

FINAL AWARD ALLOWING COMPENSATION
(In Compliance with the April 14, 2014, Mandate
from the Missouri Court of Appeals for the Eastern District)

Injury No.: 08-123612

Employee: Martin George
Employer: Ajax Tocco Magnethermic (Default)
Insurer: Uninsured
Additional Party: Treasurer of Missouri as Custodian
of Second Injury Fund

On April 8, 2014, the Missouri Court of Appeals for the Eastern District issued an order remanding this case to us with directions to modify our October 2, 2013, award. By mandate dated April 14, 2014, the Court confirmed its April 8, 2014, order and remanded the matter to us with instructions to modify our award to include:

- 1) A finding to the effect that Employee was married to Christine George on April 22, 2008. Christine continued to be Employee's sole dependent on the date of the hearing on this matter, on August 28, 2012.
- 2) A conclusion of law to the effect that Christine George is entitled to receive Employee's permanent total disability benefits in the event Employee predeceases her and they remain married from now until the time of his death. In the event she becomes eligible for his permanent total disability benefits, all entitlements to these payments from this injury shall cease upon the earlier of her death or date or [sic] remarriage.
- 3) The Commission shall retain jurisdiction over the award for the lives of Employee and Christine, pursuant to section 287.200.2, RSMo.

We issue this award in compliance with the mandate. We modify our award to include the above findings and conclusions. In all other respects, our award of October 2, 2013, remains in full force and effect.

Given at Jefferson City, State of Missouri, this 15th day of May 2014.

LABOR AND INDUSTRIAL RELATIONS COMMISSION

John J. Larsen, Jr., Chairman

James G. Avery, Jr., Member

Curtis E. Chick, Jr., Member

Attest:

Secretary