

**IN THE COURT OF CLAIMS OF OHIO**  
**VICTIMS OF CRIME DIVISION**

IN RE: ARTHUR B. GREEN	:	Case No. V2002-51818
ARTHUR B. GREEN	:	<u>ORDER OF A THREE-</u>
Applicant	:	<u>COMMISSIONER PANEL</u>
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{¶1} This appeal came to be heard before this panel of three commissioners on February 5, 2003 at 10:15 A.M. upon the applicant’s November 13, 2002 appeal from the November 6, 2002 Final Decision of the Attorney General.

{¶2} On August 13, 2002, the Attorney General denied the applicant’s claim pursuant to R.C. 2743.60(D) contending that all the applicant’s economic loss had been or may be recouped from a collateral source, specifically the Bureau of Workers’ Compensation. On November 6, 2002, the Attorney General determined that no modification of the previous decision was warranted based upon the applicant’s \$10,000.00 settlement from the Bureau of Workers’ Compensation. The applicant appealed the Attorney General’s Final Decision asserting that the Attorney General failed to perform an accurate calculation of his claim.

{¶3} Applicant’s counsel and an Assistant Attorney General attended the hearing and presented comments for this panel’s consideration. Counsel stated that on February 4, 2003 he and an Assistant Attorney General filed a joint memorandum outlining their agreement. Counsel

indicated that additional information had been submitted to the Attorney General and that after further review it was determined that the applicant was entitled to a 34.09% (\$3,209.71) collateral source deduction instead of the full 100% (\$10,000.00) reduction as originally calculated. The Assistant Attorney General acknowledged the agreement.

{¶4} From review of the file and with full consideration given to all the information presented at the hearing, this panel makes the following determination. We find the applicant's and the Attorney General's agreement to be reasonable. Therefore, the November 6, 2002 decision of the Attorney General shall be affirmed in light of the agreement. Should the applicant obtain verifiable documentation of his purported loss that would be an appropriate basis for filing a supplemental compensation application.

{¶5} IT IS THEREFORE ORDERED THAT

{¶6} 1) The November 6, 2002 decision of the Attorney General is AFFIRMED in light of the above findings;

{¶7} 2) This claim is DENIED and judgment is entered for the state of Ohio;

{¶8} 3) This order is entered without prejudice to the applicant's right to file a supplemental compensation application pursuant to R.C. 2743.68;

{¶9} 4) Costs are assumed by the court of claims victims of crime fund.

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CLARK B. WEAVER, SR.  
Commissioner

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DALE A. THOMPSON  
Commissioner

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ASHER W. SWEENEY  
Commissioner

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