

SECOND TEMPORARY AWARD

Injury No.: 02-117004

Employee: Denny Borneman
Employer: Good Humor - Breyers
Insurer: Self c/o Conopco
Date of Accident: September 30, 2002
Place and County of Accident: Scott County, Missouri

The above-entitled workers' compensation case is submitted to the Labor and Industrial Relations Commission (Commission) for review as provided by section 287.480 RSMo. By Temporary Award dated November 9, 2004, the Commission modified the temporary or partial award of the administrative law judge dated June 18, 2004. The Commission's November 9, 2004, Temporary Award determined all issues except past medical expenses. The Commission remanded the issue of past medical expenses to the Division of Workers' Compensation for further hearing with directions to return the supplemental record to the Commission for determination.

The Employer and Employee have entered into an agreement regarding past medical expenses. The parties agree that the temporary award should reflect unpaid medical expenses of \$54,769.19, which amount is the obligation of the Employer/Self-Insurer. The parties filed a Joint Motion requesting that the Commission amend its November 9, 2004, Temporary Award to reflect their agreement.

The Commission issues this Second Temporary Award approving the parties' agreement. The Joint Motion of the parties reciting their agreement is attached hereto and incorporated by reference. The November 9, 2004, Temporary Award remains in full force and effect, except that portion of the award remanding the case for further hearing on the issue of past medical expenses. The remand order is withdrawn as moot.

This award is temporary or partial in nature, is subject to further order and shall be kept open until a final award can be made. All parties should be aware of the provisions of section 287.510 RSMo.

Given at Jefferson City, State of Missouri, this 8th day of February 2005.

LABOR AND INDUSTRIAL RELATIONS COMMISSION

William F. Ringer, Chairman

VACANT
Member

John J. Hickey, Member

Attest:

Secretary