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APR 20 1987

April 17, 1987

Mr. Gerald Childrey
INA/Aetna Insurance Company
Workers' Compensation Claims Center
P. O. Box 88240
Atlanta, Georgia 30356-8240

RE: v. Contract Transportation/
Sherwin-Williams and INA/Aetna Insurance Company
Your File No. 130 C 459452-4
REDACTED

Dear Gerald:

Enclosed you will find Judge Boswell's Order of March 2, 1987. As I indicated in my earlier correspondence to you, we were never informed that Judge Boswell had made a decision in this case.

I do not think an Application for Discretionary Appeal with the Court of Appeals would be worthwhile in this case. Judge Boswell found that there was some evidence to support the Award of the Full Board. Under that ruling, the Court of Appeals would probably not accept our Application for Discretionary Appeal.

I would recommend that we go ahead and pay the benefits under the Award. Benefits are already late, and I certainly hope that C. C. Perkins will not insist on penalties. He did not mention penalties when I talked to him on the telephone. In fact, he indicated that he would give us an extension in order to file an appeal with the Court of Appeals if that was our chosen course of action.

Under the Award, benefits are due from December 8, 1985 forward. We are also required to pay the claimant's medical bills. We will have to request those bills from C. C. Perkins. Please let me know once a decision has been made in this case. I need to let

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Mr. Gerald Childrey

RE:

April 17, 1987

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Mr. Perkins know something as quickly as possible.

Very truly yours,

DREW, ECKL & FARNHAM



David A. Smith

DAS:pmw

CC: Mr. Tony Colangelo (w/enclosure)

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