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## CA 06-659

Case Number CA 06-659 filed at this court on 06/13/2006

Case Category: Workers' Compensation Commission

Case Caption:

RANDY E. LEWIS

V

AUTO PARTS & TIRE CO., INC.

ZENITH INSURANCE COMPANY

SECOND INJURY FUND

DEATH & PERMANENT DISABILITY

TRUSTFUND

Randy E. Lewis (ACTIVE) Appellant's counsel:

Stephen M. Sharum - LEAD

Second Injury Fund (ACTIVE) Appellee's counsel:

Terry E. Pence - LEAD

Zenith Insurance Company (ACTIVE) Appellee's counsel:

Death & Permanent Total Disability (ACTIVE) Appellee's counsel:

Judy W. Rudd - LEAD

Auto Parts & Tire Co., Inc. (ACTIVE) Appellee's counsel:

J. Matthew Mauldin - LEAD

Trial Court: Worker's Compensation Commission

Workers' Compensation Commission

Trial Court Number: F109650, F412000

Trial Judge: Workers Compensation Commission

----- EVENT LISTING -----

10/08/2008 Record placed with CA08-687

03/13/2007 Mandate to Clerk

02/21/2007 Brief Costs on Appeal = Apt \$324.00 - Randy

Appellant's Attorney - Stephen M. Sharum

02/21/2007 Majority Opinion Rendered

ACTION = Reversed and Remanded  
Opinion Date - 02/21/07 Consist of 0 pages,  
Cite Number - Publish - no  
Samuel Norton Bird -- WRITING  
Galdwin and Baker, JJ., agree.

02/21/2007 Opinion Panel  
Samuel Norton Bird -- WRITING

02/07/2007 Court of Appeals Votesheet Issued

02/07/2007 Case Submitted  
Submitted to the court on - 02/07/07

11/01/2006 Letter Orders - Court of Appeals  
Submitted to the court on - 10/25/06  
Appellant's Attorney - Stephen M. Sharum

10/16/2006 Motion for Oral Argument - Randy E. Lewis  
Submitted to the court on - 10/25/06  
Action = DENIED on 11/01/06  
Appellant's Attorney - Stephen M. Sharum  
Appellant's motion for oral argument is denied.

10/12/2006 Letter Orders - Supreme Court  
Appellant's Attorney - Stephen M. Sharum

10/09/2006 Reply Brief Filed Randy E. Lewis  
Appellant's Attorney - Stephen M. Sharum

10/09/2006 Checklist for Reply Briefs - Randy E. Lewis  
Appellant's Attorney - Stephen M. Sharum  
REPLY BRIEFS  
1. TABLE OF CONTENTS  
2. TABLE OF AUTHORITIES (IF ANY)  
3. ARGUMENT - 15 PAGES

09/26/2006 Brief Filed Timely - Second Injury Fund  
Appellee's Attorney - Judy W. Rudd

09/26/2006 Checklist for Appellee Briefs - Second Injury  
Appellee's Attorney - Terry E. Pence  
APPELLEE BRIEFS  
TABLE OF CONTENTS  
POINTS ON APPEAL  
TABLE OF AUTHORITIES  
ARGUMENT - 25 PAGES

09/13/2006 Record Checkout by Atty. of Record - Second In r  
Appellee's Attorney - Terry E. Pence  
Number of Volumes 2

Number of Sets 0

09/01/2006 Briefing Commenced - Auto Parts & Tire Co., Inc.  
This event was tickled for 10/02/06

09/01/2006 Briefing Commenced - Death & Permanent Disability TrustFund  
This event was tickled for 10/02/06

09/01/2006 Briefing Commenced - Zenith Insurance Company  
This event was tickled for 10/02/06

09/01/2006 Briefing Commenced - Second Injury Fund  
This event was tickled for 10/02/06

09/01/2006 Brief Filed Timely - Randy E. Lewis  
Appellant's Attorney - Stephen M. Sharum

09/01/2006 Checklist for Appellant's Briefs - Randy E. L  
Appellant's Attorney - Stephen M. Sharum

REQUIREMENTS:

17 COPIES OF THE BRIEF

12 PICTH OR LARGER FONT SIZE

TEXT IS DOUBLE-SPACED

1 INCH MARGINS ON THE TOP, BOTTOM, & RIGHT MARGI

EACH MAJOR SECTION BEGINS WITH PAGE 1

CONTENTS:

TABLE OF CONTENTS

A. PAGE NUMBER REFERENCES TO EACH MAJOR SECTIO

B. PG REF TO THE ABS WHERE EACH WIT BEGIN TSMY

INFORMATION/JURIDICTIONAL STATEMENT

POINTS ON APPEAL

TABLE OF AUTHORITIES

ABSTRACT

A. FIRST PERSON NARRATIVE

B. PAGE REFERENCES TO RECORD

STATEMENT OF THE CASE

A. FIVE PAGES OR LESS

B. PAGE REFERENCES TO THE ABSTRACT & ADDENDUM

ARGUMENT

A. TWENTY-FIVE PAGES OR LESS

B. PAGE REFERENCES TO THE ABSTRACT & ADDENDUM

C. SIGNATURE AND CERTIFICATE OF SERVICE

ADDENDUM

A. INDEX WITH PAGE REFERENCES TO THE RECORD

B. JUDGMENT/ORD/DECREE APPEALED FROM INCLUDED

C. NOTICE OF APPEAL INCLUDED

CIVIL CASE

08/29/2006 Record Checkout by Atty. of Record - Randy E. L i  
Appellant's Attorney - Stephen M. Sharum

Number of Volumes 1

Number of Sets 0

08/29/2006 Supplement Record Lodged

Number of Volumes 1

Number of Sets 0

07/26/2006 Order on Remand due 8/25/06

Brief due 30 days after supplement is filed

07/26/2006 Formal Orders - Court of Appeals

Submitted to the court on - 07/24/06

Appellant's Attorney - Stephen M. Sharum

07/17/2006 Motion to Certify to the Supreme Court - Rand

Action = DENIEDWOP on 10/12/06

Appellant's Attorney - Stephen M. Sharum

Appellant's motion to certify to the Supreme Court is denied without prejudice. Brown, J., would grant.

07/10/2006 7 Day Brief Extension - Randy E. Lewis

This event was tickled for 07/31/06

Action = GRANTED on 07/10/06

Appellant's Attorney - Stephen M. Sharum

06/30/2006 Petition for Writ of Certiorari (Diminution)

Submitted to the court on - 07/24/06

Action = REMANDED on 07/26/06

Appellant's Attorney - Stephen M. Sharum

Petition for writ of certiorari to settle the record.

Remanded to the Commission to settle the record within thirty days. Brief due within thirty days thereafter.

06/16/2006 Record Checkout by Atty. of Record - Randy E. L i

Appellant's Attorney - Stephen M. Sharum

Number of Volumes 0

Number of Sets 0

06/13/2006 Record Lodged

Number of Volumes 1

Number of Sets 0

06/13/2006 Briefing Commenced - Randy E. Lewis

This event was tickled for 07/24/06

Appellant's Attorney - Stephen M. Sharum

**Date Filed:**

Tuesday, June 13, 2006

**Caption:**

RANDY E. LEWIS

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AUTO PARTS & TIRE CO., INC.

ZENITH INSURANCE COMPANY  
SECOND INJURY FUND  
DEATH & PERMANENT DISABILITY  
TRUSTFUND

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