Defendants pray for an Order Nunc Pro Tunc amending the Order portion of the Arbitration Decision to indicate that the Claimant's award for permanent function impairment is 62.5 weeks of permanent partial disability as opposed to 125 weeks of permanent partial disability.

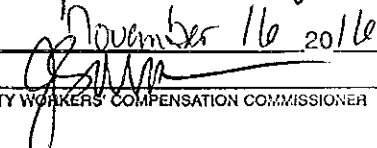
Respectfully submitted,

SUSTAINED

PEDDICORD, WHARTON, SPENCER,
HOOK, BARRON & WEGMAN, LLP


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This was a typographical error. The order should read 62.5 weeks consistent with page 5 of the arb decision.


November 16 2016
DEPUTY WORKERS' COMPENSATION COMMISSIONER

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ATTORNEY FOR DEFENDANT

Original filed
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ATTORNEY FOR CLAIMANT

PROOF OF SERVICE	
The undersigned certifies that the foregoing instrument was served upon all parties to the above cause to each of the attorneys of record herein at their respective addresses disclosed on the pleadings on <u>11/3/16</u> via U.S. mail.	
Signature:	<i>Rebecca Wegman</i>