

BEFORE THE INDUSTRIAL COMMISSION OF THE STATE OF IDAHO

SANIJE BERISHA,

Claimant,

v.

THE GROVE HOTEL,

Employer,

and

INSURANCE COMPANY
OF THE WEST,

Surety,

Defendants.

IC 2002-003038

ORDER

May 30, 2012

Pursuant to Idaho Code § 72-717, Referee LaDawn Marsters submitted the record in the above-entitled matter, together with her recommended findings of fact and conclusions of law, to the members of the Idaho Industrial Commission for their review. Each of the undersigned Commissioners has reviewed the record and the recommendations of the Referee. The Commission concurs with these recommendations. Therefore, the Commission approves, confirms, and adopts the Referee's proposed findings of fact and conclusions of law as its own.

Due to past disruptive behavior and the Director's letter of December 8, 2011, Claimant and her husband are prohibited from entering any Idaho Industrial Commission office without first obtaining written permission from the Director, Mindy Montgomery.

Based upon the foregoing reasons, IT IS HEREBY ORDERED that:

1. Claimant has raised no new issues for adjudication by the Commission. Therefore:

- a. Claimant's Complaint should be dismissed *without prejudice* as to her RUE CRPS claims; and
 - b. Claimant's Complaint should be dismissed *with prejudice* as to those claims found to be barred by *res judicata*.
2. Claimant remains eligible for reasonable and necessary medical treatment for her RUE CRPS.
 3. All other issues are moot.
 4. Pursuant to Idaho Code § 72-718, this decision is final and conclusive as to all matters adjudicated.

DATED this 30th day of May, 2012.

INDUSTRIAL COMMISSION

/s/
Thomas E. Limbaugh, Chairman

/s/
Thomas P. Baskin, Commissioner

Unavailable for Signature
R.D. Maynard, Commissioner

ATTEST:

/s/
Assistant Commission Secretary

CERTIFICATE OF SERVICE

I hereby certify that on the 30th day of May, 2012, a true and correct copy of the foregoing **ORDER** was served by regular United States Mail upon each of the following:

SANIJE BERISHA
408 EAST 46TH STREET, #9
GARDEN CITY, ID 83714

THOMAS V MUNSON
ANDERSON, JULIAN & HULL LLP
PO BOX 7426
BOISE ID 83707-7426

sjw

/s/ _____