

BEFORE THE IOWA DIVISION OF WORKERS' COMPENSATION

---

ASHLEY EARLE,	:	FILE NO.	5062459, 5062460
	:		
Claimant,	:	D/O/I:	6-18-16, 7-21-15
	:		
vs.	:		
	:		
CARING HEARTS HOME CARE,	:		
INC.,	:		
	:		
Employer, and	:	DEFENDANTS' APPLICATION FOR	
	:	ORDER NUNC PRO TUNC	
COMMERCE & INDUSTRY	:		
INSURANCE COMPANY,	:		
	:		
Insurance Carrier,	:		
Defendants.	:		

---

2018 JAN 17 PM 12:18  
WORKERS' COMPENSATION  
FILED

COME NOW the Defendants, Caring Hearts Home Care, Inc. and  
Commerce & Industry Insurance Company, and hereby provide the  
following Application for Order Nunc Pro Tunc:

1. In the Arbitration Decision, there is a scrivener's error.
2. On page 33, the Deputy ordered Defendants to "provide the medical care ordered in this decision."
3. However, Claimant did not seek an order of medical care at hearing and none was ordered by the Deputy.
4. The Deputy should enter an Order striking this sentence from page 33 of the Arbitration Decision.

WHEREFORE, the Defendants, Caring Hearts Home Care, Inc. and  
Commerce & Industry Insurance Company, respectfully request that  
the agency enter an Order consistent with this Application and amend

its prior Decision accordingly.

HANSEN, McCLINTOCK & RILEY

By Aaron Oliver

AARON T. OLIVER AT0006010  
Fifth Floor - U.S. Bank Building  
520 Walnut Street  
Des Moines, Iowa 50309  
Telephone: (515) 244-2141  
Facsimile: (515) 244-2931  
Email: aoliver@hmrlawfirm.com

ATTORNEYS FOR DEFENDANTS

Original filed.

Copy to:

Martin Ozga  
1441 29<sup>th</sup> Street  
Suite 111  
West Des Moines, IA 50266

**SUSTAINED**

*In substance "Defendants shall provide the medical care ordered in this decision" at page 33 is stricken as a scrivener's error*  
*January 23<sup>rd</sup> 2018*  
*[Signature]*

**CERTIFICATE 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 January 17, 2018

By:  Overnight Courier  FAX  E mailed  
 Hand Delivered  U.S. Mail  E filed  
 Certified Mail  Scanned  Other

Signature Debi Myers