

NOTICE OF INTENT TO APPEAL

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

CASE NAME: Joan G. Dube v. Twin Rivers Paper Company, LLC
WCB FILE# or AIU CASE#: 98-01-83-83
ISSUANCE DATE OF DECISION: October 17, 2016
MAIL DATE OF DECISION: October 17, 2016

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:

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APPELLEE:

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

NOTICE

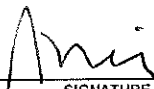
A party in interest may file with the Appellate Division a notice of appeal of a decision by an administrative law judge pursuant to 39-A M.R.S.A. §318 within 20 days after receipt of notice of issuance of the decision by the administrative law judge. When filing this notice, the appellant also shall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

1. On 10/17/2016 & 01/09/2017, Twin Rivers Paper Company, LLC 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 issues:

1. Whether the issue of termination of benefits under §213 can be decided through a Petition for Review of Incapacity and is not precluded by res judicata; 2. Whether the employer met its burden on its Petition for Review of Incapacity in demonstrating that the employee has exceeded the statutory cap on benefits under §213 to which he is entitled; 3. Whether the effect of the cap on benefits under §213 supersedes any rights to reinstatement under §218.

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: January 13, 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.

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