

BEFORE THE IOWA WORKERS' COMPENSATION COMMISSIONER

JESSICA M. TUDOR,

**FILED**

Claimant,

JAN 17 2019

File No. 5047995

vs.

WORKERS COMPENSATION

ORDER

SECOND INJURY FUND OF IOWA,

NUNC PRO TUNC

Defendant.

On December 17, 2018, the undersigned filed a decision in the matter of Jessica M. Tudor, claimant, vs. Second Injury Fund of Iowa, defendant. Subsequent to filing of the arbitration decision, defendant filed a motion nunc pro tunc, requesting the undersigned correct an error in the order section of the decision. Through correspondence with the attorneys of record, claimant's counsel expressed no resistance to defendant's motion.

On page 10 of the arbitration decision, the undersigned determined claimant sustained a 20 percent loss of earning capacity as a result of the combined effects of injuries on November 17, 2011 and May 20, 2014. This award entitled claimant to 100 weeks of permanent partial disability benefits. However, on page 11 of the decision, I determined defendant was entitled to a credit in the amount of 30 weeks of benefits. After application of the credit, defendants were found responsible for 70 weeks of permanent partial disability benefits.

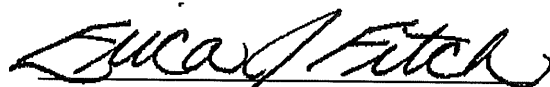
However, in my order, I mistakenly wrote defendant was responsible for 100 weeks of permanent partial disability benefits. This was simply a scrivener's error which should be corrected via order nunc pro tunc.

Accordingly, defendant's motion is granted and the order section of the decision should be corrected to read as follows:

Defendant shall pay unto claimant seventy (70) weeks of permanent partial disability benefits commencing November 10, 2014 at the stipulated weekly rate of three hundred thirty-two and 78/100 dollars (\$332.78).

SO ORDERED.

Signed and filed this 17<sup>th</sup> day of January, 2019.



ERICA J. FITCH  
DEPUTY WORKERS'  
COMPENSATION COMMISSIONER

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EJF/srs