

1997 MTWCC 30

FILED

MAY 13 1997

OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

WILLIAM JAMES WOLFE,)	
)	
Petitioner,)	WCC No. 9702-7697
)	
v.)	
)	JUDGEMENT AND
MONTANA POWER COMPANY,)	ORDER APPROVING
)	SETTLEMENT
Respondent/Insurer/Employer.)	
)	

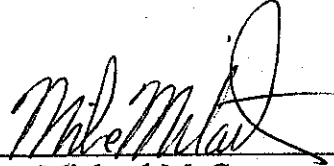
This matter came for hearing before the Court on May 12, 1997, Petitioner was present with his attorney R. Russell Plath, Respondent was present and represented by it's attorney Wayne Harper and it's claims examiner Tom Kiley. During the Course of this hearing the parties advised the Court on record that a settlement of this matter had been reached between the parties. The terms of the settlement is to resolve the dispute in this case on a disputed liability basis. The Respondent agreed to pay to the Petitioner the sum of \$25,000.00 in a lump sum. The Petitioner agreed to settle his dispute with the Respondent on a disputed liability basis and waive any right to future workers' compensation benefits as a result of this claim.

An additional issue raised during the settlement of this matter was a potential claim for subrogation that the Insurer/Employer Montana Power Company may have against the Petitioner as the result of medical bills Respondent paid under it's health insurance plan. The Attorney for the Petitioner indicated during the hearing of this matter that the Insurer/Respondent had paid \$11,163.09 in health care benefits under the Insurer's Health Care Benefit package that is administered by Blue Cross Blue Shield of Montana. The Respondent through it's Attorney and Claims examiner waived the Insurer's right of subrogation against the Petitioner for reimbursement of these health care benefits.

The Court during the hearing on this matter indicated approve of this settlement on a disputed liability basis on the terms as outlined above.

IT IS HEREBY ORDERED that settlement of this claim on a disputed liability basis with the conditions outlined above and on the record during the Court's hearing on May 12, 1997 is hereby approved. It is further ordered that the Petition filed in this matter be dismissed with prejudice.

DATED this 13th day of May, 1997.



Hon. Michael McCarter
Workers' Compensation Judge

cc: Wayne Harper
Russell Plath