

Scott Davis v. Wal-Mart

(July 20, 2012)

**STATE OF VERMONT
DEPARTMENT OF LABOR**

Scott Davis

Opinion No. 14S-12WC

v.

By: Jane Woodruff, Esq.
Hearing Officer

Wal-Mart

For: Anne M. Noonan
Commissioner

State File No. Z-52910

SUPPLEMENTAL ORDER

The Commissioner's Opinion and Order in this claim issued on May 16, 2012. In accordance with that Order, Defendant issued a lump sum payment to Claimant in the amount of \$59,237.76, calculated as follows: (1) permanent partial disability compensation totaling \$37,612.58; (2) interest totaling \$11,599.10; (3) reimbursable litigation costs totaling \$4,735.13; and (4) attorney fees totaling \$5,290.95.

The lump sum so paid is compensation for permanent impairment that will affect Claimant for the rest of his life. Claimant's remaining life expectancy according to National Vital Statistics Reports, Vol. 54, No. 14(April 19, 2006), is 47 years or 564 months. Therefore, even though paid in a lump sum, Claimant's net payment of \$32,137.59 (after deduction of attorney fees of \$18,167.54 and expenses of \$8,932.63) shall be considered to be \$56.98 per month beginning on the date of this Order.

SO ORDERED.

DATED at Montpelier, Vermont this 20th day of July 2012.

Anne M. Noonan
Commissioner

Appeal:

Within 30 days after copies of this opinion have been mailed, either party may appeal questions of fact or mixed questions of law and fact to a superior court or questions of law to the Vermont Supreme Court. 21 V.S.A. §§ 670, 672.