

Alaska Workers' Compensation Appeals Commission

ANNUAL REPORT FOR CALENDAR YEAR 2014

Submitted to the Office of the Lieutenant Governor
February 23, 2015



Alaska Workers' Compensation Appeals Commission
1016 W. Sixth Avenue, Suite 405
Anchorage, AK 99501
Telephone: 907-269-6738
Facsimile: 907-269-6737
E-mail: awcac.clerk@alaska.gov

Alaska Workers' Compensation Appeals Commission

Annual Report for Calendar Year 2014

TABLE OF CONTENTS

	Page
INTRODUCTION	2
COMMISSION MEMBERS	3
COMMISSION CASES	
Cases Filed in 2014	5
2014 Commission Docket	5
Oral Arguments, Hearings, and Orders	5
Average Time Period for Cases Closed in 2014.....	6
Resolution of Cases in 2014.....	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: 2014 APPEALS COMMISSION DOCKET	9
APPENDIX B: TABLE OF 2014 PUBLISHED DECISIONS	13

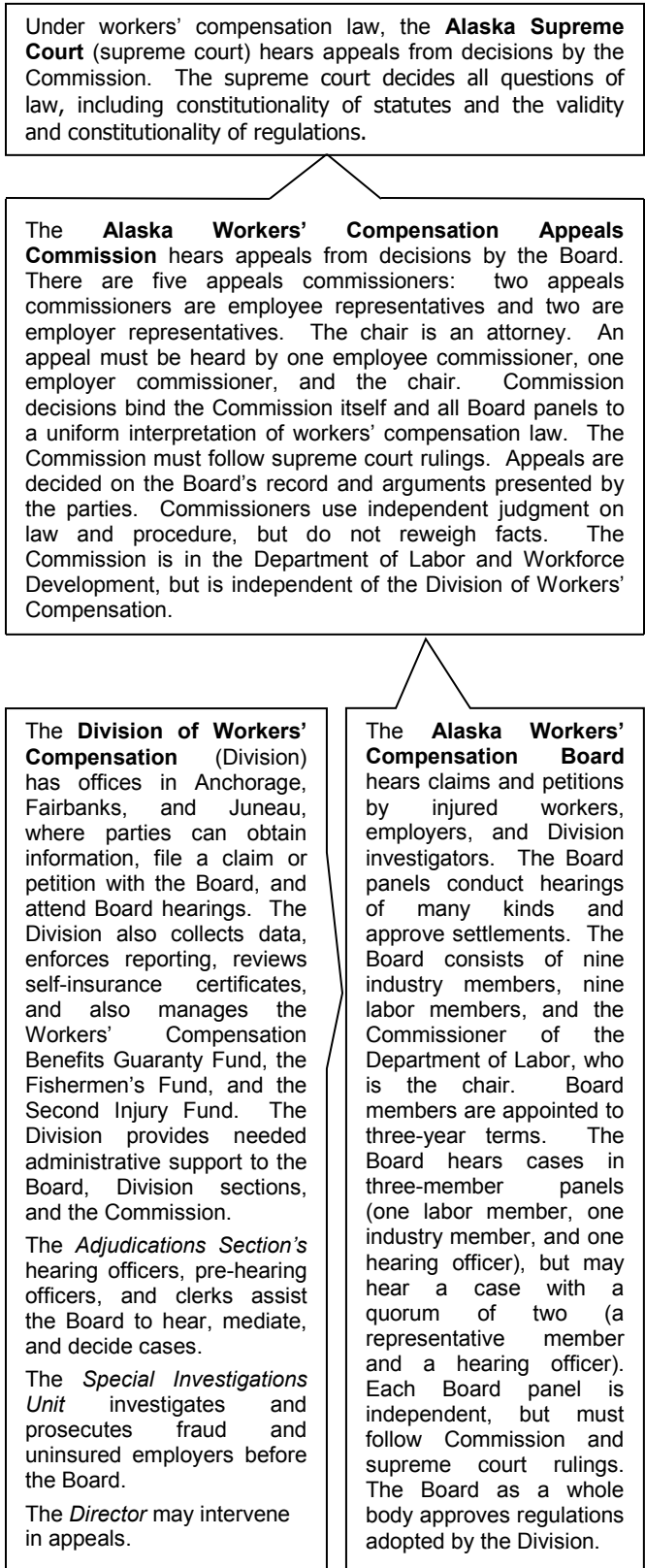
INTRODUCTION

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 15th of each year. This report is filed to satisfy that duty.

Figure 1



COMMISSION MEMBERS

The Commission consists of five members: four representative members and the chair. Each representative member must have at least 18 months of experience as a member of the Board. Two members represent employees and two represent employers. The chair must be an attorney who has been 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 connection with a party, avoiding vacancies is a concern of the Commission.

The members of the Commission are:

Laurence P. Keyes has served as chair since March 1, 2010, and his term will expire on March 1, 2015.

Mr. Keyes has practiced law in Kodiak and Anchorage since 1982. Since 1990, he has 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 was appointed chair of the commission by Governor Bill Walker on February 3, 2015, and will take office after Mr. Keyes' term expires.

His appointment is subject to legislative confirmation. Mr. Hemenway is an administrative law judge in the Office of Administrative Hearings. In that capacity he conducts hearings and issues 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 has served as the pro tempore chair of the commission. He received his LL.M. in law and maritime affairs from the University of Washington 1986, his J.D. from the University of Houston in 1976, and his B.A. in philosophy from Amherst College in 1970.

James N. Rhodes, an employee representative, of Ketchikan, is a 20-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 complete a four-year term as commissioner in 2012. **His term expires on March 1, 2016.**

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, is 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. **Commissioner Richards' term was to end on March 1, 2018; however, he resigned his position effective February 15, 2015. The Commission is currently awaiting the appointment of a new employee commissioner.**

Philip E. Ulmer, an employer representative, of Eagle River, is a Certified Workers' Compensation Professional, currently employed as Sr. 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

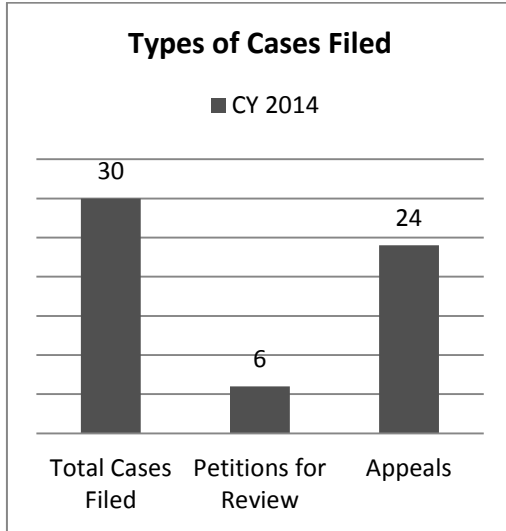
with the Alaska Society of Professional Engineers. He served as a member for industry on the Board. He was appointed by Governor Frank Murkowski to a four-year term as commissioner in November 2005, reappointed by Governor Sarah Palin to a five-year term in March 2009, and reappointed by Governor Sean Parnell to a five-year term in March 2014. **His term expires on March 1, 2019.**

COMMISSION CASES

Cases Filed in 2014

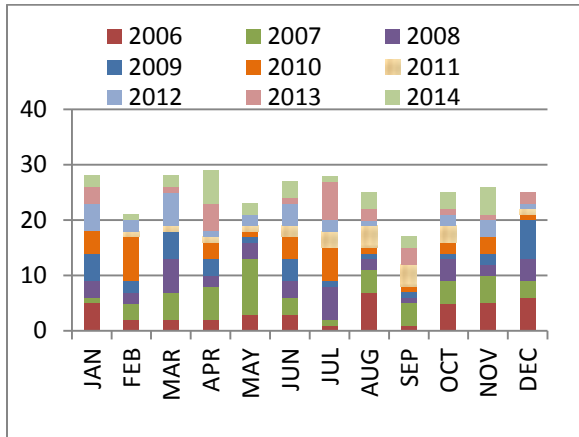
The Commission docketed 30 new cases in calendar year (CY) 2014, an increase of 15% from CY 2013. Figure 2 shows the types of cases filed in 2014.

Figure 2



There is seasonal variation in the filing of appeals and petitions for review, as shown in Figure 3.

Figure 3



2014 Commission Docket

In addition to the 30 new cases docketed in 2014, the Commission began 2014 with 15 cases on its docket: one filed in CY 2010, and 14 filed in CY 2013.

At the end of 2014, the Commission had 22 cases on its docket: one case filed in CY 2011 which was remanded to the Commission by the supreme court in December, 2014; three cases filed late in CY 2013 in which oral arguments were heard in early CY 2015, and 19 cases filed in 2014.

Figure 4 shows the number of open cases on the Commission docket at the end of each month, the number of new cases filed each month, and other types of production in 2014.

Figure 4

Month	Cases on the Docket	New Cases Filed	Oral Arguments/Hearings	Decisions Issued	Orders Issued	Default Notices Issued
Jan.	16	2	1	0	9	0
Feb.	17	1	0	0	8	0
Mar.	18	2	2	2	2	0
Apr.	22	6	1	3	10	0
May	19	2	2	1	9	0
Jun.	19	3	1	0	14	0
Jul.	17	1	3	3	9	1
Aug.	20	3	0	0	8	0
Sep.	22	2	1	0	7	1
Oct.	23	3	1	2	9	0
Nov.	26	5	1	3	11	1
Dec.	22	0	0	1	21	1
TOTALS		30	13	15	117	4

Appendix A is the Commission’s complete 2014 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 further action.

Oral Arguments, Hearings, and Orders

The Commission held a total of 13 hearings in 2014 – 11 oral arguments on appeal and two hearings on motions for stays. Some appeal participants did not request oral argument; those appeals were decided on briefs.

The Commission issued orders on motions regarding such issues as extensions of time to file appeals, stays pending appeal, dismissals, waivers of filing fees and/or transcription costs due to indigence, attorney fees, clarification, reconsideration, suspension of appeal proceedings, and orders granting or denying petitions for review. The Commission chair issued orders on motions for extensions of time to file briefs, notices of default with orders to comply, and similar procedural matters. In 2014, the Commission issued 117 unpublished orders, a 24% increase from CY 2013.

Average Time Period for Cases Closed in 2014

In addition to the 15 cases that were on the docket at the beginning of 2014 and the 30 new cases that were filed in 2014, six cases were reopened on the 2014 docket due to supreme court appeals that were remanded to the Commission for further proceedings: one from CY 2009, three from CY 2011, one from CY 2012, and one from CY 2013. Also, one CY 2013 case that was decided at the end of CY 2013 came back on the CY 2014 docket due to a motion for reconsideration that was filed and deemed denied early in CY 2014. Taken together, a total of 52 cases appeared on the 2014 Commission docket (Appendix A), a 16% increase over CY 2013.

Of the 52 cases that appeared on the 2014 docket, 30 cases were closed in 2014. This resulted in a closure rate of 58% of the total number of cases that appeared on the 2014 docket. The average time period from the date of

filing to the date of closure for those 30 cases was 162 days.

Of the 30 cases filed in 2014, 12 were also closed in 2014, resulting in a closure rate of 40% 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 2014 was 89 days.

Resolution of Cases in 2014

Thirty of the 52 cases that were on the 2014 docket were closed in 2014: 12 resulted in decisions on the merits of the appeals; five resulted in orders on remand after being remanded to the Commission by the supreme court; five cases were settled; five petitions for review were denied; one motion for reconsideration was denied; one was voluntarily dismissed; and one resulted in dismissal for failure to prosecute. (Appendix A).

Indigent Participants

In 2014, the Commission granted two of seven motions to waive payment of a filing fee due to indigence. There were 11 motions for waiver of payment of transcript costs due to indigence: seven were granted and two were partially granted. In 2014, the Commission paid a total of \$6,107.50 to have Board hearings transcribed for indigent employees.

Attorney Representation

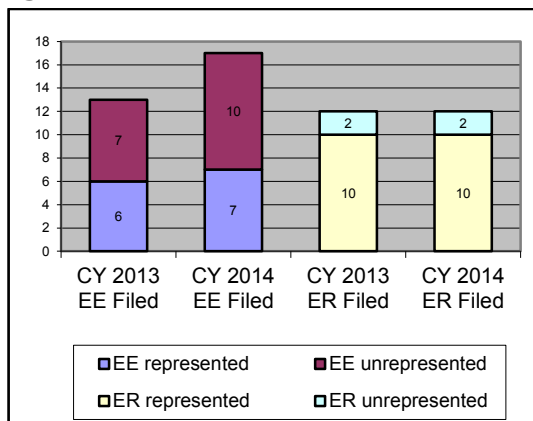
Unrepresented employees filed 10 of the thirty new cases in 2014. In the cases filed by unrepresented employees, all the opposing parties were represented by an attorney. Seven cases were filed by represented employees with all of the opposing

parties being represented, except in one case with a non-participating employer.

Employers filed 12 cases, with two of those filed by unrepresented employers. In all but one of those 12 cases, all of the opposing parties were represented; one had an unrepresented employee. One case was filed by the Workers' Compensation Benefits Guaranty Fund, which was represented, the employer was represented, and the unrepresented employee did not participate.

Figure 5 compares unrepresented participants to represented participants. When compared to CY 2013, the number of cases filed by unrepresented employees increased by three, cases filed by represented employees increased by one, cases filed by represented employers remained the same, and cases filed by unrepresented employers also remained the same.

Figure 5



COMMISSION DECISIONS

Published Decisions

In 2014, 15 Commission decisions were published. Twelve were on the merits of an appeal, two were memorandum decisions regarding motions for stays, and one was a memorandum decision regarding a

motion for attorney fees. Appendix B is a list of the Commission's 2014 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 if oral argument was not requested) to the issuance of a final decision on the merits of an appeal in 2014 was 20 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 2014 docket was 321 days. This is an average of six more days than in CY 2013.

Published Decisions – Case Resolution

The results of Commission decisions published in 2014 are summarized in Appendix B. Of the 12 final decisions issued on the merits of appeals of Board decisions: five affirmed the Board's decision; one affirmed in part and remanded to the Board; one affirmed in part, reversed in part, and remanded to the Board; two affirmed in part, vacated in part, and remanded to the Board; one reversed the Board's decision; one Board decision was remanded; and one was affirmed in part, reversed in part, vacated in part, and remanded to the Board.

The Commission issued no decisions regarding petitions for review of interlocutory Board decisions in 2014, as no petitions for review were granted in 2014. 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 2014, seven Commission decisions or orders were appealed to the supreme court; all are currently awaiting supreme court rulings.

Four Commission decisions or orders were petitioned for review to the supreme court; two were denied and two were dismissed, leaving no petitions for review awaiting decisions.

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

In 2014, the supreme court decided six appeals of Commission decisions.

The supreme court issued an opinion in 2014 on an appeal filed in CY 2011, *Coppe vs. Bleicher*, 318 P.3d 369, which affirmed the Commission's decision, which affirmed the Board's decision.

The supreme court issued an opinion in 2014 on an appeal filed in CY 2009, *Harris v. M-K Rivers*, 325 P.3d 510, which affirmed the Commission's decision in part, reversed the Commission's decision in part, and remanded to the Commission with instructions to remand to the Board, and vacated the Commission's decision in

part, reinstating the Board's decision in part and remanding to the Commission.

The supreme court issued an opinion in 2014 on an appeal filed in CY 2012, *Louie v. BP Exploration (Alaska), Inc.*, 327 P.3d 204, which affirmed the Commission's decision, which affirmed the Board's decision.

The supreme court issued an opinion in 2014 on an appeal filed in CY 2013, *Harris v. Millennium Hotel*, 330 P.3d 330, which vacated the Commission's decision and remanded to the Commission for further proceedings.

The supreme court also issued an opinion in 2014 on an appeal filed in CY 2011, *Adamson v. Municipality of Anchorage*, 333 P.3d 5, which affirmed the Commission's decision in part, reversed the Commission's decision in part, and remanded to the Commission with instructions to reinstate the Board's decision.

The supreme court issued an opinion in 2014 on another CY 2011 appeal, *Humphrey v. Lowe's Home Improvement Warehouse, Inc.*, 337 P.3d 1174, affirming the Commission's decision in part, but reversing the Commission's order on attorney fees and remanding that issue to the Commission for further proceedings.

The supreme court also issued an opinion in 2014 on a CY 2013 petition for review, *State of Alaska, Division of Workers' Compensation v. Titan Enterprises, LLC*, 338 P.3d 316, reversing and remanding the Commission's Order on Motion for Attorney Fees.

REGULATION CHANGES

No changes were made to the Commission's regulations during 2014.

APPENDIX A: 2014 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 opening brief deficiencies and reply brief extensions by guardian through 2010. Board decision affirmed in 2011; appellant appealed to supreme court; multiple stays through 2014 pending further board action and commission decision on related AWCAC Appeal No. 13-025 filed 12/9/13.
09-027	12/08/09	Appeal	<i>M-K Rivers v. Harris</i>	YES	YES	Board decision affirmed in part, reversed in part, and remanded in 2011; appellee appealed to supreme court. Commission decision affirmed in part, reversed in part, vacated in part, and remanded to the commission to remand to the board for further proceedings in 2014.
10-023	7/15/10	Appeal	<i>Carey v. Veco, Inc.</i>	NO	YES	Appeal suspended in 2010 for appointment of appellant's guardian; Board approved Settlement Agreement 8/29/14.
11-004	5/13/11	Appeal	<i>Coppe v. Bleicher and Bleicher</i>	NO	YES	Affirmed board decision in 2012; appellant appealed to supreme court; commission decision affirmed on 2/14/14.
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 2/18/15.
11-017	9/26/11	Appeal	<i>Mun. of Anchorage v. Adamson</i>	YES	YES	Order denying stay of future benefits in 2012. Appellant petitioned for review to supreme court; commission order affirmed in 2013. Commission affirmed board decision in part, reversed in part, and remanded to board in 2012. Appellant petitioned for review to supreme court in 2013; appellee filed cross-petition. Commission decision affirmed in part, reversed in part, and remanded to commission to reinstate board's decision in 2014.
11-021	12/29/11	Appeal	<i>Humphrey v. Lowe's HIW</i>	YES	YES	Board decision affirmed in part, vacated in part, and remanded in 2013; motion for reconsideration denied; appellant appealed both commission's decision and order on attorney fees to supreme court; commission decision affirmed in 2014; commission order on attorney fees reversed and remanded in 2014.

¹ Also includes Commission cases from prior years that were appealed or petitioned for review to the supreme court, disposition of those cases if resolved in 2014, and current status if still pending before the supreme court.

Docket Number	Date Filed	Case Type	Case Title	Appellant Attorney	Appellee Attorney	Result/Status
12-004	1/30/12	Petition	<i>Alaska Mech., Inc. v. Harkness</i>	YES	YES	Petition for review granted in 2012; reversed board decision in 2013. Petitioner petitioned for review to supreme court; converted to appeal; dismissed in 2014.
12-022	7/26/12	Appeal	<i>Louie v. B.P. Exploration (Alaska), Inc.</i>	YES	YES	Affirmed board decision in 2013; appellant appealed to supreme court; commission decision affirmed in 2014.
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 1/31/14; appellant appealed to supreme court; briefing stage.
13-003	1/23/13	Petition	<i>State, Workers' Comp. Benefits Guar. Fund v. Shepard and New City Painting, LLC</i>	YES	Shepard YES	Board decision affirmed in part and reversed in part in 2013; respondent Shepard petitioned for review to supreme court; converted to appeal; remanded to commission to remand to board to approve settlement in 2014.
					New City NO	
13-005	4/3/13	Appeal	<i>Harris v. Millennium Hotel</i>	YES	YES	Affirmed board decision in 2013; appellant appealed to supreme court; commission decision vacated and remanded; remanded to board for further proceedings consistent with supreme court opinion in 2014.
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; submitted on briefs; awaiting conference.
13-009	4/16/13	Appeal	<i>Misyuk v. Shastitko, Thompson Valley Funeral Home, Ltd, and State, Workers' Comp Benefits Guar. Fund</i>	NO	Shastitko YES	Affirmed board decision in 2014.
					Thompson Non participant	
					State YES	
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; briefing stage.
13-011	7/9/13	Appeal	<i>Corey v. NANA Reg'l Corp., Inc.</i>	NO	YES	Affirmed board decision in part and remanded in 2014.
13-012	7/10/13	Appeal	<i>Merritt v. State, Dep't of Transp.</i>	YES	YES	Affirmed board decision in part, vacated in part, and remanded in 2014.
13-014	7/12/13	Petition	<i>ASRC Energy Servs., Inc. and Arctic Slope Reg'l Corp. v. Kollman</i>	YES	YES	Petition for review granted; board decision reversed in part and affirmed in part in 2013; petitioner petitioned for review to supreme court; dismissed in 2014.
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; awaiting oral argument.
13-017	7/30/13	Appeal	<i>Assets, Inc. v. Taylor</i>	YES	YES	Board decision remanded with instructions in 2014.
	8/19/13	Cross-Appeal				
13-020	9/5/13	Appeal	<i>Municipality of Anchorage v. Miller and State, Second Injury Fund</i>	YES	YES	Affirmed board decision in 2014.
13-021	9/16/13	Appeal	<i>Utility Technologies, Inc. v. King</i>	YES	YES	Dismissed on settlement in 2014.

Docket Number	Date Filed	Case Type	Case Title	Appellant Attorney	Appellee Attorney	Result/Status
13-022	9/23/13	Appeal	<i>Rivero v. Coldfoot Env'tl. Servs., Inc.</i>	NO	YES	Board decision affirmed in part, vacated in part, and remanded in 2014; appellees appealed to supreme court; briefing stage.
13-023	10/4/13	Appeal	<i>Stenseth v. Municipality of Anchorage</i>	YES	YES	Affirmed board decision on 1/27/15.
13-024	11/15/13	Appeal	<i>Huguley v. City of Unalaska</i>	NO	YES	Affirmed board decision on 1/13/15.
13-025	12/9/13	Appeal	<i>McCullough v. Job Ready, Inc.</i>	NO	YES	Affirmed board decision on 2/10/15.
13-026	12/23/13	Appeal	<i>Weed v. State, Dep't of Public Safety</i>	YES	YES	Reversed board decision in part, affirmed in part, and remanded in 2014. Appellant appealed to supreme court; supreme court appeal stayed pending board action.
14-001	1/2/14	Appeal	<i>Stojanovich v. NANA Reg'l Corp., Inc.</i>	NO	YES	Affirmed board decision on 1/26/15.
14-002	1/7/14	Petition	<i>Miller v. NANA Reg'l Corp., Inc.</i>	YES	YES	Petition for review denied in 2014.
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; briefing stage.
14-004	3/13/14	Appeal	<i>Trident Seafood Corp. v. Saad</i>	YES	NO	Oral argument will be scheduled after new commission chair takes office on 3/1/15.
14-005	3/21/14	Appeal	<i>State, Workers' Comp. Benefits Guar. Fund v. Hinkle and Cornerstone Remodel & Design</i>	YES	Hinkle NO Cornerstone YES	Appeal withdrawn and dismissed in 2014.
14-006	4/3/14	Appeal	<i>Costco Wholesale Corp. v. Shannon</i>	YES	NO	Dismissed on settlement in 2014.
14-007	4/3/14	Appeal	<i>Alaskan Emp'rs Servs., Inc. d/b/a Swan Emp'r Servs. v. Kamitchis</i>	YES	YES	Dismissed on stipulation in 2014.
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.
14-009	4/21/14	Appeal	<i>Unocal Corp. v. Pietro</i>	YES	YES	Dismissed on settlement.
14-010	4/22/14	Petition	<i>United Parcel Serv. v. Mitchell</i>	YES	YES	Petition for review denied in 2014.
14-011	4/28/14	Appeal	<i>Atkins v. Inlet Transp. & Taxi Serv., Inc. and State, Workers' Comp. Benefits Guar. Fund</i>	NO	Inlet Non-participant State YES	Oral argument will be scheduled after new commission chair takes office on 3/1/15.
14-012	5/9/14	Petition	<i>Phillips v. Bilikin Inv. Group</i>	YES	YES	Petition for review denied in 2014.
14-013	5/19/14	Appeal	<i>Jones v. State, Dep't of Natural Resources</i>	NO	YES	Oral argument will be scheduled after new commission chair takes office on 3/1/15.
14-014	6/2/14	Appeal	<i>Ibale v. State, Alaska Marine Hwy. Syst.</i>	NO	YES	Dismissed for failure to prosecute in 2014.
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.
	6/27/14	Cross-Appeal				

Docket Number	Date Filed	Case Type	Case Title	Appellant Attorney	Appellee Attorney	Result/Status
14-016	6/18/14	Appeal	<i>Fluor Alaska, Inc., CNA Surety, and Wilton Adjustment Co. v. Rodriguez, Ahtna 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 Env'tl. (Zurich Ins./Carl Warren & Co.)</i>	YES	YES	Dismissed on settlement on 1/20/15.
	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 on 2/18/15.
14-018	8/8/14	Petition for Review	<i>Travelers Cas. and Surety Co. v. Edgar and NANA Colt/NANA Worley Parsons</i>	YES	YES	Petition for review denied in 2014; petitioner petitioned for review to supreme court; denied.
14-019	8/19/14	Appeal	<i>Vandenberg v. State</i>	YES	YES	Decision pending.
14-020	8/29/14	Appeal	<i>Jackson v. Food Ex Corp.</i>	NO	YES	Briefing stage; Order to Show Good Cause issued 2/11/15.
14-021	9/2/14	Appeal	<i>Erpelo v. Trident Seafoods</i>	NO	YES	Briefing stage; motion to strike brief pending.
14-022	9/15/14	Appeal	<i>Burke v. Raven Electric, Inc.</i>	NO	YES	Briefing stage.
14-023	10/20/14	Appeal	<i>Anacker v. Fairbanks Taxi Services, Inc.</i>	YES	YES	Briefing stage.
14-024	10/23/14	Appeal	<i>Darrow v. Alaska Airlines, Inc.</i>	YES	YES	Briefing stage.
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	Briefing stage.
14-026	11/10/14	Petition for Review	<i>Rosales v. Icicle Seafoods, Inc.</i>	NO	YES	Denied in 2014.
14-027	11/10/14	Appeal	<i>Rosales v. Icicle Seafoods, Inc.</i>	NO	YES	Awaiting partial payment of transcript cost.
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>	NO	YES	Dismissed on settlement 2/11/15.
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 on 2/17/15.
14-030	11/28/14	Appeal	<i>Forster v. State</i>	NO	YES	Briefing stage.

APPENDIX B: TABLE OF 2014 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
191	13-016	<i>Ashwater-Burns, Inc., Commerce & Industry Insurance Company, Chartis, and Northern Adjusters vs. Joseph D. Huit</i>	235	13	Affirmed board decision in part, reversed in part, vacated in part, and remanded to board. Appeal filed with supreme court.
192	13-011	<i>Carol S. Corey vs. NANA Regional Corporation, Inc. and ACE Indemnity Insurance Company</i>	252	48	Affirmed board decision in part and remanded to board.
193	13-021	<i>Utility Technologies, Inc. and Liberty Northwest Insurance Company vs. Dale D. King</i>			Order on Motion for Stay published as a Memorandum Decision as part of the parties' settlement. This was not a final decision on the merits of the appeal.
194	13-008	<i>Municipality of Anchorage vs. Lee O. Stenseth</i>	364	16	Affirmed board decision. Appeal filed with supreme court.
195	13-017	<i>Assets, Inc. Commerce and Industry Insurance Company, Chartis, and Northern Adjusters, Inc. vs. Derrick F. Taylor</i>	266	6	Remanded to board.
196	13-012	<i>Ricky Merritt vs. State of Alaska, Department of Transportation</i>	310	8	Affirmed in board decision in part, vacated in part, and remanded to board.
197	13-020	<i>Municipality of Anchorage vs. Annie L. Miller and State of Alaska, Second Injury Fund</i>	299	5	Affirmed board decision.
198	13-010	<i>Chris Dillard vs. Dick Pacific/Ghemm Company J.V. and Liberty Mutual Insurance Group</i>	382	5	Affirmed board decision. Appeal filed with supreme court.
199	14-016	<i>Fluor Alaska, Inc., CNA Surety, and Wilton Adjustment Company v. Rodriguez, Ahtna Facility Services, Inc. (Alaska National Insurance Company), Houston Contractors (AIG/Insurance Company of the State of Pennsylvania), Davis Constructors & Engineers, Inc. (Alaska National Insurance Company), Houston Contracting/Arctic Slope Regional Corporation, and Shaw Environmental. (Zurich Insurance/Carl Warren & Company)</i>			Order on Motion to Stay Lump-Sum Compensation Payments was published as a Memorandum Decision. This was not a Final Decision on the merits of the appeal. Petition for review filed with supreme court.
200	13-022	<i>Ramon Rivero v. Coldfoot Environmental Services, Inc. and Zurich American Insurance Company</i>	373	6	Affirmed board decision in part, vacated in part, and remanded to board. Appeal filed with supreme court.
201	14-003	<i>Joseph M. Baker v. ASRC Energy Services, Inc. and Arctic Slope Regional Corporation</i>	241	37	Affirmed board decision. Appeal filed with supreme court.

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
202	13-009	<i>Konstantin Misyuk, Viktor Misyuk, Valentina Misyuk, and Elena (Misyuk) Medvedev v. Anna Shastitko, beneficiary of Yevgeniy P. Shastitko, deceased, Radimir Shastitko, minor beneficiary, Simon Shastitko, minor beneficiary; Thompson Valley Funeral Home, Ltd., and State of Alaska, Workers' Compensation Benefits Guaranty Fund</i>	567	27	Affirmed board decision.
203	11-017	<i>Municipality of Anchorage and NovaPro Risk Solutions v. John E. Adamson</i>			Order on Motion for Attorney Fees published as a Memorandum Decision. This was not a Final Decision on the merits of the appeal.
204	13-026	<i>Randy A. Weed v. State of Alaska, Department of Public Safety</i>	325	56	Reversed board decision in part, affirmed in part, and remanded to board. Appeal filed with supreme court.
205	14-008	<i>First Student Services and Sedgwick CMS, Inc. v. Jonathan Bockus</i>	243	14	Reversed board decision. Appeal filed with supreme court.