

NOTICE OF INTENT TO APPEAL

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

CASE NAME: Denny Bourgoin v. Central Maine Cabinetry
WCB FILE# or AIU CASE#: 15013767
ISSUANCE DATE OF DECISION: 06/09/17 & 09/05/17
MAIL DATE OF DECISION: 06/09/17 & 09/05/17

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: Matthew W. Marett, Esq
REPRESENTING: Central Maine Cabinetry & Millwork, Inc.
STREET/P.O. BOX: 41 Chestnut St.
CITY, STATE, ZIP: Lewiston, ME 04240
TELEPHONE NUMBER: (207) 482-4106
E-MAIL: mmarett@memic.com

APPELLEE:

COUNSEL NAME: Paul Dionne, Esq
REPRESENTING: Denny Bourgoin
STREET/P.O. BOX: 465 Main St Suite 102
CITY, STATE, ZIP: Lewiston, ME 04240
TELEPHONE NUMBER: (207) 784-1575
E-MAIL: paul@dionnelaw.com

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 09/07/2017, Matthew W. Marett, Esq. received notice of the issuance of a decision by Administrative Law Judge HO Richard Dunn in the above captioned case.
2. The appellant appeals the following issue(s):
Please 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: 9/20/2017
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.

Denny Bourgoın v. Central Maine Cabinetry & Millwork, Inc.

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

Whether the hearing officer erred by treating the Petition for Review as a Petition to Re-Open.

Whether the hearing officer erred by finding that the Board's decision under Section 217 is not reviewable.

Whether the hearing officer committed an error of law by interpreting Section 217 as providing for vocational rehabilitation services even after the employee has found suitable work.