

2006

# Ron Benson v. Labor Commission of Utah and Lucent Technologies : Unknown

Utah Court of Appeals

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Ron Benson; appellant pro se.

Mark L. Anderson, Eric K. Jenkins; Christensen & Jensen; Alan Hennebold; attorneys for appellee.

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IN THE UTAH COURT OF APPEALS

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**RON BENSON**

Petitioner,

vs.

**LABOR COMMISSION OF  
UTAH,**

Respondent.

Court of Appeals  
Case No. 20060393

Labor Commission Case No. 04-0529

Priority 7

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**PETITIONER, RON BENSON,  
ERRAFA TO BRIEF**

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**Petitioner  
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West Jordan, Utah 84088**

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The following two items should have been included in my brief. From my experience with Microsoft word has been that whenever I've type a lengthy document, some of it always seems to drop into a black hole. I've also been told by numerous other people that they have had the same problems and that Word is known for those types of problems. Whatever happened, please except my apology.

Item 1.

**CONSTITUTIONAL PROVISIONS, STATUTES,  
ORDINANCES, RULES AND REGULATIONS**

The following statutes and rules, of which the full text as needed can be found in Addendum A, are determinative in this appeal:

**Utah Code Ann. 35-1-77 (1995), renumbered to Utah Code Ann, 34A-2-601 (1997)**

(1)(a) Upon the filing of a claim for compensation for injury by accident, or for death, arising out of and in the course of employment, and if the employer or its insurance carrier denies liability, the Division of Adjudication may refer the medical aspects of the case to a medical panel appointed by an administrative law judge.

**Utah Administrative Code R602-2-2**

- A. A panel will be utilized by the Administrative Law Judge where one or more significant medical issues may be involved. Generally a significant medical issue must be shown by conflicting medical reports. Significant medical issues are involved when there are:
1. Conflicting medical opinions related to causation of the injury or disease;

This should be located on page 12 of the brief. This change will make the following changes to the Table of Contents.

CONSTITUTIONAL PROVISIONS will be on page 12  
STATEMENT OF THE CASE will be on page 13  
SUMMARY OF FACTS will be on page 13  
SUMMARY OF ARGUMENTS will be on page 34  
ARGUMENT will be on page 35

POINT I will be on page 35  
A. The ALJ Opined...will be on page 35  
B. The Commission And The...will be on page 36  
POINT II will be on page 36  
CONCLUSION will be on page 38

This change will also make the following changes to the Table of Authorities.

Hackford v. will be at pages 3, 36, 38  
Williardson v. will be at pages 7, 8, 34, 36  
Utah Code Ann. 35-11-77(1)(a) will be at pages 34, 36  
Utah Administrative Code R568-1-9 will be at page 34  
Utah Administrative Code R602-2-2 will be at pages 7, 8, 34, 35, 36

Item 2.

The other item that dropped into the black hole, was the second name on the Mailing Certificate. Mark L. Anderson. Additionally, the above listed changes have moved the Mailing Certificate to page 41.

### **MAILING CERTIFICATE**

I hereby certify that a true and correct copy of the foregoing instrument was delivered and/or mailed, first class, postage prepaid on this 8<sup>th</sup> day of November, 2006, to the following:

Alan Hennebold  
Labor Commission of Utah  
160 East 300 South Ste 300  
Salt Lake City, Utah 84114-6600

Mark L. Anderson  
50 S Main Street # 1500  
Salt Lake City, Utah 84144

Signed: 