ALASKA WORKERS' COMPENSATION BOARD

P.O. Box 115512 **Juneau, Alaska 99811-5512**

JOE HARMON, Employee, Claimant, v. ANNETTE'S TRUCKING, INC., Employer, and ALASKA NATIONAL INSURANCE, Insurer, Defendants.	FINAL DECISION AND ORDER AWCB Case No. 201711580 AWCB Decision No. 25-0026 Filed with AWCB Anchorage, Alaska on April 18, 2025.

Annette's Trucking, Inc.'s (Employer) January 10, 2025 petition to dismiss Joe Harmon's (Employee) November 13, 2024 petition, filed on November 18, 2024, was heard in Anchorage, Alaska on March 25, 2025, a date selected on February 19, 2025. Employer's January 31, 2025 hearing request gave rise to this hearing. Employee appeared and stated he did not wish to participate in the proceeding and terminated the phone call. Attorney Martha Tansik appeared and represented Employer. The record closed at the hearing's conclusion on March 25, 2025. In *Harmon v. Annette's Trucking, Inc.*, AWCB Dec. No. 20-0101, November 6, 2020, (*Harmon I*), Employee's first request to set aside his 2018 compromise and release settlement agreement (C&R) was denied.

ISSUES

Employer requested the hearing proceed after Employee stated he did not wish to participate.

Employee stated he did not wish to participate in the hearing, but did not provide argument as to whether the hearing should proceed. He is presumed to be in opposition.

1) Was the oral order to proceed in the Employee's absence correct?

Employer contends Employee's petition relates to medical malpractice, an area of law in which the Workers' Compensation Division does not have jurisdiction and therefore should be denied.

Employee did not provide briefing or argument as to his petition, but he is presumed to be in opposition to denial of his petition.

2) Should Employee's petition for medical malpractice be denied?

Employer argues Employee's request to set aside his previous C&R has been previously decided and denied. Employer contends this issue is moot.

Employee did not provide briefing or argument as to his request, but he is presumed to be in opposition to denial of his petition to set aside his previous C&R.

3) Should Employee's request to set aside his previous C&R be denied?

Employer contends Employee's petition and his implied claim for medical benefits should be dismissed for failure to comply with discovery orders.

Employee did not provide briefing or argument as to his petition, but he is presumed to be in opposition to denial of his petition and any implied claim for medical benefits.

4) Should Employee's petition and his implied claim for medical benefits be denied for failure to comply with discovery?

FINDINGS OF FACT

A preponderance of the evidence establishes the following facts and factual conclusions:

1) On July 5, 2017, Employee injured his left shoulder while working for Employer when he pulled a Jumping Jack soil compactor out of a ditch. (First Report of Injury, August 10, 2017).

2) On August 30, 2018, the parties filed the fully executed C&R with the Workers' Compensation Division (Division). The C&R allowed Employee to claim future medical benefits but waived all other benefits he might be entitled to under the Act. (Agency file).

3) On January 23, 2020, the parties appeared before a board designee and Employee said he planned to file a petition to set aside the August 30, 2018 C&R. "Employee explained that his previous counsel did not properly inform him of the benefits he was relinquishing by agreeing to and signing the . . . C&R." (Prehearing Conference Summary, January 23, 2020).

4) On September 30, 2020, the parties appeared before a board designee and agreed to a November 5, 2020 hearing on Employee's October 8, 2019 claim for TTD and PPI benefits and his February 14, 2020 petition to set aside the August 30, 2018 C&R. (Prehearing Conference Summary, September 30, 2020).

5) On November 6, 2020, *Harmon I* denied Employee's request for additional TTD and PPI benefits based upon his October 8, 2019 claim, and denied Employee's request to set aside his C&R. (*Harmon v. Annette's Trucking, Inc.*, AWCB Dec. No. 20-0101, November 6, 2020).

6) On November 18, 2024, Employee filed a petition for a "protective order." Under reason for the petition Employee stated, "Unnecessary/Fraudulent/Wrong surgical procedures on my left shoulder!! Also, a Deceitful/Wrong Illegitimate [sic] & against the Law!!!! Falce [sic] PPI Rating !!!." (Petition, November 18, 2024).

7) On November 22, 2024, Employer responded to Employee's petition. Employer avers Employee's request for a PPI rating was waived when he signed his 2018 C&R and his request to set aside that C&R was denied in *Harmon I*. Employee's request for action regarding medical malpractice is outside of the scope of the Workers' Compensation Board's jurisdiction and should be denied according to Employer. Employer also amended its original medical releases to exclude any spine related conditions and focus exclusively on Employee's shoulder. (Answer to Petition for Protective Order, November 22, 2024).

8) On December 17, 2024, the parties attended a prehearing conference to address Employee's petition for a protective order. Employee stated he has undergone nine surgeries on his shoulder and his PPI rating should be increased. He also stated he never agreed to waive PPI in his C&R and proceeded to disconnect from the conference. Employer informed the designee the medical releases sent to Employee were necessary to understand care Employee received in the past seven years due to a lien Medicaid asserted on Employee's care from 2017-2020. The designee reviewed

the releases, noted the dates extended back to 2015 and pertained exclusively to Employee's left shoulder. The designee found the releases to be relevant and likely to lead to discoverable information and ordered Employee to sign and return releases within 20 days. (Prehearing Conference Summary, December 17, 2024).

9) On January 10, 2025, Employer filed a petition to dismiss Employee's petition for failure to provide discovery. Employer contends Employee failed to comply with discovery orders, seeks to overturn his 2018 C&R, and seeks remedies not available under the Alaska Workers' Compensation Act (Act). (Petition, January 10, 2025).

10) On January 14, 2025, the parties attended a prehearing conference. The designee informed Employee that Employer was seeking signed medical releases to obtain medical records that could show if Medicaid or Employee are owed any additional medical benefits. Employee was ordered to sign and return releases. Employee agreed to sign releases and requested copies be emailed to him. (Prehearing Conference Summary, January 14, 2025).

11) On January 31, 2025, Employer filed an Affidavit of Readiness for Hearing (ARH) on its January 10, 2025 petition to dismiss Employee's petition and implied claim for medical benefits. (Affidavit of Readiness for Hearing, January 31, 2025).

12) On February 19, 2025, the parties attended a prehearing conference. Employee stated he did not sign the releases and articulated his frustration with his multiple shoulder surgeries and believed an increased PPI rating was warranted. He agreed to attend a hearing on Employer's petition to dismiss. The designee set a two hour hearing for March 25, 2025. (Prehearing Conference Summary, February 19, 2025).

13) Employer contends three issues need to be addressed based upon Employee's petition for a protective order. (1) Employee's concerns about medical malpractice against his physicians. Employer assumes this relates to his subsequent shoulder surgeries. This concern is beyond the scope of the Alaska Workers' Compensation Board and should be denied. (2) Employee's implied claim for additional PPI benefits. Employer contends this issue was settled with Employee's 2018 C&R and was relitigated in *Harmon I*, where Employee's request to set aside his C&R was denied and his waiver of additional PPI benefits remained valid. (3) Employee's implied claim for medical benefits. Employer does not dispute that medical benefits were not waived as part of Employee's C&R; however, Employee has refused to comply with discovery orders allowing Employer to seek out relevant information concerning Employee's medical care. Employee's

failure to comply with discovery orders should be considered willful and his claim for medical benefits should be denied. (Employer's Hearing Brief, March 18, 2025).

14) On March 25, 2025, the designee called Employee to attend the scheduled hearing. Employee answered the phone and stated, "Well, this is all getting way out of hand I'm done with you guys. You guys never listen. You guys never helped me at all. I went through way too many procedures on my left shoulder, and I'm just gonna move on without anything, because you guys never helped me. Neither did Miss Tasha Porcello. You guys did nothing. And I'm just through with you guys. I'm letting you guys go so I can have some part of my life back, so I can be happy again, because I've been miserable and in pain ever since this thing happened to my shoulder, so have a good day." Employee disconnected the call before the designee could ask him any further questions. (Observations, Hearing March 25, 2025).

15) Employer at hearing notified the panel that Employee had an outstanding Medicaid lien for his medical care. Employer provided an itemized list of care Employee sought through the Alaska Native Tribal Health Consortium from 2017 to 2020. Employer paid the outstanding lien of $9,221.77. To the best of Employer's knowledge, no other liens are outstanding or in existence at the time of the hearing. (Itemized Medicaid Lien; record, March 25, 2025).

PRINCIPLES OF LAW

> **AS 23.30.001. Intent of the legislature and construction of chapter**. It is the intent of the legislature that
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> (1) this chapter be interpreted so as to ensure the quick, efficient, fair, and predictable delivery of indemnity and medical benefits to injured workers at a reasonable cost to the employers who are subject to the provisions of this chapter;
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> (2) workers' compensation cases shall be decided on their merits except where otherwise provided by statute;
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> (3) this chapter may not be construed by the courts in favor of a party;
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> (4) hearings in workers' compensation cases shall be impartial and fair to all parties and that all parties shall be afforded due process and an opportunity to be heard and for their arguments and evidence to be fairly considered.

The Board may base its decision not only on direct testimony and other tangible evidence, but also on the Board's "experience, judgment, observations, unique or peculiar facts of the case, and

inferences drawn from all of the above." *Fairbanks North Star Borough v. Rogers & Babler,* 747 P.2d 528, 533-34 (Alaska 1987). In *Alaska Public Interest Research Group v. State*, 167 P.3d 27, 35-37 (Alaska 2007) (*AKPIRG*), the Court stated, "The legislature may constitutionally delegate some adjudicative power to an executive agency, but it may not delegate judicial power." "Neither the Appeals Commission nor the Board has jurisdiction to hear any action outside of a workers' compensation claim."

> **AS 23.30.005. Alaska Workers' Compensation Board.**
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> (h) . . . Process and procedure under this chapter shall be as summary and simple as possible.

The Board may base its decision not only on direct testimony, medical findings, and other tangible evidence, but also on the board's "experience, judgment, observations, unique or peculiar facts of the case, and. inferences drawn from all of the above." *Fairbanks North Star Borough v. Rogers & Babler*, 747 P.2d 528, 533-34 (Alaska 1987).

> **AS 23.30.070. Hearings.** (a) Hearings will be held at the time and place fixed by notice served by the board under 8 AAC 45.060(e). A hearing may be adjourned, postponed, or continued from time to time and from place to place at the discretion of the board or its designee, and in accordance with this chapter.
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> (f) If the board finds that a party was served with notice of hearing and is not present at the hearing, the board will, in its discretion, and in the following order of priority,
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> (1) proceed with the hearing in the parties absence and, after taking evidence, decide the issues in the claim or petition;
> (2) dismiss the claim or petition without prejudice; or
> (3) adjourned, postponed, or continue the hearing.

> **AS 23.30.108. Prehearings on discovery matters; objections to requests for release of information; sanctions for noncompliance**. . . .
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> (c) . . . If a party refuses to comply with an order by the board's designee or the board concerning discovery matters, the board may impose appropriate sanctions in addition to any forfeiture of benefits, including dismissing the party's claim, petition, or defense. . . .

A party who made no effort to comply with discovery orders is not entitled to special allowances based on pro se status. *DeNardo v. ABC, Inc. RV Motorhomes*, 51 P.3d 919 (Alaska 2002). In discovery dismissal cases, *McKenzie v. Assets, Inc.*, AWCAC Dec. No. 109 (May 14, 2009), said the Board must consider "relevant factors that the courts use" in similar circumstances, including the nature of the employee's discovery violation, prejudice to the employer, and whether a lesser sanction would protect the employer and deter other discovery violations. *McKenzie* defined "willfulness" in disobeying discovery orders as the "conscious intent to impede discovery, and not mere delay, inability or good faith resistance." *Id*. *McKenzie* further found the Board had rendered adequate factual findings and did a "reasonable exploration of possible and meaningful alternatives to dismissal." *Id*. By contrast, a "conclusory rejection" of other sanctions less than dismissal "does not suffice as a reasonable exploration of meaningful alternatives." *Id*.

> **AS 23.30.110. Procedure on claims** . . . .
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> (c) Before a hearing is scheduled, a party seeking a hearing shall file a request for hearing together with an affidavit stating that the party has completed necessary discovery, obtained necessary evidence, and is prepared for the hearing. An opposing party shall have 10 days after the hearing request is filed to file a response. If a party opposes the hearing request, the board or a board designee shall within 30 days of the filing of the opposition conduct a pre-hearing conference and set a hearing date. If opposition is not filed, a hearing shall be scheduled no later than 60 days after the receipt of the hearing request. The board shall give each party at least 10 days' notice of the hearing, either personally or by certified mail. After a hearing has been scheduled, the parties may not stipulate to change the hearing date or to cancel, postpone, or continue the hearing, except for good cause as determined by the board. After completion of the hearing the board shall close the hearing record. If a settlement agreement is reached by the parties less than 14 days before the hearing, the parties shall appear at the time of the scheduled hearing to state the terms of the settlement agreement. Within 30 days after the hearing record closes, the board shall file its decision. If the employer controverts a claim on a board-prescribed controversion notice and the employee does not request a hearing within two years following the filing of the controversion notice, the claim is denied.
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> **AS 23.30.122. Credibility of witnesses.** The board has the sole power to determine the credibility of a witness. A finding by the board concerning the weight to be accorded a witness's testimony . . . is conclusive even if the evidence is conflicting or susceptible to contrary conclusions. . . .

The Board's credibility findings and weight accorded evidence are "binding for any review of the Board's factual findings." *Smith v. CSK Auto, Inc*., 204 P.3d 1001, 1008 (Alaska 2009).

> **AS 23.30.135. Procedure before the board.** (a) In making an investigation or inquiry or conducting a hearing, the board is not bound by common law or statutory rules of evidence or by technical or formal rules of procedure, except as provided by this chapter. . . .

Employers have a constitutional right to defend against claims. *Granus v. Fell*, AWCB Dec. No. 99-0016 (January 20, 1999), citing Alaska Const., art. I sec. 7. A thorough investigation allows employers to verify information provided by the opposing party, effectively litigate disputed issues, and detect fraud. *Id*. Information inadmissible at a civil trial may be discoverable in a workers' compensation case if it is reasonably calculated to lead to relevant facts. *Id*.

Dismissal has been reversed as an abuse of discretion where the board failed to consider and explain why a lesser sanction is inadequate to protect the parties' interests. *Erpelding v. R&M Consultants, Inc.*, Case No. 3AN-05-12979 CI (Alaska Superior Ct., April 26, 2007), *reversing Erpelding v. R&M Consultants, Inc.*, AWCB Dec. No. 05-0252 (October 3, 2005). "While we have recognized that the trial court need not make detailed findings or examine every alternative remedy, we have held that litigation ending sanctions will not be upheld unless 'the record clearly indicate[s] a reasonable exploration of possible and meaningful alternatives to dismissal.'" *Hughes v. Bobich*, 875 P.2d 749, 753 (Alaska 1994). "A conclusory rejection of all sanctions short of dismissing an action does not suffice as a reasonable exploration of meaningful alternatives." *DeNardo v. ABC Inc. RV Motorhomes*, 51 P.3d 919, 926 (Alaska 2002).

> **8 AAC 45.060. Service.** (a) The board will serve a copy of the claim by certified mail, return receipt requested, upon each party or the party's representative of record.
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> (f) Immediately upon a change of address for service, a party or party's representative must file with the board and serve on the opposing party a written notice of the change. Until a party or the board receives written notice of a change of address, documents must be served on the party at the party's last known address.

> **8 AAC 45.065. Prehearings.** After a claim or petition has been filed, a party may file a written request for a prehearing, and the board or designee will schedule a prehearing. . . . At the prehearing, the board or designee will exercise discretion in making determinations on
> . . . .

(10) discovery requests; . . .

ANALYSIS

1) Was the oral order to proceed in the Employee's absence correct?

Employee was present at the last three prehearing conferences, including the February 19, 2025 prehearing conference when this matter was set for hearing. He was properly served with a hearing notice by Certified Return Mail and First-Class Mail at his address on record with the Division. The notice provided Employee the date, time and place for the March 25, 2025 hearing. AS 23.20.110(c); 8 AAC 45.060. Employee has never provided notice that his address changed and there is no evidence it has. 8 AAC 45.060(f). Thus, Employee was accorded the opportunity to participate in the hearing, responded to a phone call from the designee at the beginning of his hearing, but chose not to participate. AS 23.30.001(2), (4); AS 23.30.110(c).

The law provides a discretionary priority to handle situations where proper notice of a hearing is given to a party, and the party does not appear at the hearing. AS 23.30.070(f). It is not required at hearing for the chair to attempt telephone contact with an absent party. However, designees frequently make a discretionary attempt to contact absent litigants to be fair. AS 23.30.001(a). This effort was successful in Employee's case, but Employee chose to disconnect the line. Absent the designee's ability to contact Employee telephonically, the first order of priority in such cases under the appropriate regulation is to proceed with the hearing in the party's absence and, after taking evidence, decide the issues in the claim or petition. AS 23.30.070(f)(1). Here the Employer's petition to dismiss was properly set for hearing on March 25, 2025. Proceeding with the hearing in Employee's absence was the discretionary option selected in this instance. As the record discloses Employee was given the opportunity to participate in the hearing, provide testimony and articulate his arguments against having his petition and any implied claims dismissed, he chose not to. Given the totalities of the circumstances in this case, the oral order to proceed with the hearing on the Employer's petition, in Employee's absence, was properly entered. AS 23.30.070(a), (f)(1).

2) Should Employee's petition for medical malpractice be denied?

The Division and this hearing panel do not have jurisdiction to hear any action outside of a workers' compensation claim or petition. *AKPIRG*. In his November 18, 2024 petition, Employee

claimed, "Unnecessary/Fraudulent/Wrong surgical procedure's [sic] on my left shoulder!!" Employer speculates this is a request for a medical malpractice claim against Employee's treating physician. Employee failed to provide argument at hearing to contend otherwise. If Employee wants to pursue his allegation that procedures performed on his shoulder were unnecessary, fraudulent or wrong, or on similar grounds, he will have to do that in another forum, as this agency has no jurisdiction over such claims because as presented, they do not arise under the Act. *AKPIRG*. Employee's petition for medical malpractice is denied.

3) Should Employee's request to set aside his previous C&R be denied?

In his November 18, 2024 petition, Employee claimed, "Falce [sic] PPI Rating !!!" At a prehearing conference on December 17, 2024, the Employee informed the designee he had undergone nine surgeries on his shoulder, and he believed his PPI rating should be increased. Employer argues this issue was previously decided on November 6, 2020 with the issuance of *Harmon I*. *Harmon I* denied Employee's request for an increased PPI rating and noted Employee had signed a C&R whereby he waived his right to contest his PPI rating. The issue of additional PPI was denied in *Harmon I* and this decision will not readdress an issue that has previously been decided.

4) Should Employee's petition and implied claim for medical benefits be denied for failure to comply with discovery?

Employer seeks an order dismissing Employee's claim because he refuses to obey a discovery order. Employee at hearing stated he did not wish to continue litigating this matter. Employee presented no credible explanation for his failure to sign releases and return them to Employer. He provided no argument or explanation as to why he failed to return signed releases.

A petition to dismiss requires balancing the strong preference for an employee's "day in court" against an employer's need to investigate and defend against claims. Dismissal should only be imposed in extreme circumstances and, even then, only if a party's failure to comply with discovery has been willful; and lesser sanctions are insufficient to protect the rights of the adverse party. *Rogers & Babler*; *Hughes*; *Denardo*; *Erpelding*.

Employee was twice ordered by the designee, on December 17, 2024, and January 14, 2025, to

sign and return releases. Employee has been warned that failure to sign releases, and failure to comply with the designee's orders could result in his claim's dismissal. Employee has contacted the Division regularly throughout his case and was properly advised how to progress his case and the consequences of failing to comply with discovery. *Rogers & Babler*. Employee agreed to sign and return releases on January 14, 2025, but failed to do so after being ordered to a second time. Every time Employee fails to sign releases, Employee is wasting Employer's time and money, preventing basic discovery, and prolonging litigation unnecessarily. Employee's reasons for not signing releases are unclear. Great weight is given to his statement that he does not wish to participate in his own case. AS 23.30.122; *Smith.* Employee's repeated noncompliance and failure to participate meaningfully is willful. *Rogers & Babler*.

Employee currently has medical benefits open in his case; however he fails to allow Employer to verify the medical treatment he is receiving for his work injury. Employee has demonstrated no desire to do what is necessary to advance his case or permit Employer to investigate Employee's injury or verify information he asserts. *Id.* Statutes, regulations and case law require liberal discovery. AS 23.30.005(h); *Granus*. One legislative mandate is to make legal process and procedure including discovery under the Act as "summary and simple as possible." *Id*. Designees at prehearing conferences may direct parties to sign and return medical releases; one did so here. 8 AAC 45.065(a)(10). If a party refuses to comply with a designee's order concerning discovery, sanctions may be imposed in addition to "forfeiture of benefits, including dismissing the party's claim, petition or defense." AS 23.30.108(c). Employee's willful noncompliance unjustly infringed on Employer's right to fully investigate and defend against liability, and forced Employer to incur costs related to the various proceedings addressing discovery.

However, dismissal is an extreme sanction only to be used when no lesser remedy is available. Lesser sanctions must be considered. *McKenzie*. A typical sanction for failure to provide documentary evidence is to exclude the evidence from being presented at hearing by the uncooperative party. AS 23.30.108(c). Such a sanction is of little use here, since it is Employee's medical records that are sought, and prejudice to Employer is not just a lack of certain evidence but a lack of information on which to base its arguments against Employee's implied claims.

Employee's past benefits may be forfeited for his failure to comply with discovery. Forfeiture is a lesser sanction than dismissal. Therefore, forfeiture of any past medical benefits to which Employee could be entitled will be ordered. AS 23.30.108(c).

Employee's right to seek medical treatment for his work injury remains in place as he has not waived that right through a settlement agreement. However, if Employee seeks to have his future medical treatment relating to his work injury paid for by Employer he must sign releases or file a petition for a protective order explaining why he shouldn't be required to sign releases. Employer also retains the right to accept or deny any future claims for medical treatment under the Act.

CONCLUSIONS OF LAW

1) The oral order to proceed in Employee's absence was correct.
2) Employee's petition for medical malpractice should be denied.
3) Employee's request to set aside his C&R should be denied.
4) Employee's petition and implied claim for medical benefits should be dismissed.

ORDER

1) Employee's November 13, 2024 petition, filed on November 18, 2024, for medical malpractice, to set aside his C&R and for any implied past medical benefits is denied.
2) Any past medical benefits to which Employee may be entitled are forfeited effective April 18, 2025, in accordance with this decision and order.
3) If Employee in the future ever wants Employer to pay for medical care for his work injury, and Employer sends medical record releases for his signature, Employee must either promptly sign and return the releases or timely file a petition-for-a-protective-order.
4) Employee is advised that his failure to comply with this decision and order and all applicable statutes and regulations pertaining to his case may result in his right to future medical benefits being suspended for failure to cooperate with discovery, and may be subject to forfeiture.

Dated in Anchorage, Alaska on April 18, 2025.

ALASKA WORKERS' COMPENSATION BOARD

/s/
Kyle Reding, Designated Chair

/s/
Brian Zematis, Member

APPEAL PROCEDURES

This compensation order is a final decision. It becomes effective when filed in the office of the board unless proceedings to appeal it are instituted. Effective November 7, 2005 proceedings to appeal must be instituted in the Alaska Workers' Compensation Appeals Commission within 30 days of the filing of this decision and be brought by a party in interest against the boards and all other parties to the proceedings before the board. If a request for reconsideration of this final decision is timely filed with the board, any proceedings to appeal must be instituted within 30 days after the reconsideration decision is mailed to the parties or within 30 days after the date the reconsideration request is considered denied due to the absence of any action on the reconsideration request, whichever is earlier. AS 23.30.127.

An appeal may be initiated by filing with the office of the Appeals Commission: 1) a signed notice of appeal specifying the board order appealed from and 2) a statement of the grounds upon which the appeal is taken. A cross-appeal may be initiated by filing with the office of the Appeals Commission a signed notice of cross-appeal within 30 days after the board decision is filed or within 15 days after service of a notice of appeal, whichever is later. The notice of cross-appeal shall specify the board order appealed from and the ground upon which the cross-appeal is taken. AS 23.30.128.

RECONSIDERATION

A party may ask the board to reconsider this decision by filing a petition for reconsideration under AS 44.62.540 and in accordance with 8 AAC 45.050. The petition requesting reconsideration must be filed with the board within 15 days after delivery or mailing of this decision.

MODIFICATION

Within one year after the rejection of a claim, or within one year after the last payment of benefits under AS 23.30.180, 23.30.185, 23.30.190, 23.30.200, or 23.30.215, a party may ask the board to modify this decision under AS 23.30.130 by filing a petition in accordance with 8 AAC 45.150 and 8 AAC 45.050.

CERTIFICATION

I hereby certify the foregoing is a full, true and correct copy of the Interlocutory Decision and Order in the matter of Joe Harmon, employee / claimant v. Annette's Trucking, Inc., employer; Alaska National Insurance, insurer / defendants; Case No. 201711580; dated and filed in the Alaska Workers' Compensation Board's office in Anchorage, Alaska, and served on the parties by certified U.S. Mail, postage prepaid, on April 18, 2025

/s/
Rochelle Comer, Workers' Compensation Technician