

BEFORE THE INDUSTRIAL COMMISSION OF THE STATE OF IDAHO

KATHLEEN PUYLEART,)
)
 Claimant,)
)
 v.)
)
 STATE OF IDAHO, INDUSTRIAL)
 SPECIAL INDEMNITY FUND,)
)
 Defendant.)
 _____)

IC 2005-521004

ORDER

February 16, 2010

Pursuant to Idaho Code § 72-717, Referee Susan Veltman submitted the record in the above-entitled matter, together with her proposed 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.

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

1. The Industrial Special Indemnity Fund (ISIF) is not liable for benefits pursuant to Idaho Code § 72-332.
2. The issue of apportionment is moot.
3. Pursuant to Idaho Code § 72-718, this decision is final and conclusive as to all issues adjudicated.

DATED this __16__ day of __February_____, 2010.

INDUSTRIAL COMMISSION

/s/
R. D. Maynard, Chairman

/s/
Thomas E. Limbaugh, Commissioner

/s/
Thomas P. Baskin, Commissioner

ATTEST:

/s/
Assistant Commission Secretary

CERTIFICATE OF SERVICE

I hereby certify that on the 16 day of February , 2010, a true and correct copy of the foregoing **Order** was served by regular United States Mail upon each of the following persons:

RICHARD WHITEHEAD
P O BOX 1319
COEUR D'ALENE ID 83814-1319

THOMAS W CALLERY
P O BOX 854
LEWISTON ID 83501

jkc

/s/