

BEFORE THE IOWA WORKERS' COMPENSATION COMMISSIONER

MARK DAHLEN,

Claimant,

vs.

H.J. HEATING & COOLING,

Employer,

and

FIRST COMP INSURANCE,

Insurance Carrier,
Defendants.



File No. 5038147

RULING ON CLAIMANT'S
APPLICATION FOR
ORDER NUNC PRO TUNC

On November 9, 2017, the undersigned issued an arbitration decision granting claimant's application for partial commutation.

On December 1, 2017, claimant filed a motion for order nunc pro tunc.

More than 10 days have passed since the motion was filed and no resistance or response has been filed. The motion is now considered.

Claimant points out a scrivener's error on page 7 of the arbitration decision in which claimant's life expectancy is incorrectly stated to be 1024 weeks. Claimant was found to be 49 years old in the decision and his life expectancy under 876 IAC 6.3 is correctly stated as 1622 weeks. The undersigned had intended to identify the correct life expectancy of 1622 weeks.

Therefore, the last sentence in the second to last paragraph on page seven (7) of the arbitration decision concerning claimant's life expectancy which reads:

"According to that life expectancy table, Mr. Dahlen has a remaining life expectancy of 1024 weeks as of the issuance of this decision."

Should read as follows:

"According to that life expectancy table, Mr. Dahlen has a remaining life expectancy of 1622 weeks as of the issuance of this decision."

IT IS THEREFORE ORDERED that the arbitration decision is amended as stated above to reflect claimant's life expectancy of 1622 weeks. The decision remains the same in all other respects.

Signed and filed this 14th day of December, 2017.



TOBY J. GORDON
DEPUTY WORKERS'
COMPENSATION COMMISSIONER

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