

Alaska Workers' Compensation Appeals Commission

ANNUAL REPORT FOR CALENDAR YEAR 2016

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Alaska Workers' Compensation Appeals Commission

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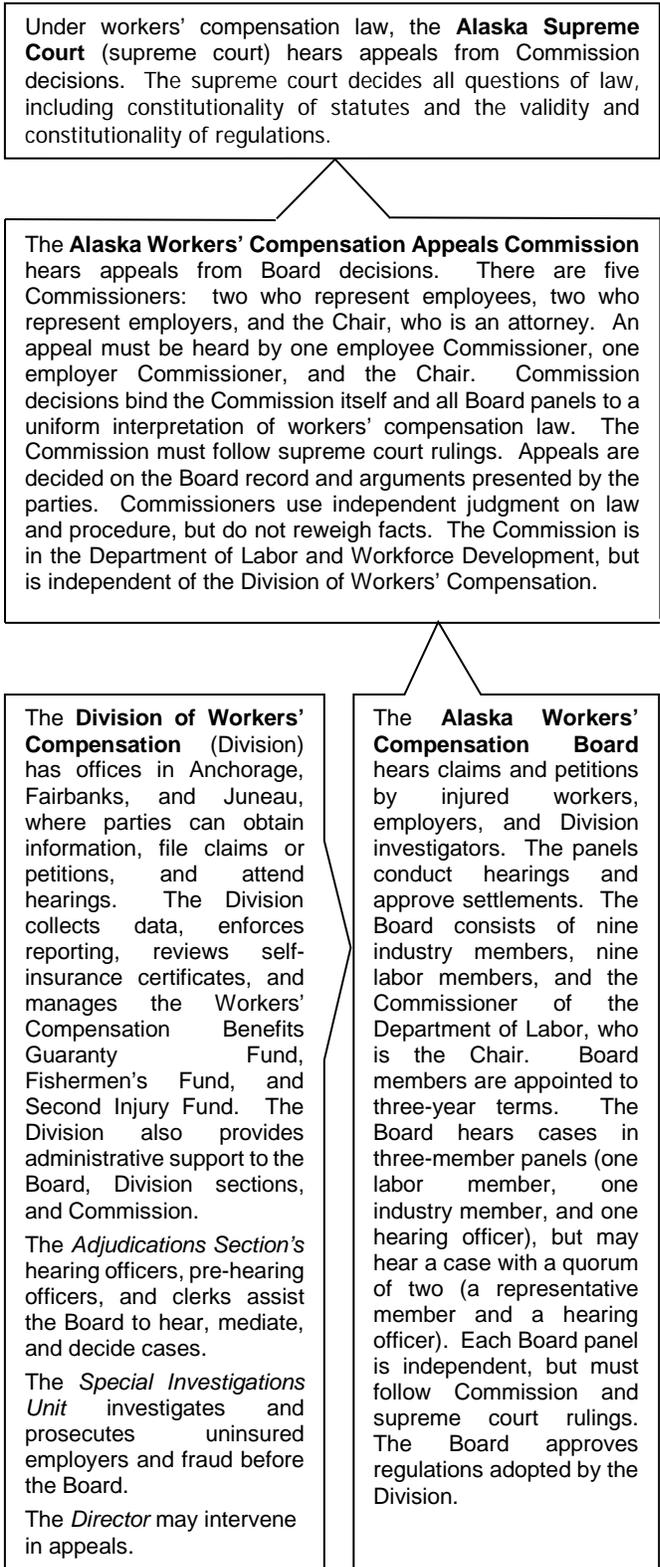
INTRODUCTION

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: two who represent employees, 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 2016 were:

Andrew M. Hemenway, Chair, of Anchorage, was appointed by Governor Bill Walker in February 2015, and took office on March 1, 2015. Mr. Hemenway retired from State service on April 30, 2016, and was appointed as Chair *pro tempore* effective May 1, 2016. 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 had

experience in workers' compensation law as a staff attorney for the Alaska Supreme Court and in private practice, and had previously served as a *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. Mr. Hemenway's term as Chair *pro tempore* concluded when Deirdre D. Ford took office on October 31, 2016.

Deirdre D. Ford, Chair, of Anchorage, was appointed Chair by Governor Bill Walker and took office on October 31, 2016. Prior to her appointment, Ms. Ford was retired from the practice of law. From March 2009 to July 2012, Ms. Ford was a Hearing Officer with the Alaska Workers' Compensation Board in Anchorage. From June 1985 through February 2009, Ms. Ford practiced law with Delisio, Moran, Geraghty and Zobel, with an emphasis in Workers' Compensation law, primarily representing employers. She received her J.D. cum laude from the University of San Francisco, School of Law in 1984, her M.A. in Political Science from the University of Illinois Chicago in 1973, her M.L.S. in Library Science from the University of California Berkeley, and her B.A. in Political Science from Whittier College in 1963. **Her term expires on March 1, 2020.**

Michael J. Notar, an employee representative, of Juneau, was appointed in September 2015 by Governor Bill Walker. 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. He also worked as a Teamster

Surveyor before joining the International Brotherhood of Electrical Workers (IBEW) Local 1547 in 1977, where he worked as an Apprentice Electrician and Communications Technician. He was appointed in 1995 to the IBEW Local 1547 Assistant Business Manager position in Juneau, where he served for 15 years. He returned to State of Alaska service in 2010 at the Department of Labor and Workforce Development and served as a Wage and Hour Investigator, Special Assistant to the Commissioner, and Southeast Wage & Hour Supervising Investigator. He 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 Director of Safety and Risk Management 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 22-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.**

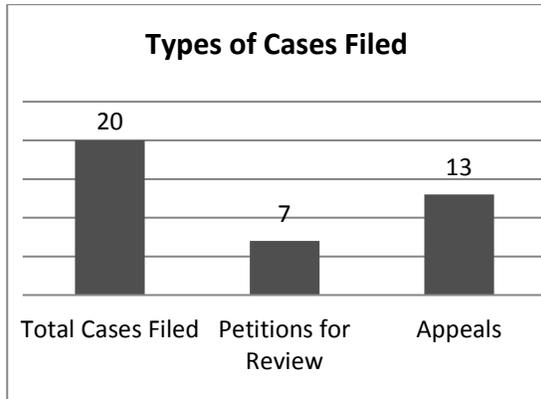
S. T. Hagedorn, an employer representative, of Anchorage, retired from the Alaska Railroad Corporation in June 2009 after a 34-year career, with the last 24 years as Corporate Risk Manager. He was appointed as a member for industry to the Board in 1991 by Governor Walter Hickel, reappointed twice by 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, reappointed by Governor Sean Parnell to another five-year term in February 2012; and reappointed by Governor Bill Walker to an additional five-year term in February 2017. **His term expires on March 1, 2022.**

COMMISSION CASES

Cases Filed in 2016

The Commission docketed 20 new cases in 2016. Figure 2 shows the types of cases filed in 2016.

Figure 2



2016 Commission Docket

There were a total of 45 cases on the Commission docket in 2016.

In addition to the 20 new cases filed in 2016, the Commission began 2016 with 20 cases on its docket: three filed in 2014 and 17 filed in 2015.

Five previous cases came back on the 2016 docket: one 2013 case due to a remand from the supreme court, three 2014 cases due to remands from the supreme court, and one 2014 case due to a new Board decision after the Commission remanded and retained jurisdiction.

At the end of 2016, the Commission had 16 cases on its docket: two filed in 2014, two filed in 2015, and twelve filed in 2016. The two 2014 cases were both supreme court remands; one 2015 case was stayed pending further Board action; and one 2015 case was filed as a petition for review at the end of 2015 and converted to an appeal in 2016.

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 2016.

Figure 3

Month	Cases on Docket	New Cases Filed	Oral Arguments & Hearings	Published Final Decisions	Unpublished Orders	Default Notices
Jan.	18	1	0	0	14	0
Feb.	18	0	2	1	9	0
Mar.	15	0	1	1	5	0
Apr.	17	3	0	1	6	0
May	16	2	0	1	8	0
Jun.	13	0	1	0	3	0
Jul.	13	0	1	1	4	0
Aug.	8	2	0	1	10	0
Sep.	11	2	0	1	2	1
Oct.	12	3	0	1	0	0
Nov.	15	5	1	1	8	0
Dec.	16	2	3	0	13	1
TOTALS		20	9	9	82	2

Appendix A is the Commission's complete 2016 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 nine hearings in 2016: five oral arguments on appeal and four hearings on motions for stays. Oral argument was not requested in some appeals and those 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 2016, the Commission issued 82 unpublished orders.

Average Time Period for Cases Closed in 2016

The 20 cases on the docket at the beginning of 2016, the 20 new cases filed in 2016, and the five cases that came back on the docket due to supreme court remands or Board decisions on remand totaled 45 cases (Appendix A).

Of the 45 cases that appeared on the 2016 docket, 29 were closed in 2016. This is a closure rate of 64% of the total number of cases that appeared on the 2016 docket, an increase of 2% over the 2015 closure rate. The average time period from the date of filing to the date of closure for those 29 cases was 226 days, an increase of 1 day over the 2015 average time period, and well under the Commission's target of processing cases within 360 days.

Of the 20 cases filed in 2016, eight were closed in 2016, which is a closure rate of 40% for cases both filed and closed in 2016. The average time period from the date of filing to the date of closure for cases that were both filed and closed in 2016 was 123 days, well under the Commission's target of processing cases within 360 days.

Resolution of Cases in 2016

Twenty-nine of the 45 cases on the 2016 docket were closed in 2016: ten cases resulted in decisions on the merits of appeals; two cases resulted in orders on remand after being remanded by the supreme court; one petition for review was remanded by the supreme court and

a decision was issued; seven cases settled; five petitions for review were denied; two cases were voluntarily dismissed; and, two cases were dismissed for failure to prosecute. (Appendix A).

Indigent Participants

In 2016, three unrepresented employees filed motions to waive payment of the filing fee and transcript cost, all of which were granted. In 2016, the Commission paid \$788.50 to have Board hearing recordings transcribed for indigent employees.

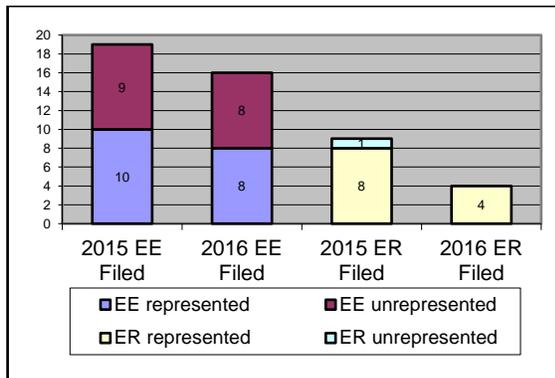
Attorney Representation

Employees filed 16 of the 20 new cases in 2016, with eight of those filed by unrepresented employees. In the cases filed by unrepresented employees, all opposing parties were represented. The other eight employee-filed cases were filed by represented employees, with all opposing parties represented.

Represented employers filed four cases, and in one of those cases the employee was unrepresented and the Workers' Compensation Benefits Guaranty Fund was represented. The employees in the other three cases were unrepresented. There were no cases filed by an unrepresented employer.

Figure 4 compares unrepresented and represented participants. When compared to 2015, the number of cases filed by unrepresented employees decreased by one, cases filed by represented employees decreased by two, cases filed by represented employers decreased by four, and cases filed by unrepresented employers decreased by one.

Figure 4



COMMISSION DECISIONS

Published Decisions

In 2016, ten Commission decisions were published. Eight were final decisions on the merits of appeals, one was a memorandum decision on a petition for review on remand from the supreme court, and one was a memorandum decision remanding a case to the Board. Appendix B is a list of the Commission’s 2016 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 2016 was 102 days, twelve days more than 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 2016 docket was 347 days. This is an average of 22 fewer days than

in 2015, and under the Commission’s target of processing cases within 360 days.

Published Decisions – Case Resolution

The results of Commission decisions published in 2016 are summarized in Appendix B. Of the eight published final decisions issued on the merits of appeals of Board decisions, five affirmed the Board’s decision; one reversed the Board’s decision in part, vacated in part, and remanded; one affirmed the Board’s decision in part, vacated in part, and remanded; and one reversed the Board’s decision and remanded.

The Commission published one decision denying a petition for review of an interlocutory Board decision in 2016; and published one decision remanding a case back to the Board to take additional evidence. 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

A total of four Commission decisions issued in 2016 were appealed to the supreme court, all of which are currently pending.

One Commission order issued in 2016 was petitioned for review to the supreme court and was denied, leaving no petitions for review awaiting decisions.

A total of eight Commission decisions or orders presently await a supreme court ruling: one issued in 2011 and one issued in 2015 that were consolidated at the supreme court and have a petition for rehearing pending, two issued in 2015, and four issued in 2016. See Appendix A

to see which decisions or orders await supreme court rulings.

In 2016, the supreme court decided eight appeals of Commission decisions (two of which were consolidated at the supreme court). The supreme court issued four opinions creating legal precedent and three memorandum opinions and judgments which do not create legal precedent.

The supreme court issued an opinion on April 8, 2016, in an appeal filed in 2014, *Laurie E. Vandenberg v. State of Alaska, Department of Health and Social Services*, 371 P.3d 602, which reversed and remanded the Commission's decision, which affirmed the Board's decision.

The supreme court issued Memorandum Opinion and Judgment No. 1585 on May 25, 2016, in an appeal filed in 2012, *Michele A. Buchinsky v. The Arc of Anchorage*, which affirmed the Commission's decision, which affirmed the Board's decision.

The supreme court issued an opinion on June 17, 2016, in an appeal filed with the Commission in 2013, *Joseph D. Huit v. Ashwater-Burn, Inc.*, 372 P.3d 904, which reversed and remanded the Commission's decision with instructions to reinstate the Board's award.

Memorandum Opinion and Judgment No. 1590 was issued on July 6, 2016, in an appeal filed with the Commission in 2014, *Douglas C. Jones v. State*, which affirmed the Commission's decision.

The supreme court issued an opinion on October 21, 2016, in an appeal filed in 2014, *Harvey Mark Eder v. M-K Rivers and Westchester Fire Insurance Company*, 382 P.3d 1137, which reversed the

Commission's decision and remanded for further proceedings.

An opinion was issued by the supreme court on December 2, 2016, in an appeal filed in 2014, *Jonathan Bockus v. First Student Services and Sedgwick CMS, Inc.*, 384 P.3d 801, which reversed and remanded the Commission's decision with instructions to reinstate the Board's award.

Memorandum Opinion and Judgment No. 1604 was issued on December 21, 2016, in an appeal filed in 2008, *Noelle McCullough v. Job Ready, Inc. and North American Specialty Insurance Company*, and an appeal filed in 2013, *Noelle McCullough v. Job Ready, Inc. and North American Specialty Insurance Company*, which were consolidated at the supreme court. The Memorandum Opinion and Judgment affirmed both of the Commission's decisions, which affirmed both of the Board's decisions. Appellant's petition for rehearing at the supreme court is pending.

REGULATION CHANGES

No changes were made to the Commission's regulations during 2016.

APPENDIX A: CY 2016 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 extensions; suspended and resumed in 2009 for appointment of guardian; multiple deficiencies and extensions through 2010. Board decision affirmed in 2011; appellant appealed to supreme court; consolidated with appeal of decision in Appeal No. 13-025 in 2015; Commission decision affirmed in 2016. Petition for rehearing at supreme court pending.
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; Commission decision affirmed in 2016.
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; Commission decision reversed and remanded in 2016; order on remand issued in 2016.
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 in 2016.
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; Commission decision affirmed in 2016. Petition for rehearing at supreme court pending.
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; Commission decision reversed and remanded in 2016; order on remand issued 1/3/17.
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 in 2016; Commission affirmed Board decision in 2016; appellant appealed to supreme court; pending.
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; Commission decision affirmed in 2016.
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; Commission decision reversed and remanded in 2016; briefing stage.
14-019	8/19/14	Appeal	<i>Vandenberg v. State</i>	YES	YES	Affirmed Board decision in 2015; appellant appealed to supreme court; Commission decision reversed and remanded in 2016; order on remand issued in 2016.
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.
14-024	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.

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 CY 2016, 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
14-025	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	Reversed Board decision and remanded in 2016.
14-027	11/10/14	Appeal	<i>Rosales v. Icicle Seafoods, Inc.</i>	NO	YES	Affirmed Board decision in 2016; appellant appealed to supreme court; 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 in 2016.
15-009	3/10/15	Petition for Review	<i>Hudak v. Pirate Airworks, Inc.</i>	YES	YES	Denied in 2015; petitioner petitioned supreme court for review; remanded to Commission in 2015; denied in 2016.
15-012	4/13/15	Appeal	<i>Black Gold Express, Inc. v. Garwood</i>	YES	YES	Affirmed Board decision in 2016.
15-015	7/1/15	Appeal	<i>Ingram v. The Home Depot, Inc. and New Hampshire Ins. Co.</i>	NO	YES	Dismissed on settlement in 2016.
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 in 2016.
15-017	8/5/15	Appeal	<i>Erickson v. Fred Meyer Stores and The Kroger Co.</i>	YES	YES	Dismissed on settlement in 2016.
15-018	8/12/15	Appeal	<i>Hahn v. ARCTEC Alaska and Arctic Slope Reg'l Corp.</i>	NO	YES	Dismissed on settlement in 2016.
15-020	8/14/15	Appeal	<i>Bankhead v. Yardarm Knot, Inc. and Northern Adjusters</i>	NO	YES	Dismissed for failure to prosecute in 2016.
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 settlement in 2016.
15-022	9/21/15	Appeal	<i>Israelson v. Alaska Marine Trucking, LLC and ACE American Insurance Co.</i>	YES	YES	Affirmed Board decision in part; vacated in part; remanded in 2016.
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	Consolidated with 16-001 and affirmed both Board decisions in 2016. Appellant appealed to supreme court; 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 settlement in 2016.
15-026	10/15/15	Appeal	<i>Schroeder v. Auto Electric Sales & Service, Inc. and Ohio Casualty Insurance Co.</i>	YES	YES	Dismissed on settlement in 2016.
15-027	11/12/15	Appeal	<i>Barnett v. Raymond and Ins. Co. of N. America</i>	YES	YES	Dismissed on settlement in 2016.
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 in 2016.

Docket Number	Date Filed	Case Type	Case Title	Appellant Attorney	Appellee Attorney	Result/Status
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 in 2016 pending further Board action.
15-030	11/18/15	Petition for Review	<i>McAlpine v. Denali Center and Sentry Ins.</i>	NO	YES	Affirmed Board decision on 2/9/17.
15-031	12/7/15	Appeal	<i>Cornelison v. Rappe Excavating, Inc. and TIG Premier Ins. Co.</i>	NO	YES	Affirmed Board decision in 2016; appellant appealed to supreme court; pending
16-001	1/8/16	Appeal	<i>Kang, d/b/a Lee's Massage v. Mullins and State, Workers' Comp. Benefits Guar. Fund</i>	YES	Mullins: NO State: YES	Consolidated with No. 15-023 and affirmed both Board decisions in 2016. Appellant appealed to supreme court; pending.
16-002	4/19/16	Petition	<i>Straight v. Johnston Constr. and Roofing, LLC and Am. Interstate Ins. Co.</i>	YES	YES	Remanded Board decision in 2016.
16-003	4/19/16	Petition	<i>Williams v. N. Slope Borough and Alaska Nat'l Ins. Co.</i>	NO	YES	Dismissed on petitioner's withdrawal of petition in 2016.
16-004	4/29/16	Appeal	<i>Edenshaw v. Peninsula Airways, Inc. and Wausau Underwriters Ins. Co.</i>	YES	YES	Appeal stayed in January 2017 pending mediation.
16-005	5/16/16	Petition	<i>Williams v. Fairbanks Gold Mining, Inc. and Liberty Mut. Fire Ins. Co.</i>	YES	YES	Denied in 2016.
16-006	5/20/16	Petition	<i>Travis v. State</i>	NO	YES	Denied in 2016.
16-007	8/1/16	Petition	<i>Rife v. B.C. Excavating</i>	NO	YES	Denied in 2016; petitioner petitioned for supreme court review; denied in 2016.
16-008	8/15/16	Appeal	<i>Pettigrew v. State</i>	NO	YES	Dismissed for failure to prosecute in 2016.
16-009	9/1/16	Appeal	<i>Morales de Lopez v. Unisea, Inc. and Alaska Nat'l Ins. Co.</i>	YES	YES	Oral argument pending.
16-010	9/29/16	Appeal	<i>Waite v. Holland America-Princess Tours and Travelers Ins. Co.</i>	NO	YES	Oral argument held 3/7/17; Final Decision pending.
16-011	10/6/16	Appeal	<i>Morales de Lopez v. Unisea, Inc. and Alaska Nat'l Ins. Co.</i>	YES	YES	Oral argument pending.
16-012	10/14/16	Appeal	<i>Narcisse v. Trident Seafood Corp. and Liberty Ins. Corp.</i>	NO	YES	Briefing stage.
16-013	10/28/16	Appeal	<i>Messer v. ASRC Energy Serv. and Arctic Slope Reg'l Corp.</i>	YES	YES	Dismissed on settlement on 3/1/17.
16-014	11/10/16	Appeal	<i>Warnke-Green v. Pro West Contr., LLC and Liberty Northwest Ins. Corp.</i>	YES	YES	Briefing stage.
16-015	11/10/16	Appeal	<i>Wal-Mart Assocs., Inc. and New Hampshire Ins. Co. v. Kolb</i>	YES	YES	Briefing stage.
16-016	11/10/16	Petition	<i>McKenna v. State</i>	YES	YES	Denied in 2016.
16-017	11/28/16	Appeal	<i>J. A. Spain & Sons, Inc. and Am. Interstate Ins. Co. v. Stevens</i>	YES	YES	Briefing stage.
16-018	11/30/16	Petition	<i>Vandenberg v. State</i>	YES	YES	Petition for review granted; briefing stage.
16-019	12/8/16	Appeal	<i>Stephens v. State</i>	NO	YES	Dismissed for failure to prosecute on 2/27/17.
16-020	12/16/16	Appeal	<i>Interior Towing & Salvage, Inc. and Am. Interstate Ins. Co. v. Gracik</i>	YES	YES	Briefing stage.

APPENDIX B: TABLE OF 2016 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/APEALED
222	15-009	<i>Shawn D. Hudak vs. Pirate Airworks, Inc. and Liberty Mutual Insurance Company</i>	N/A	N/A	Denied petition for review of Board decision.
223	15-012	<i>Black Gold Express, Inc. and Insurance Company of the State of Pennsylvania vs. Glinda Garwood (Widow and Personal Representative for the Estate of Mark Garwood)</i>	312	108	Affirmed Board decision.
224	15-016	<i>State of Alaska, Department of Labor and Workforce Development, Division of Workers' Compensation vs. Lawn Ranger of Alaska, LLC</i>	223	88	Reversed Board decision in part, vacated in part, and remanded.
225	14-027	<i>Hugo Rosales vs. Icicle Seafoods, Inc. and Seabright Insurance Company</i>	527	131	Affirmed Board decision. Appealed to supreme court.
226	15-022	<i>Michael A. Israelson vs. Alaska Marine Trucking, LLC and ACE American Insurance Company</i>	249	92	Affirmed Board decision in part, vacated in part, and remanded.
227	14-025	<i>Titan Enterprises, LLC, Titan Topsoil, Inc., CCO Enterprises, LLC, and Todd Christianson vs. State of Alaska, Division of Workers' Compensation</i>	620	116	Reversed Board decision and remanded.
228	15-031	<i>Floyd D. Cornelison vs. Rappe Excavating, Inc. and TIG Premier Insurance Company</i>	240	90	Affirmed Board decision. Appealed to supreme court.
229	14-011	<i>Tracy O. Atkins vs. Inlet Transportation & Taxi Service, Inc. and State of Alaska, Workers' Compensation Benefits Guaranty Fund</i>	264	89	Affirmed Board decision. Appealed to supreme court.
230	15-023, 16-001 (Consol.)	<i>Yong Kang d/b/a Lee's Massage vs. Alexander Mullins and State of Alaska, Workers' Compensation Benefits Guaranty Fund</i>	399	101	Affirmed Board decision.
			293	101	
231	16-002	<i>Ryan Straight vs. Johnston Construction & Roofing, LLC and American Interstate Insurance Company</i>	N/A	N/A	Remanded to Board.

Shaded areas indicate cases heard in 2015, but the decisions were issued in 2016.