

# NOTICE OF INTENT TO APPEAL

STATE OF MAINE  
WORKERS' COMPENSATION BOARD  
APPELLATE DIVISION  
1037 FOREST AVE, STE 11  
PORTLAND, MAINE 04103-3382

CASE NAME: Katharine Atwood v. The Sloane Group  
WCB FILE# or AIU CASE#: 11036000  
ISSUANCE DATE OF DECISION: 12/22/16  
MAIL DATE OF DECISION: 12/22/16

### CHECK ONE:

- APPELLANT HAS ORDERED TRANSCRIPT FROM \_\_\_\_\_  
(please notify Appellate Division when you receive transcript)
- TRANSCRIPT HAS ALREADY BEEN PREPARED
- REQUEST HAS BEEN MADE TO REGIONAL OFFICE TO ORDER TRANSCRIPT

### APPELLANT:

COUNSEL NAME: Elizabeth Eddy Griffin, Esq.  
REPRESENTING: The Sloane Group  
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### APPELLEE:

COUNSEL NAME: James MacAdam, Esq.  
REPRESENTING: Katharine Atwood  
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Please include the same information about additional parties on a separate sheet.

## NOTICE

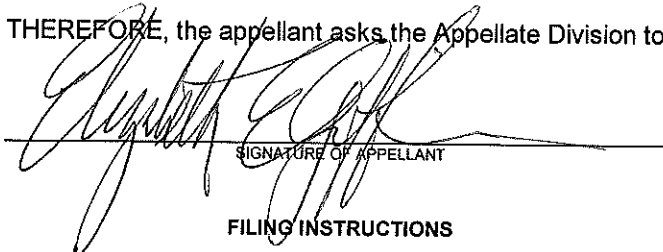
A party in interest may file with the Appellate Division a notice of appeal of a decision by an administrative law judge pursuant to 39-A M.R.S.A. §318 within 20 days after receipt of notice of issuance of the decision by the administrative law judge. When filing this notice, the appellant also shall file with the clerk a copy of the decision appealed.

1. On December 28, 2016, Elizabeth Eddy Griffin, Esq. received notice of the issuance of a decision by Administrative Law Judge Collier in the above captioned case.

2. The appellant appeals the following issue(s):

See attached

THEREFORE, the appellant asks the Appellate Division to review the decision pursuant to 39-A M.R.S.A. §321-B.

  
SIGNATURE OF APPELLANT

DATED: March 15, 2017  
MONTH DAY YEAR

### FILING INSTRUCTIONS

1. Mail original notice to the clerk of the Appellate Division at the above address by regular mail, or hand deliver to any regional Board office.
2. Mail one (1) copy by certified mail, return receipt requested to each other party named above.
3. Keep one (1) copy for yourself and keep the green certified mail cards when returned to you by the U.S. Post Office.

The State of Maine provides equal opportunity in employment and programs. Auxiliary aids and services are available to individuals with disabilities upon request. For assistance with this form, contact the ADA Coordinator at the Maine Workers' Compensation Board. Telephone: (888) 801-9087 or TTY Maine Relay 711.

The appellant appeals the following issues:

1. The Board, in issuing its decision on Remand from the Appellate Division, erred as a matter of law in finding facts contrary to the facts found in the underlying decision.
2. The Board erred as a matter of law in establishing an Average Weekly Wage based on anticipated future earnings
3. The Board erred as a matter of law in awarding total incapacity benefits without offsets for earnings.