

Oneida Tribal Judicial System

Onayote ? aka Tsi? Shakotiya? Tolé hte

Trial Court

Bonita Kaminski,
Petitioner

Docket No. 07-TC-117

v.

Date: September 7, 2007

Oneida HRD-Benefits and
Crawford Insurance Company
Respondents

Decision

This case is now before the Oneida Appeals Commission. Judicial Officers: Mary Adams, Robert Christjohn and Leland Wigg-Ninham, presiding.

I History

On July 3, 2007, Petitioner, Bonita Kaminski, filed a claim against Respondent, Oneida HRD-Benefits and Crawford Insurance Company, for denying her claim for Workers Compensation benefits. Respondents assert their decision to deny her benefits was based upon the Independent Medical Evaluation from Dr. Gmeiner. Respondents content Dr. Gmeiner's report identifies an end of healing date as of May 8, 2007. Respondents, therefore, denied any further workers compensation benefits after May 8, 2007.

A pre-trial hearing was held on August 9, 2007. The parties agreed to a 30-day extension to reach a settlement. A new hearing was scheduled for September 7, 2007.

On September 6, 2007, Respondents submitted a joint Motion to Dismiss.

II Decision

The court grants the joint motion to dismiss.

By authority vested in the Oneida Appeals Commission pursuant to Resolution 8-19-91-A, by the Oneida General Tribal Council, it is held on this 7th day of September 2007, in the matter of Bonita Kaminski v. Oneida HRD-Benefits and Crawford Insurance Company, Docket No. 07-TC-117.

A handwritten signature in cursive script, reading "Mary Adams", is written over a horizontal line.

Mary Adams, Lead Judicial Officer