

**IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA**

**1999 MTWCC 84A**

**WCC No. 9906-8257**

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**JOHN BALLARD**

**Petitioner**

**vs.**

**STILLWATER MINING COMPANY**

**Respondent/Insurer/Employer.**

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**AMENDMENT TO ORDER DENYING INTERIM BENEFITS**

¶1 *Sua sponte*, the Court amends paragraph 10 of its December 23, 1999 Order Denying Interim Benefits. The amendment corrects the Court's faulty mathematical calculation (6 times 7 equals 42, not 48), and inserts a sentence which was erroneously omitted from the final Order. THEREFORE,

PARAGRAPH 10 IS AMENDED to read as follows:

10. Section 39-71-610 provides authority for 49 days of interim benefits while a claimant seeks an adjudication of his or her entitlement to benefits. However, on its face, it applies only where the insurer has paid and then terminated benefits. Moreover, I have already ordered 42 days of benefits, thus at best the section would authorize an additional one week of benefits.

DATED in Helena, Montana, this 28th day of December, 1999.

(SEAL)

/s/ Mike McCarter

JUDGE

c: Mr. James G. Edmiston

Mr. Joe C. Maynard

Mr. Robert J. McLaughlin

Mr. Michael P. Heringer