

**BOARD OF TRUSTEES OF COMMUNITY COLLEGE DISTRICT NO. 508
COUNTY OF COOK AND STATE OF ILLINOIS**

RESOLUTION

AUTHORIZE SETTLEMENT OF LITIGATION

SHIRLEY FENTRESS

v.

BOARD OF TRUSTEES

WHEREAS, Shirley Fentress and City Colleges of Chicago are in litigation before the Illinois Industrial Commission in Case No. 95 WC 35087; and,

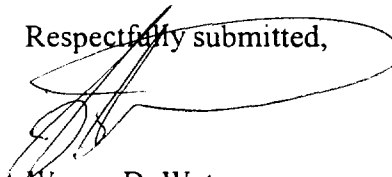
WHEREAS, the Office of the General Counsel and outside counsel recommend settlement of this matter; and

WHEREAS, the Chancellor recommends payment of this settlement;

NOW THEREFORE BE IT RESOLVED,

THAT, that the Board of Trustees of Community College District No. 508, County of Cook and State of Illinois, hereby approves payment to Shirley Fentress in an amount not to exceed \$20,000, upon Fentress' execution of the lump sum settlement agreement in Case No. 95 WC 35087.

Respectfully submitted,



Wayne D. Watson
Chancellor

February 1, 2001

22-3941

CONFIDENTIAL WORK PRODUCT/PRIVILEGED

PETITIONER: Shirley Fentress

SETTLEMENT AMOUNT: \$20,000.00

REASONS FOR SETTLING: The Office of the General Counsel recommends approval of the proposed settlement for the following reasons. First, the proposed settlement would close out all future medical expenses for this injury for which the Industrial Commission could hold the City Colleges of Chicago liable. Second, as evidenced from Q-DEX, the Industrial Commission could award the Petitioner a sum greatly exceeding the amount of the proposed settlement if this matter proceed to trial.

Q-DEX COMPARISON: The proposed settlement represents approximately 14% loss of use each hand ($26.6 \times 371.36 \times 2 = \$19,756.35$). A review of Q-DEX reveals that similar cases have received awards ranging up to 25% loss of each hand (\$35,279.20).

PETITIONERS' ATTY: Karin Connelly

CASE NO.: 95 WC 35087

OUTSIDE COUNSEL: Mark Slavin

DATE OF ACCIDENT: February 15, 1993

PETITIONER'S AGE: 63

COLLEGE: Central Office

DEPARTMENT: Payroll

JOB DESCRIPTION: Director of Payroll

EMPLOYMENT STATUS: Retired

ACCIDENT DESCRIPTION: Repetitive Trauma

ACCIDENT LOCATION: Central Office

WITNESS: None

NATURE OF INJURY: Bilateral Carpal Tunnel Syndrome

PRE-EXISTING OR INTERVENING INJURIES: None

MEDICAL EVIDENCE:**Treating Physicians:****Suburban Heights Medical Center**

On January 17, 1994, the Petitioner was examined by Dr. Bais. The Petitioner complained of tingling in the right hand and arm. Dr. Bais diagnosed tendinitis and ruled out carpal tunnel syndrome. Petitioner next complained in her right arm on and numbness in her right hand on June 15, 1995. Dr. Baig ordered an EMG to rule out Carpal Tunnel Syndrome.

On September 1, 1995 the Petitioner was examined by Dr. Mehl. The Petitioner complained of pain and numbness in both hands. Dr. Mehl diagnosed the Petitioner with bilateral carpal tunnel syndrome. The recommended conservative treatment failed and on August 26, 1996 right carpal tunnel release surgery was performed.

On December 11, 1996, left carpal tunnel release surgery was performed.

Independent Medical Evaluations**Dr. George Cooper**

On August 11, 1995, The Petitioner was examined by Dr. Cooper at the request of Martin Boyer (The risk manager)

Petitioner reported that she worked 25 years for City Colleges training employees with computers and did input work for payroll data. She indicated first noticing tingling in her fingertips in 1992. She reported wearing a hard removable cast in 1993 at the direction of Dr. Janice Itson.

Dr. Cooper at the time felt there was no indication of Carpal Tunnel and no impairment to either arm.

Dr. Charles Carroll

On April 18, 1997, the Petitioner was examined by Dr. Carroll at the request of Crawford and Company (risk manager)

Dr. Carroll concluded that Petitioner did have carpal tunnel syndrome that could have been caused or aggravated by her work duties. Despite subjective complaint, Dr. Carroll felt that Petitioner's carpal tunnel had been resolved with the surgeries and follow up therapy.

223944

COMPENSATION:

TTD Rate: \$688.14

TTD Paid: 0

AWW: \$1,143.74

PPD Rate: \$371.36

Dates Off Work: None on Disability

Return to Work Date: Retired

MEDICAL EXPENSES: \$ 1, 899.21

THIRD PARTY LITIGATION: None