

BEFORE THE IOWA WORKERS' COMPENSATION COMMISSIONER

RAYMOND HALEY,
Claimant,

vs.

GERDAU AMERISTEEL,
Employer,

and

INDEMNITY INSURANCE CO., N.A.,
Insurance Carrier,
Defendants.

File No. 5034318
Compliance No. 1516508
D/I: 11/5/2009

FILED
MAR 14 2013
WORKERS COMPENSATION

APPLICATION FOR ORDER NUNC PRO
TUNC OR, ALTERNATIVELY, FOR
REHEARING

COME NOW Defendants, Gerdau Ameristeel and Indemnity Insurance Co., N.A., and
state the following for their Application for Nunc Pro Tunc or, Alternatively, for Rehearing:


1. That an Arbitration Decision was filed March 6, 2013, wherein Claimant was found to
have not met his burden of establishing a work injury.
2. That the Arbitration Decision also stated Defendants shall file subsequent reports of
injury as required by the agency, which is contrary to the finding that Claimant did not meet his
burden of establishing a work injury.
3. That Defendants seek to have the Arbitration Decision amended such that the
requirement of filing subsequent reports of injury be stricken from it.

WHEREFORE, Defendants respectfully request the requirement to file subsequent
reports of injury be stricken from the Arbitration Decision.

Respectfully submitted,

BETTY, NEUMAN & McMAHON, P.L.C.

BY:


Jordan A. Kaplan #AT0009818
111 E. Third Street, Suite 600
Davenport, Iowa 52801-1596
563-326-4491 (T)
563-326-4498 (F)
E-mail: jak@bettylawfirm.com

DENIED

*"As required" means "as
required" which means it not
required then no filing
necessary."*

March 14th 20 13
St. O'S
DEPUTY WORKERS' COMPENSATION COMMISSIONER

CSX2

Original filed.

Copy to:

John H. Westensee
Attorney at Law
1705 Second Ave. 6th Fl.
Rock Island, IL 61201

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 the 12th day of March, 2013.

By: ☒ U.S. Mail ☐ Fax
☐ Hand Delivered ☐ UPS
☐ Fed Ex ☐ Other

Signature: _____

Catey Weber