

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

2007 MTWCC 4A

WCC No. 2006-1583

AUGUSTINA STURCHIO

Petitioner

vs.

WAUSAU UNDERWRITERS INSURANCE COMPANY

Respondent/Insurer.

ORDER AMENDING DECISION AND JUDGMENT

Appealed to Supreme Court February 12, 2007

Affirmed 12/06/07

¶ 1 While Respondent disagrees with the outcome of this case, on February 6, 2007, counsel for Petitioner and Respondent jointly informed the Court that they agree that the \$177.07 figure which the Court used as the average weekly wage for Petitioner's employment with Priorcare¹ is incorrect, and that the correct average weekly wage for Petitioner's employment with Priorcare is \$192.19. This makes the aggregate of average actual wages of all Petitioner's employments \$492.82,² rather than \$477.70 as this Court noted in ¶ 32 of the Decision.

¶ 2 THEREFORE, the weekly rate for TTD benefits that Petitioner is entitled to receive is \$328.56.³

SO ORDERED.

DATED in Helena this 7th day of February, 2007.

(SEAL)

/s/ JAMES JEREMIAH SHEA

JUDGE

c: J. Kim Schulke
Larry W. Jones

¹ See *Sturchio v. Wasau Underwriters Ins. Co.*, 2007 MTWCC 4, ¶ 31.

² \$192.19 + \$33.42 + \$115.98 + \$90.70 + \$60.53 = \$492.82

³ \$492.82 x 66.67% = \$328.56.