

Alaska Workers' Compensation Appeals Commission

ANNUAL REPORT FOR CALENDAR YEAR 2015

Submitted to the Office of the Lieutenant Governor
March 11, 2016



Alaska Workers' Compensation Appeals Commission

3301 Eagle Street, Suite 305

Anchorage, AK 99503

Telephone: 907-269-6738

Facsimile: 907-269-6737

E-mail: awcac.clerk@alaska.gov

Alaska Workers' Compensation Appeals Commission

Annual Report for Calendar Year 2015

TABLE OF CONTENTS

	Page
INTRODUCTION	2
COMMISSION MEMBERS	3
COMMISSION CASES	
Cases Filed in 2015	5
2015 Commission Docket	5
Oral Arguments, Hearings, and Orders	5
Average Time Period for Cases Closed in 2015.....	5
Resolution of Cases in 2015	6
Indigent Participants	6
Attorney Representation	6
COMMISSION DECISIONS	
Published Decisions.....	7
Time Period between Initial Receipt and Decision on Appeal.....	7
Published Decisions – Case Resolution.....	7
SUPREME COURT ACTION.....	8
REGULATION CHANGES	8
APPENDIX A: 2015 APPEALS COMMISSION DOCKET	9
APPENDIX B: TABLE OF 2015 PUBLISHED DECISIONS	13

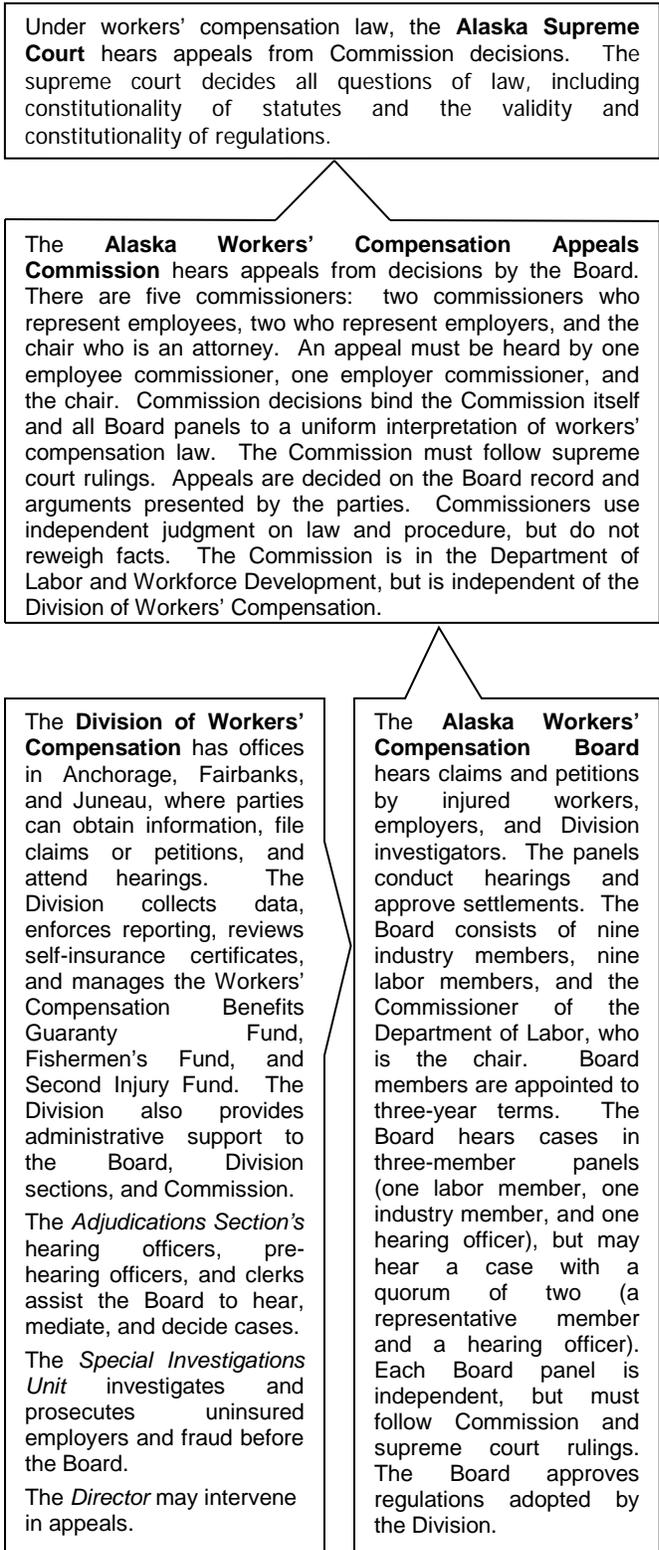
INTRODUCTION

The Alaska Workers' Compensation Appeals Commission (Commission) is charged with providing fair, prompt, and thoughtful adjudication of appeals from decisions by the Alaska Workers' Compensation Board (Board). An appeal to the Commission is a formal administrative appeal and appeal decisions must be published. The Commission is committed to ensuring that "hearings in workers' compensation cases shall be impartial and fair to all parties and that all parties shall be afforded due process and an opportunity to be heard and for their arguments and evidence to be fairly considered." AS 23.30.001(4).

Figure 1 in the next column illustrates the place of the Commission in the workers' compensation adjudication system.

The Commission chair has certain duties prescribed by law. One of the chair's duties is to make available to the public, and to file with the office of the lieutenant governor, a report regarding the Commission's activity for the prior calendar year, including data regarding time periods between initial receipt and final decisions on appeals, not later than March 15 of each year. This report is filed to satisfy that duty.

Figure 1



COMMISSION MEMBERS

The Commission consists of five members: four representative members (two who represent employees and two who represent employers) and the chair. Each representative member must have at least 18 months of experience as a member of the Board. The chair must be an attorney who has engaged in the active practice of law for at least five years in Alaska with experience in workers' compensation law in this state.

The Chief Administrative Law Judge in the Office of Administrative Hearings announces and reviews the applications for each vacancy on the Commission and forwards a list of qualified nominees to the Governor for appointment. The Alaska State Legislature must confirm appointees.

The commissioners' five-year terms are staggered so a seat on the Commission falls vacant every year. Because every appeal is heard by a full, balanced panel, and panelists may not hear cases if they have a conflict of interest, avoiding vacancies is a concern of the Commission.

The members of the Commission during 2015 were:

Laurence P. Keyes, chair, of Anchorage, served as chair from March 1, 2010, through March 1, 2015. Mr. Keyes had practiced law in Kodiak and Anchorage since 1982. Since 1990, he had specialized in litigation of bodily injury and property damage claims, including workers' compensation claims. He also served as an arbitrator of personal injury claims and as an adjunct professor at the University of Alaska Anchorage Justice Center, lecturing in

Maritime and Fisheries Law. He received his LL.M. in maritime law from the University of London in 1988, his J.D. *magna cum laude* from Gonzaga University in 1981, and his B.A. in philosophy from the University of Wisconsin-Madison in 1970.

Andrew M. Hemenway, chair, of Anchorage, was appointed chair by Governor Bill Walker in February 2015, and took office on March 1, 2015. Prior to being appointed as chair, Mr. Hemenway was an Administrative Law Judge in the Office of Administrative Hearings. In that capacity he conducted hearings and issued decisions for a variety of administrative agencies. He has experience in workers' compensation law as a staff attorney for the Alaska Supreme Court and in private practice, and had previously served as the *pro tempore* chair of the Commission. He received his LL.M. in law and maritime affairs from the University of Washington in 1986, his J.D. from the University of Houston in 1976, and his B.A. in philosophy from Amherst College in 1970. **His term expires on March 1, 2020.**

S. T. Hagedorn, an employer representative, of Anchorage, retired from the Alaska Railroad Corporation in June 2009 after a 34-year career, with the last 24 years as Corporate Risk Manager. He was appointed as a member for industry to the Board in 1991 by Governor Walter Hickel, reappointed twice by Governor Tony Knowles, and reappointed in 2006 by Governor Frank Murkowski (15 years of Board service). He has a B.A. in history from the University of Northern Iowa. He was appointed by Governor Sarah

Palin to a five-year term as commissioner in March 2007, and reappointed by Governor Sean Parnell to another five-year term in February 2012. **His term expires on March 1, 2017.**

David W. Richards, an employee representative, of Eagle River, was a retired member of Carpenters' Union Local 2247 and a retired member of Laborers' Local 341. He served as a member for labor for 15 years on the Board in Juneau until 1991. He was appointed by Governor Sarah Palin to a five-year term as commissioner in March 2008 and reappointed by Governor Sean Parnell to a five-year term in February 2013. In February 2015, Commissioner Richards passed away. He is greatly missed by the Commission as well as by all those he served for so many years.

Michael J. Notar, an employee representative, of Juneau, was appointed in September 2015 by Governor Bill Walker to complete the term left vacant by Commissioner Richards. After graduating high school in 1970 and a brief stint in college, he started his working career as a Surveyor with the State of Alaska in 1971. Through the years he worked as a Teamster Surveyor and an IBEW Apprentice Electrician and Communications Technician before being appointed to the IBEW Local 1547 Assistant Business Manager position in Juneau, where he served for 15 years. He returned to State of Alaska service again in 2010 at the Department of Labor and Workforce Development, Wage and Hour Administration, as a Wage and Hour Investigator and then as the Southeast Supervising Investigator. Mr. Notar retired from active

employment in 2013, is a lifelong Alaskan, and continues to make his home in Juneau. **His term expires on March 1, 2018.**

Philip E. Ulmer, an employer representative, of Eagle River, is a Certified Workers' Compensation Professional currently employed as Senior Manager of Safety and Workers' Compensation for GCI. He is a previous national president of the American Society of Safety Engineers and of the National Institute for Engineering Ethics, and a 1994 Engineer of the Year finalist with the Alaska Society of Professional Engineers. He served as a member for industry on the Board. He was appointed by Governor Frank Murkowski to a four-year term as commissioner in November 2005, reappointed by Governor Sarah Palin to a five-year term in March 2009, and reappointed by Governor Sean Parnell to a five-year term in March 2014. **His term expires on March 1, 2019.**

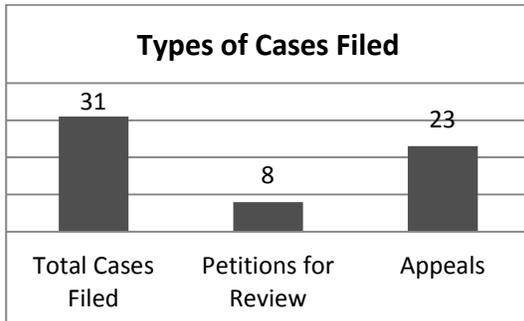
James N. Rhodes, an employee representative, of Ketchikan, is a 21-year member of the International Brotherhood of Electrical Workers Union Local 1547. He served as a member for labor on the Board from August 2001 until March 2005. He was appointed by Governor Sean Parnell to a four-year term as commissioner in February 2012, and was reappointed to a 5-year term by Governor Bill Walker in January 2016. **His term expires on March 1, 2021.**

COMMISSION CASES

Cases Filed in 2015

The Commission docketed 31 new cases in 2015, an increase of 3% from 2014. Figure 2 shows the types of cases filed in 2015.

Figure 2



2015 Commission Docket

In addition to the 31 new cases filed in 2015, the Commission began 2015 with 22 cases on its docket: one filed in 2011, three filed in 2013, and 18 filed in 2014.

At the end of 2015, the Commission had 20 cases on its docket: three filed in 2014 and 17 filed in 2015.

Figure 3 shows the number of open cases on the Commission docket at the end of each month, as well as new cases filed, hearings and oral arguments held, published final decisions, unpublished orders, and default notices issued during each month of 2015.

Figure 3

Month	Cases on Docket	New Cases Filed	Oral Arguments & Hearings	Published Final Decisions	Non-Published Orders	Default Notices
Jan.	21	5	3	3	19	3
Feb.	17	3	0	1	10	0
Mar.	18	1	1	0	8	1
Apr.	19	3	3	0	8	0
May	17	1	1	1	7	0
Jun.	17	1	0	0	9	0
Jul.	17	2	2	1	7	1
Aug.	21	5	0	1	11	0
Sep.	22	3	0	0	13	1
Oct.	20	2	1	2	16	0
Nov.	22	4	1	0	11	0
Dec.	21	1	3	1	15	1
TOTALS		31	15	10	128	7

Appendix A is the Commission's complete 2015 docket, which also includes cases from prior years that were appealed or petitioned for review to the supreme court, and contains notes on the status of those cases. Appendix A also contains cases from prior years that were remanded from the supreme court to the Commission for further action.

Oral Arguments, Hearings, and Orders

The Commission held 15 hearings in 2015: nine oral arguments on appeal, one oral argument on a petition for review, and five hearings on motions for stays. Some appeal participants did not request oral argument and those appeals were decided on the briefs.

The Commission issued unpublished orders on motions for extensions of time to file appeals, stays pending appeal, dismissals, waivers of filing fees and/or transcript costs, attorney fees, stays of appeals, reconsideration, and orders granting or denying petitions for review. The Commission chair issued orders on procedural matters such as motions for extensions of time and notices of default with orders to comply. In 2015, the Commission issued 128 unpublished orders, a 9% increase from 2014.

Average Time Period for Cases Closed in 2015

The 22 cases on the docket at the beginning of 2015 and the 31 new cases filed in 2015 total 53 cases on the 2015 docket (Appendix A), a 2% increase over 2014.

Of the 53 cases that appeared on the 2015 docket, 33 cases were closed in 2015. This is a closure rate of 62% of the total number of cases that appeared

on the 2015 docket, an increase of 4% over the 2014 closure rate. The average time period from the date of filing to the date of closure for those 33 cases was 225 days, an increase of 63 days over the 2014 average time period. This increase was due to the seven-month vacancy of an employee representative position on the Commission, as well as the necessity of having a *pro tempore* commissioner appointed to an appeal panel due to conflicts of interest for both employee representatives at the time.

Of the 31 cases filed in 2015, 14 were closed in 2015, a closure rate of 45% for cases filed and closed in 2015, an increase of 5% over the closure rate for cases filed and closed in 2014. The average time period from the date of filing to the date of closure for cases that were filed and closed in 2015 was 79 days, a decrease of 10 days over the 2014 average time period.

Resolution of Cases in 2015

Thirty-three of the 53 cases on the 2015 docket were closed in 2015: Eleven resulted in decisions on the merits of appeals; one resulted in an order on remand after being remanded by the supreme court; six settled; four petitions for review were denied; one appeal was converted to a petition for review and a decision issued; one was voluntarily dismissed; five were dismissed for failure to prosecute, two were dismissed as moot; one was remanded to the board; and, one late-filed appeal was denied. (Appendix A).

Indigent Participants

In 2015, one unrepresented employee filed a motion to waive payment of the filing fee and transcript

cost; the motion was partially granted with the employee required to pay the filing fee while the Commission paid the transcript cost. One unrepresented employee filed a motion to waive payment of the transcript cost, which was granted. In 2015, the Commission paid \$2,025 to have Board hearings transcribed for indigent employees.

Attorney Representation

Employees filed 19 of the 31 new cases in 2015 with nine of those filed by unrepresented employees. In the cases filed by unrepresented employees, all opposing parties were represented. Ten cases were filed by represented employees, with nine of those having all opposing parties represented. In one case filed by a represented employee, the employer and a service provider were not represented but the Workers' Compensation Benefits Guaranty Fund was.

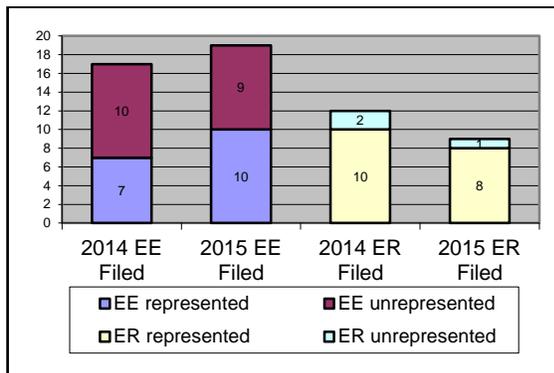
Represented employers filed eight cases; in one the employee was unrepresented and the Workers' Compensation Benefits Guaranty Fund was represented. One case was filed by an unrepresented employer in which the employee was also unrepresented while the Workers' Compensation Benefits Guaranty Fund was represented.

The Workers' Compensation Benefits Guaranty Fund filed two cases in which it was represented while the uninsured employers were unrepresented and the employees were represented.

The Division of Workers' Compensation filed one case against an uninsured employer in which all parties were represented.

Figure 4 compares unrepresented and represented participants. When compared to 2014, the number of cases filed by unrepresented employees decreased by one, cases filed by represented employees increased by three, cases filed by represented employers decreased by two, and cases filed by unrepresented employers decreased by one.

Figure 4



COMMISSION DECISIONS

Published Decisions

In 2015, 14 Commission decisions were published. Ten were final decisions on the merits of appeals, two were memorandum decisions on remand from the supreme court, one was a decision on an appeal that was converted to a petition for review, and one was a memorandum decision denying a petition for review. Appendix B is a list of the Commission's 2015 published decisions, with notes on the number of days from oral argument or record closure to a final decision on the merits of the appeal, and whether the Commission's decision was appealed or petitioned for review to the supreme court.

The average time from oral argument or record closure to the issuance of a final decision on the merits of an appeal

in 2015 was 65 days, well within the statutory allowance of 90 days.

Time Period between Initial Receipt and Decision on Appeal

As shown in Appendix B, the average time period between the initial receipt of an appeal and the issuance of a final decision on the merits of the appeal for cases on the 2015 docket was 369 days. This is an average of 48 more days than in 2014, due in large part to the seven-month vacancy for one employee representative position, as well as the necessity of having a *pro tempore* commissioner appointed to an appeal panel due to conflicts of interest for both of the employee representatives at the time.

Published Decisions – Case Resolution

The results of Commission decisions published in 2015 are summarized in Appendix B. Of the ten published final decisions issued on the merits of appeals of Board decisions, nine affirmed the Board's decision and one affirmed the Board's decision in part and reversed it in part.

The Commission published one decision regarding a petition for review of an interlocutory Board decision in 2015, as one appeal filed in 2014 was converted to a petition for review in 2015. Two memorandum decisions issued regarding remands from the supreme court were published, and one memorandum decision denying a petition for review was published. The Commission does not consider the granting or denial of a petition for review to be a decision on the merits of the challenged Board decision.

SUPREME COURT ACTION

In 2015, seven Commission decisions or orders were appealed to the supreme court; one was dismissed and six are currently awaiting supreme court rulings.

Two Commission decisions or orders were petitioned for review to the supreme court; one was remanded to the Commission for further action and one was denied, leaving no petitions for review awaiting decisions.

A total of ten Commission decisions or orders presently await a supreme court ruling: one issued in 2011; one issued in 2013; two issued in 2014, and, six issued in 2015. See Appendix A to see which decisions or orders await supreme court rulings.

In 2015, the supreme court decided one appeal of a Commission decision. The supreme court issued an opinion on November 25, 2015, in an appeal filed in 2013, *Municipality of Anchorage v. Lee O. Stenseth*, 361 P.3d 898, which affirmed the Commission's decision, which affirmed the Board's decision.

REGULATION CHANGES

No changes were made to the Commission's regulations during 2015.

APPENDIX A: 2015 APPEALS COMMISSION DOCKET¹

Docket Number	Date Filed	Case Type	Case Title	Appellant Attorney	Appellee Attorney	Result/Status
08-014	5/7/08	Appeal	<i>McCullough v. Job Ready, Inc.</i>	NO	YES	Multiple brief extensions; appeal suspended and resumed in 2009 for appointment of appellant's guardian; multiple brief deficiencies, extensions by guardian through 2010. Board decision affirmed in 2011; appellant appealed to supreme court. Consolidated with appeal of decision in Appeal No. 13-025 in 2015; pending.
11-011	8/1/11	Appeal	<i>Titan Enter., LLC, Titan Topsoil, Inc., CCO Enter., LLC, and Christianson v. State, Div. of Workers' Comp.</i>	YES	YES	Multiple brief extensions; Board decision reversed in part, vacated in part, and remanded in 2013. Order on attorney fees in 2013; appellee petitioned for review to supreme court; Commission order reversed and remanded in 2014. Order on remand in 2015.
12-027	11/19/12	Appeal	<i>Buchinsky v. The Arc of Anchorage</i>	NO	YES	Affirmed Board decision in 2013; motion for reconsideration deemed denied in 2014; appellant appealed to supreme court; pending.
13-008	4/12/13	Appeal	<i>Municipality of Anchorage v. Stenseth</i>	YES	YES	Affirmed Board decision in 2014; appellant appealed to supreme court; Commission decision affirmed in 2015.
13-010	6/28/13	Appeal	<i>Dillard v. Dick Pacific/Ghemm Co. J.V. and Liberty Mut. Ins. Group</i>	YES	YES	Affirmed Board decision in 2014. Appealed to supreme court; dismissed on motion in 2015.
13-016	7/26/13	Appeal	<i>Ashwater-Burns, Inc. v. Huit</i>	YES	YES	Board decision affirmed in part, reversed in part, vacated in part, and remanded in 2014; appellee appealed to supreme court; pending.
13-022	9/23/13	Appeal	<i>Rivero v. Coldfoot Envtl. Servs., Inc.</i>	NO	YES	Board decision affirmed in part, vacated in part, and remanded in 2014; appellees appealed to supreme court; dismissed in 2015.
13-023	10/4/13	Appeal	<i>Stenseth v. Municipality of Anchorage</i>	YES	YES	Affirmed Board decision in 2015; appellant appealed to supreme court; dismissed on 1/20/16.
13-024	11/15/13	Appeal	<i>Huguley v. City of Unalaska</i>	NO	YES	Affirmed Board decision in 2015.
13-025	12/9/13	Appeal	<i>McCullough v. Job Ready, Inc.</i>	NO	YES	Affirmed Board decision in 2015. Appellant appealed to supreme court; consolidated with appeal of decision in Appeal No. 08-014; pending.
13-026	12/23/13	Appeal	<i>Weed v. State, Dept of Public Safety</i>	YES	YES	Reversed Board decision in part, affirmed in part, and remanded in 2014. Appellant appealed to supreme court; dismissed in 2015.
14-001	1/2/14	Appeal	<i>Stojanovich v. NANA Reg'l Corp., Inc.</i>	NO	YES	Affirmed Board decision in 2015.
14-003	2/3/14	Appeal	<i>Baker v. ASRC Energy Servs., Inc. and Arctic Slope Reg'l Corp.</i>	YES	YES	Affirmed Board decision in 2014; appellant appealed to supreme court; dismissed in 2015.
14-004	3/13/14	Appeal	<i>Trident Seafood Corp. v. Saad</i>	YES	NO	Converted to petition for review and affirmed Board decision in 2015.

¹ Also includes Commission cases from prior years that were appealed or petitioned for review to the Alaska Supreme Court, disposition of those cases if resolved in 2015, and a note if still pending before the Alaska Supreme Court.

Docket Number	Date Filed	Case Type	Case Title	Appellant Attorney	Appellee Attorney	Result/Status
14-008	4/4/14	Appeal	<i>First Student Servs v. Bockus</i>	YES	YES	Reversed Board decision in 2014; appellant appealed to supreme court; pending.
14-011	4/28/14	Appeal	<i>Atkins v. Inlet Transp. & Taxi Serv., Inc. and State, Workers' Comp. Benefits Guar. Fund</i>	YES	Inlet: Non-participant State YES	Remanded to Board in 2015; Board issued decision on remand on 1/6/16; appeal amended 1/14/16; briefing stage.
14-013	5/19/14	Appeal	<i>Jones v. State, Dep't of Natural Resources</i>	NO	YES	Board decision affirmed in 2015; appellant appealed to supreme court; pending.
14-014	6/2/14	Appeal	<i>Ibale v. State, Alaska Marine Hwy. Sys.</i>	NO	YES	Dismissed for failure to prosecute in 2014. Reconsideration deemed denied in 2015.
14-015	6/13/14	Appeal	<i>Chugach Alaska Corp. v. Freelong</i>	YES	YES	Appeal proceedings suspended in 2014 pending Board reconsideration and mediation; dismissed on stipulation in 2015.
	6/27/14	Cross-Appeal				
14-016	6/18/14	Appeal	<i>Fluor Alaska, Inc., CNA Surety, and Wilton Adjustment Co. v. Rodriguez, Ahna Facility Servs., Inc. (Alaska Nat'l Ins. Co.), Houston Contractors (AIG/Ins. Co. of the State of PA), Davis Constructors & Eng'rs, Inc. (Alaska Nat'l Ins. Co.), Houston Contracting/ Arctic Slope Reg'l Corp., and Shaw Envtl. (Zurich Ins./Carl Warren & Co.)</i>	YES	YES	Dismissed on stipulation in 2015.
	7/10/14	Cross-Appeal				
14-017	7/22/14	Appeal	<i>Eder v. M-K River</i>	NO	YES	Dismissed for failure to prosecute in 2015; appellant appealed to supreme court; pending.
14-019	8/19/14	Appeal	<i>Vandenberg v. State</i>	YES	YES	Affirmed Board decision in 2015; appellant appealed to supreme court; pending.
14-020	8/29/14	Appeal	<i>Jackson v. Food Ex Corp.</i>	NO	YES	Dismissed for failure to prosecute in 2015.
14-021	9/2/14	Appeal	<i>Erpelo v. Trident Seafoods</i>	NO	YES	Affirmed Board decision in 2015.
14-022	9/15/14	Appeal	<i>Burke v. Raven Electric, Inc.</i>	NO	YES	Affirmed Board decision in 2015; appellant appealed to supreme court; pending.
14-023	10/20/14	Appeal	<i>Anacker v. Fairbanks Taxi Services, Inc.</i>	YES	YES	Dismissed on stipulation in 2015.
14-024	10/23/14	Appeal	<i>Darrow v. Alaska Airlines, Inc.</i>	YES	YES	Reversed Board decision in part, affirmed in part; appellees appealed to supreme court; appellant cross-appealed; pending.
14-025	10/30/14	Appeal	<i>Titan Enterprises, LLC, Titan Topsoil, Inc., CCO Enterprises, LLC, and Christianson v. State, Div. of Workers' Comp.</i>	YES	YES	Oral argument scheduled for 3/17/16.
14-027	11/10/14	Appeal	<i>Rosales v. Icicle Seafoods, Inc.</i>	NO	YES	Final Decision pending.
14-028	11/10/14	Appeal	<i>Alexander, sole proprietor, d/b/a Bingo South, Tri-Grill, Alexander's Painting, S Lounge Bar & Grill, and Fusions Bar & Grill; and Alexander and Cho, a partnership, d/b/a Fusions Bar & Grill v. State, Div. of Workers' Comp.</i>	YES	YES	Dismissed on settlement 2/11/15; settlement not approved by Board; appeal reinstated 3/6/15 and stayed pending further Board action; stay lifted 10/12/15; briefing stage.

Docket Number	Date Filed	Case Type	Case Title	Appellant Attorney	Appellee Attorney	Result/Status
14-029	11/21/14	Appeal	<i>Sherman d/b/a Big Green Law Maintenance v. State, Div. of Workers' Comp.</i>	NO	YES	Dismissed for failure to prosecute in 2015.
14-030	11/28/14	Appeal	<i>Forster v. State</i>	NO	YES	Affirmed Board decision in 2015.
15-001	1/9/15	Appeal	<i>Baptiste v. Cook Inlet Tribal Council, Inc.</i>	NO	YES	Dismissed in 2015.
15-002	1/16/15	Appeal	<i>Olson v. Federal Express Corp. and Carrs/Safeway</i>	NO	YES	Dismissed in 2015.
15-003	1/20/15	Appeal	<i>Ernst v. Haskell Corp.</i>	YES	YES	Dismissed in 2015.
15-004	1/23/15	Petition for Review	<i>Lester v. Northwest Technical Servs. and Supply, Inc.</i>	YES	YES	Denied in 2015.
15-005	1/26/15	Petition for Review	<i>Municipality of Anchorage v. Manley</i>	YES	YES	Denied in 2015.
15-006	2/5/15	Petition for Review	<i>Prayed v. Alaska Railroad Corp.</i>	NO	YES	Denied in 2015.
15-007	2/9/15	Appeal	<i>Olson v. Federal Express Corp. and Carrs/Safeway</i>	NO	YES	Dismissed for failure to prosecute in 2015.
15-008	2/25/15	Appeal	<i>Bartee v. Chugach Elec. Ass'n</i>	YES	YES	Affirmed Board decision in 2015.
15-009	3/10/15	Petition for Review	<i>Hudak v. Pirate Airworks, Inc.</i>	YES	YES	Denied in 2015; petition for review to supreme court; remanded to Commission; decision denying petition for review issued on 1/19/16.
15-010	4/6/15	Appeal	<i>DiTomaso, Inc. v. Salvador</i>	YES	YES	Dismissed on motion in 2015.
15-011	4/9/15	Appeal	<i>Manna v. State, Dep't of Transp. and Pub. Facilities</i>	YES	YES	Dismissed on stipulation on 6/1/15.
15-012	4/13/15	Appeal	<i>Black Gold Express, Inc. v. Garwood</i>	YES	YES	Affirmed Board decision on 2/19/16.
15-013	5/21/15	Appeal	<i>C. Barney, d/b/a Barney's Repair Serv. v. Gibbons, E. Barney, d/b/a Valley Wreckerman, LLC, State, Workers' Comp. Benefits Guar. Fund</i>	NO	Gibbons: NO E. Barney: YES State: YES	Dismissed for failure to prosecute in 2015.
15-014	6/26/15	Appeal	<i>Pro West Contractors, LLC and Liberty Mut. Ins. Co. v. Baker</i>	YES	YES	Dismissed on stipulation in 2015.
15-015	7/1/15	Appeal	<i>Ingram v. The Home Depot, Inc. and New Hampshire Ins. Co.</i>	NO	YES	Deadline to request oral argument is 3/17/16.
15-016	7/28/15	Appeal	<i>State, Dep't of Labor and Workforce Dev., Div. of Workers' Comp. v. Lawn Ranger of Alaska, LLC</i>	YES	YES	Reversed Board decision in part, vacated in part, and remanded on 3/7/16.
15-017	8/5/15	Appeal	<i>Erickson v. Fred Meyer Stores and The Kroger Co.</i>	YES	YES	Oral argument scheduled for 3/25/16.
15-018	8/12/15	Appeal	<i>Hahn v. ARCTEC Alaska and Arctic Slope Reg'l Corp.</i>	NO	YES	Dismissed on settlement on 2/22/16.

Docket Number	Date Filed	Case Type	Case Title	Appellant Attorney	Appellee Attorney	Result/Status
15-019	8/12/15	Petition for Review	<i>ASRC Energy Services and Arctic Slope Reg'l Corp. v. Freeman</i>	YES	YES	Denied in 2015.
15-020	8/14/15	Appeal	<i>Bankhead v. Yardarm Knot, Inc. and Northern Adjusters</i>	NO	YES	Dismissed for failure to prosecute on 2/26/16.
15-021	8/14/15	Appeal	<i>Bilikin Investment Group, Inc. and Republic Indemnity Co. of America v. Dick Phillips</i>	YES	YES	Dismissed on stipulation on 3/11/16.
15-022	9/21/15	Appeal	<i>Israelson v. Alaska Marine Trucking, LLC and ACE American Insurance Co.</i>	YES	YES	Final Decision pending.
15-023	9/24/15	Appeal	<i>Kang, d/b/a Lee's Massage v. Mullins and State, Workers' Comp. Benefits Guar. Fund</i>	YES	Mullins: NO State: YES	Order on motions for stays pending.
15-024	9/24/15	Petition for Review	<i>State, Dep't of Health & Social Servs., Div. of Public Assistance v. Dehut</i>	YES	YES	Dismissed on stipulation on 1/11/16.
15-025	10/2/15	Appeal	<i>Shastitko v. MIT, Inc., Misyuk, Medvedev, Thompson Valley Funeral Home, and State, Workers' Comp. Benefits Guar. Fund</i>	YES	Misyuk: NO Medvedev: NO Thompson: NO State: YES	Dismissed on motion in 2015.
15-026	10/15/15	Appeal	<i>Schroeder v. Auto Electric Sales & Service, Inc. and Ohio Casualty Insurance Co.</i>	YES	YES	Appeal proceedings stayed for settlement negotiations until 4/13/16.
15-027	11/12/15	Appeal	<i>Barnett v. Raymond and Ins. Co. of N. America</i>	YES	YES	Dismissed on stipulation on 1/20/16.
15-028	11/12/15	Petition for Review	<i>State, Workers' Comp. Benefits Guar. Fund v. Adams and Heath d/b/a O&M Enter.</i>	YES	Adams: YES Heath: NO	Denied on 1/25/16.
15-029	11/12/15	Appeal	<i>State, Workers' Comp. Benefits Guar. Fund v. Adams and Heath d/b/a O&M Enter.</i>	YES	Adams: YES Heath: NO	Appeal proceedings stayed pending further Board action.
15-030	11/18/15	Petition for Review	<i>McAlpine v. Denali Center and Sentry Ins.</i>	NO	YES	Order on petition for review pending.
15-031	12/7/15	Appeal	<i>Cornelison v. Rappe Excavating, Inc. and TIG Premier Ins. Co.</i>	NO	YES	Briefing stage.

APPENDIX B: TABLE OF 2015 PUBLISHED DECISIONS

DECISION No.	APPEAL No.	TITLE OF APPEAL	DAYS FROM FILING TO FINAL DECISION ON MERITS OF APPEAL	DAYS FROM ORAL ARGUMENT OR RECORD CLOSURE TO FINAL DECISION ON MERITS OF APPEAL	DECISION/Appealed
206	13-024	<i>James G. Huguley vs. City of Unalaska and Alaska Public Entity Insurance</i>	414	5	Affirmed Board decision.
207	14-001	<i>Zorislav M. Stojanovich vs. NANA Regional Corporation, Inc. and ACE American Insurance Company</i>	389	13	Affirmed Board decision.
208	13-023	<i>Lee O. Stenseth vs. Municipality of Anchorage</i>	480	7	Affirmed Board decision. Appealed to supreme court.
209	13-025	<i>Noelle L. McCullough vs. Job Ready, Inc. and North American Specialty Insurance Company</i>	428	15	Affirmed Board decision. Appealed to supreme court.
210	11-011	<i>Titan Enterprises, LLC, Titan Topsoil, Inc., CCO Enterprises, LLC, and Todd Christianson vs. State of Alaska, Division of Workers' Compensation</i>	N/A	N/A	Memorandum Decision and Order issued pursuant to supreme court remand regarding award of attorney fees in appeal to Commission.
211	14-019	<i>Laurie E. Vandenberg vs. State of Alaska</i>	255	88	Affirmed Board decision. Appealed to supreme court.
212	14-013	<i>Douglas C. Jones vs. State of Alaska, Department of Natural Resources</i>	416	106	Affirmed Board decision. Appealed to supreme court.
214	15-009	<i>Shawn D. Hudak vs. Pirate Airworks, Inc. and Liberty Mutual Insurance Company</i>	N/A	N/A	Memorandum Decision issued pursuant to supreme court order on denial of petition for review.
215	14-022	<i>Marianne E. Burke, mother of Abigail E. Caudle (deceased) vs. Raven Electric, Inc. and Liberty Mutual Insurance Company</i>	337	89	Affirmed Board decision. Appealed to supreme court.
216	14-030	<i>Heidi M. Forster vs. State of Alaska</i>	311	102	Affirmed Board decision.
217	14-004	<i>Trident Seafoods Corporation and Liberty Mutual Insurance Corporation vs. Sami A. Saad</i>	N/A	N/A	Decision on Petition for Review affirmed Board decision.
218	14-024	<i>Pamela J. Darrow (f/k/a Creekmore) vs. Alaska Airlines, Inc., Eberle Vivian, Inc., AIGA as successor in interest to Lumbermen's Insurance Companies, and Northern Adjusters, Inc., Appellees, and State of Alaska, Department of Labor and Workforce Development, Division of Workers' Compensation, Intervenor</i>	355	90	Board decision reversed in part, affirmed in part. Appealed to supreme court.
219	15-019	<i>ASRC Energy Services and Arctic Slope Regional Corporation vs. James A. "Drew" Freeman, Udelhoven Oil Field System Services, and ACE Fire Underwriters Insurance Company</i>	N/A	N/A	Memorandum and Order Denying Petition for Review.
221	15-008	<i>Terence A. Bartee vs. Chugach Electric Association and Liberty Insurance Corporation</i>	302	136	Affirmed Board decision.