

NOTICE OF INTENT TO APPEAL

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

Jim Ouellette v.
CASE NAME: Ouellette Funeral & Memorial Service, Inc.
WCB FILE# or AIU CASE#: 11035984; 12034464
ISSUANCE DATE OF DECISION: June 2, 2017
MAIL DATE OF DECISION: June 2, 2017

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: Theodore M. Smith, Esq.
REPRESENTING: Jim Ouellette
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APPELLEE:

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REPRESENTING: Ouellette Funeral & Memorial Service Inc
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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 June 5, 2017, Jim Ouellette received notice of the issuance of a decision by Administrative Law Judge Thomas Pelletier 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'S ATTORNEY

DATED: June 22, 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.

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

WORKERS' COMPENSATION BOARD
CARIBOU, MAINE

JIM OUELLETTE,)
) D/I: 07/26/2011 and 02/06/2012
Employee)
)
v.)
)
OUELLETTE FUNERAL &)
MEMORIAL SERVICE, INC.)
)
Employer)

ATTACHMENT TO NOTICE OF INTENT TO APPEAL

1. Whether the Judge erred in holding that the employee was not an employee of employer, Ouellette Funeral & Memorial Service, Inc.
2. Whether the Judge erred in determining the employee was self employed.
3. Whether the employer had knowledge of the employee's injury.
4. Whether the employee's mistake of fact as to the causation of his injury extended the time for notice.