

BEFORE THE INDUSTRIAL COMMISSION OF THE STATE OF IDAHO

JOSE R. SALDIVAR,)	
)	
Claimant,)	
)	
v.)	IC 2006-001370
)	
SOLO CUP CO.,)	
)	
Employer,)	ORDER DENYING
)	RECONSIDERATION
and)	
)	
ZURICH AMERICAN INSURANCE CO.,)	
)	filed March 13, 2009
Surety,)	
)	
Defendants.)	
_____)	

Pursuant to Idaho Code § 72-718, Claimant moves for reconsideration of the Commission’s January 8, 2009 decision in the above-referenced case. Claimant objects to the Commission’s finding that he has failed to establish an entitlement to disability in excess of impairment. Claimant argues that the Commission failed to properly consider evidence of Claimant’s disability and asks for rehearing of the case.

Defendants reply that Claimant’s motion is essentially a request to re-weigh evidence already considered by the Commission. Defendants ask the Commission to deny Claimant’s motion.

The Commission agrees with Defendants that Claimant’s evidence on this issue has already been considered. The Commission carefully examined and weighed all evidence before rendering the decision and remains unpersuaded by Claimant’s arguments.

Accordingly, Claimant's motion for reconsideration and rehearing is hereby DENIED.

DATED this _13th_ day of March, 2009.

INDUSTRIAL COMMISSION

_____/s/_____
R.D. Maynard, Chairman

_____/s/_____
Thomas E. Limbaugh, Commissioner

_____/s/_____
James F. Kile, Commissioner

ATTEST:

_____/s/_____
Assistant Commission Secretary

CERTIFICATE OF SERVICE

I hereby certify that on the _16th day of March, 2009 a true and correct copy of **Order Denying Reconsideration** was served by regular United States Mail upon each of the following:

EMIL F PIKE JR
PO BOX 302
TWIN FALLS ID 83303-0302

GLENNA M CHRISTENSEN
PO BOX 829
BOISE ID 83701

eb/cjh

_____/s/_____