

FINAL AWARD DENYING COMPENSATION
(After Mandate from the Missouri Court of Appeals
for the Western District)

Injury No. 03-147616

Employee: David A. Trimmer
Employer: Johnson Controls, Inc.
Insurer: Self-Insured
Additional Party: Treasurer of Missouri as Custodian
of Second Injury Fund (Open)

On April 21, 2015, the Missouri Court of Appeals, Western District, issued an opinion reversing the August 22, 2014, award and decision of the Labor and Industrial Relations Commission (Commission). *Johnson Controls, Inc. v. Trimmer*, 466 S.W.3d 585 (Mo. App. 2015). By mandate dated August 20, 2015, the Court confirmed its decision to reverse the Commission's award and decision and remanded this matter to the Commission for further proceedings consistent with the Court's opinion.

Pursuant to the Court's mandate, we issue this award.

Our prior award and decision of August 22, 2014, is hereby set aside. Employee's claim for compensation is dismissed because it is barred by the doctrine of *res judicata*.

Given at Jefferson City, State of Missouri, this 1st day of December 2015.

LABOR AND INDUSTRIAL RELATIONS COMMISSION

John J. Larsen, Jr., Chairman

James G. Avery, Jr., Member

Curtis E. Chick, Jr., Member

Attest:

Secretary