



a claimant has missed work or seen a physician within ten (10) days of his injury is misplaced. The requirement exists to motivate employers to file a notice of injury within ten days of the claimant's injury. This provision does not indicate that a claimant must see a physician within ten days.

Defendants' second argument, that the filing of February 28, 2006 triggers the statute of limitations within § 72-706 is also misplaced. There is no evidence that Employer filed the Form 1. The simple fact that the Form 1 may have left Claimant's hands to subsequently route through Employer's mail system does not equate to Employer filing the Form 1 with the Commission, especially when Claimant's signature is the only signature to appear on the document.

For the above reasons, Defendants' Motion For Reconsideration is hereby DENIED.

DATED this 24th day of October 2006.

INDUSTRIAL COMMISSION

/s/ \_\_\_\_\_  
Thomas E. Limbaugh, Chairman

/s/ \_\_\_\_\_  
James F. Kile, Commissioner

/s/ \_\_\_\_\_  
R. D. Maynard, Commissioner

ATTEST:

/s/ \_\_\_\_\_  
Assistant Commission Secretary

**CERTIFICATE OF SERVICE**

I hereby certify that on this 24th day of October 2006, a true and correct copy of the foregoing **ORDER DENYING RECONSIDERATION** was served by regular United States Mail upon each of the following:

GARDNER SKINNER, JR.  
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GLENNA CHRISTENSEN  
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\_\_\_\_\_/s/\_\_\_\_\_