

**BEFORE THE INDUSTRIAL COMMISSION OF THE STATE OF IDAHO**

SHALEIA SHOEMAKER, )  
 )  
 Claimant, )  
 )  
 v. )  
 )  
 ATK ALLIANT TECHSYSTEMS/ )  
 AMMUNITION ACCESSORIES, )  
 )  
 Employer, )  
 )  
 and )  
 )  
 INSURANCE COMPANY OF THE )  
 STATE OF PENNSLYVANIA, )  
 )  
 Surety, )  
 Defendants. )  
 \_\_\_\_\_ )

**IC 2006-529296**

**ORDER DENYING  
RECONSIDERATION**

October 29, 2008

On September 10, 2008, Claimant timely filed, pursuant to Idaho Code § 72-718, a motion and supporting brief to reconsider the Commission’s Order dated August 21, 2008. Defendants timely filed a memorandum in response to Claimant’s motion on September 23, 2008.

In their motion, Claimant requests the Commission to reconsider the issues of causation and benefits connected with her industrial accident. Claimant argues that the record does not support the Commission’s finding that Claimant’s industrial accident of November 17, 2006, caused a temporary aggravation of her pre-existing low back condition, or that Claimant has not proven that the condition for which she seeks benefits was caused by her industrial accident of November 17, 2006 or that Claimant has not proven that she is entitled to additional medical care after December 15, 2006.

In response, Defendants contend that the decision is supported by substantial and competent evidence, and that the Referee's Findings of Facts thoroughly detail and explain the Commission's findings.

Here, Claimant references documents and arguments already presented, examined, and considered in the initial action. The record supports the Commission's decision. As such, there is no justification to warrant a reconsideration of the order. The record reflects an exhaustive review of all the medical evidence and testimony by the Referee who clearly articulated his findings. The Referee's determinations are fully supported by the record.

Based upon the foregoing reasons, Claimant's Motion for Reconsideration should be, and is hereby, DENIED.

DATED this 29th day of October 2008.

INDUSTRIAL COMMISSION

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

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

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

ATTEST:

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

**CERTIFICATE OF SERVICE**

I hereby certify that on this \_\_\_\_29<sup>th</sup> day of \_\_\_\_\_October\_\_\_\_\_2008, a true and correct copy of the foregoing **ORDER DENYING RECONSIDERATION** was served by regular United States Mail upon each of the following:

SCOTT CHAPMAN  
1106 IDAHO STREET  
LEWISTON, ID 83501

BENTLEY G. STROMBERG  
PO BOX 1510  
LEWISTON, ID 83501

cs-m/cjh

\_\_\_\_/s/\_\_\_\_\_