

NOTICE OF INTENT TO APPEAL

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

CASE NAME: William Buckley v. S.D. Warren
WCB FILE# or AIU CASE#: 00011004 & 01016209
ISSUANCE DATE OF DECISION: 05/17/16 & 03/09/17
MAIL DATE OF DECISION: 05/17/16 & 03/09/17

CHECK ONE:	
<input type="checkbox"/>	APPELLANT HAS ORDERED TRANSCRIPT FROM _____ (please notify Appellate Division when you receive transcript)
<input checked="" type="checkbox"/>	TRANSCRIPT HAS ALREADY BEEN PREPARED
<input type="checkbox"/>	REQUEST HAS BEEN MADE TO REGIONAL OFFICE TO ORDER TRANSCRIPT

APPELLANT:
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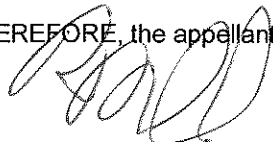
Please include the same information about additional parties on a separate sheet.

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.

- On 03/29/00 & 10/16/01, S.D. Warren/Travelers received notice of the issuance of a decision by Administrative Law Judge Timothy Collier in the above captioned case.
MONTH DAY YEAR APPELLANT NAME ADMINISTRATIVE LAW JUDGE NAME
- The appellant appeals the following issue(s):
See attached. William Buckley appealed, S.D. Warren/Travelers filing a cross-appeal.

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: April 7, 2017
MONTH DAY YEAR

FILING INSTRUCTIONS

- 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.
- Mail one (1) copy by **certified mail, return receipt requested** to each other party named above.
- 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.

WCB-240 (eff. 1/1/13, rev. 10/21/16)

WILLIAM BUCKLEY V. S.D. WARREN

ATTACHMENT TO NOTICE OF INTENT TO APPEAL

ISSUES ON CROSS-APPEAL

1. Did the ALJ commit error by declining to make findings of fact regarding the amount of pension and Social Security old-age benefits received by the employee for the same period of time for which S.D. Warren/Travelers paid incapacity benefits to the employee.
2. Did the ALJ commit error by failing to order that the employer is entitled to suspend payment of incapacity benefits in the cumulative amount of \$17,716.31 in retirement benefits previously received by the employee for the same period of time that the employer paid incapacity benefits, pursuant to §221(3)(A)(1) and (2), and/or order that S.D. Warren/Travelers are entitled to a holiday/credit for any future indemnity payments which may be owed to the employee for incapacity related to either the October 16, 2001 or March 29, 2000 dates of injury.