

**IN THE COURT OF CLAIMS OF OHIO**

**VICTIMS OF CRIME DIVISION**

IN RE: KAREN A. BROWN	:	Case No. V2003-40097
KAREN A. BROWN	:	<u>ORDER OF A THREE-</u>
Applicant	:	<u>COMMISSIONER PANEL</u>
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{¶1} On March 7, 2001, the Attorney General granted the applicant an emergency reparations award in the amount of \$826.04 for unreimbursed work loss incurred from December 15, 2000 to March 3, 2001. On March 15, 2001, the Attorney General granted the applicant an additional emergency award in the amount of \$1,173.96 for unreimbursed work loss also incurred from December 15, 2000 to March 3, 2001. The maximum emergency award is \$2,000.00. On October 10, 2001, the Attorney General granted the applicant an award in the amount of \$17,259.21 of which \$7,711.82 represented unreimbursed work loss incurred from December 15, 2000 to June 15, 2001. On July 5, 2002, the Attorney General granted the applicant another award of reparations in the amount of \$8,450.02 for unreimbursed allowable expense and replacement services loss. On January 3, 2003, the Attorney General granted the applicant an additional award in the amount of \$4,516.14 for allowable expense and replacement services loss. On February 3, 2003, the applicant appealed the Attorney General's January 3, 2003 decision objecting to the \$4,713.88 set-off amount and contending that the Attorney

General incorrectly calculated her 2001 work loss income. Hence, this appeal came to be heard before this panel of three commissioners on April 17, 2003 at 10:35 A.M.

{¶2} An Assistant Attorney General and applicant's counsel (via telephone) attended the hearing and presented oral argument for this panel's consideration.

{¶3} From review of the file and with full and careful consideration given to all the information presented at the hearing, this panel makes the following determination. We find the Attorney General's Final Decision to be reasonable and lawful based on the following calculations:

\$9,711.82 - total work loss paid to the applicant  
-\$ 815.94 - "2000" work loss paid to the applicant  
\$8,895.88 - "2001" work loss previously granted to the applicant  
-\$4,182.00 - "2001" real incurred work loss  
\$4,713.88 - "2001" work loss overpayment

\$21,094.42 - allowable expense and replacement services loss based on the January 3, 2002 detailed expense exhibit  
-\$11,864.40 - adjustments noted on the January 3, 2002 expense exhibit (118; 133 and 162)  
\$9,230.02 - allowable expense and replacement services loss after adjustments  
-\$4,713.88 - "2001" work loss overpayment  
\$4,516.14 - current allowable expense and replacement services loss owed to the applicant

{¶4} Therefore, the January 3, 2003 decision of the Attorney General shall be affirmed.

{¶5} IT IS THEREFORE ORDERED THAT

{¶6} 1) The January 3, 2003 decision of the Attorney General is AFFIRMED;

{¶7} 2) This claim is referred to the Attorney General for payment of the \$4,516.14 award;

{¶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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JAMES H. HEWITT III  
Commissioner

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LEO P. MORLEY  
Commissioner

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KARL H. SCHNEIDER  
Commissioner