

Virginia:
In The Workers' Compensation Commission
John Hurtworker, Claimant
VWC File No.: 0000000
United Engineering, Inc., Employer
Working For A Safe Workplace, Insurer

PETITION

This case is before the Commission upon Petition for Compromise Settlement seeking approval of settlement whereby employee receives \$75,000 and upon payment, the employer and carrier are released from liability from the injury of March 1, 1998, except that the parties have agreed that the insurer will be responsible for payment of reasonable and necessary medical treatment pursuant to §65.2-603 Va. Code Annotated, relating to the injury of March 1, 1998, for the period between the date of the accident and the date of entry of the proposed Order.

Your petitioners, John Hurtworker ("claimant"), United Engineering, Inc. ("employer"), and Working For A Safe Workplace ("insurer"), respectfully represent unto the Commission as follows:

1. The claimant sustained an accidental injury on March 1, 1998, while in the course and scope of his employment. At the time of the claimant's injury, his average weekly wage was \$630.67, which provides a compensation rate of \$420.47.
2. The insurer has paid the claimant workers' compensation benefits pursuant to an Award of the commission dated October 9, 1998. As of May 2, 1999, the insurer has paid \$40,000 in indemnity benefits and \$35,000 in medical benefits, for a total payment of \$75,000.
3. On March 1, 1998, the claimant was injured when his left foot slipped under the rear tire of a road grader, injuring his left foot and leg. He sought emergency treatment at Greenbirch Hospital, where his open wound was surgically closed. He came under the care of Dr. Stephen Slade, who managed him conservatively. No further surgery is recommended.
4. On January 11, 1999, the claimant reached maximum medical improvement and was given a 10-percent permanent partial rating to his left leg, and was released from medical care with the same work restrictions with no heavy lifting or prolonged standing or walking.
5. The claimant returned to restricted duty with the employer on April 28, 1999. At this time, claimant would prefer to settle his workers' compensation claim, disassociate himself from the employer and insurance carrier, and seek alternative employment on his own.
6. All parties are mindful of the uncertainties of litigation, and have agreed upon lump sum compromise settlement for a total payment to the claimant of \$75,000, less approved attorney's fees. In addition, the parties have agreed that the insurer will be responsible for payment of reasonable and necessary medical treatment pursuant to §65.2-603 Va. Code Annotated, relating to the injury of March 1, 1998, for the period between the date of the accident and the date of entry of the proposed Order.

Wherefore, your petitioners respectfully request the approval of the Virginia Workers' Compensation Commission on the settlement recited and request that the proposed Order be entered approving the compromise settlement and forever discharging the employer and the insurer from any and all liability as a result of the claimant's compensable accident of March 1, 1998.

We ask for this:

Claimant Signature
Claimant name, address, telephone number
Claimant's Counsel's Signature

Claimant's Counsel's name, address, telephone number

Employer's Counsel's Signature

Employer's Counsel's name, address, telephone number