

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

1997 MTWCC 13A

WCC No. 9701-7690

STAN GUEDESSE

Petitioner

vs.

LIBERTY MUTUAL FIRE INSURANCE COMPANY

Respondent/Insurer for

GENERAL MILLS, INCORPORATED

Employer.

JUDGMENT

This matter came on for trial before the Court on March 31, 1997, in Great Falls, Montana. J. David Slovak appeared on behalf of the Petitioner, and Larry W. Jones appeared on behalf of the Respondent. The dispositive issue at trial was whether or not the Petitioner suffered a compensable injury within the course and scope of his employment on May 20, 1995. During the course of the trial, the Court issued its Bench Ruling in favor of the Petitioner, finding that Petitioner suffered a compensable injury on May 20, 1995.

Based upon the Court's Bench Ruling, the Stipulation entered at trial by the parties, and good cause appearing;

IT IS HEREBY ORDERED AND ADJUDGED that this case is resolved pursuant to the terms of the Bench Ruling and the Stipulation, and the settlement stipulated to by the parties is hereby approved.

DATED this 2nd day of April, 1997.

(SEAL)

/s/ Mike McCarter

HON. MIKE McCARTER

Workers' Compensation Court Judge

c: J. David Slovak

Larry W. Jones

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GENERAL MILLS, INCORPORATED

Employer.

STIPULATION

This matter came on for trial before the Montana Workers' Compensation Court on March 31, 1997, in Great Falls, Montana. The primary issue to be resolved at trial was whether or not the Petitioner suffered a compensable workers' compensation injury on May 20, 1995. The Court, during trial, issued its Bench Ruling in favor of the Petitioner, finding that he did suffer a compensable workers' compensation injury within the course and scope of his employment on May 20, 1995. Following the Court's Bench Ruling, the parties stipulated and agreed to a final resolution of the claim on the following terms:

1. Respondent shall pay Petitioner in settlement of all claims, the sum of \$55,000.00 (new money) in a lump sum;
2. The settlement compromises all claims, including any claim for attorney's fees, costs, and penalty, as well as any claims of tort liability or claims outside the exclusivity provisions of the Montana Workers' Compensation Act in any way related to the handling, adjustment, and/or litigation of Petitioner's workers' compensation claims, whether known or unknown;
3. The settlement compromises the Petitioner's July 21, 1994 injury claim, and May 20, 1995 injury claim, including rehabilitation benefits and permanent partial disability benefits. Medical benefits as to each compensable injury is expressly reserved;
4. The settlement shall be reduced to a judgment by the Montana Workers' Compensation Court enabling immediate payment of the settlement proceeds.

DATED this 2nd day of April, 1997.

LIBERTY MUTUAL GROUP