

COURT OF APPEALS OF VIRGINIA

Present: Judges Alston, Chafin and Senior Judge Haley

BABCOCK & WILCOX AND  
INDEMNITY INSURANCE COMPANY OF  
NORTH AMERICA

v. Record No. 0378-15-3

PAUL MORAN

MEMORANDUM OPINION\*  
PER CURIAM  
JULY 14, 2015

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Scott C. Ford; McCandlish Holton, PC, on brief), for appellants.

(Robert E. Evans; Monica Taylor Monday; Gentry Locke Rakes &  
Moore, on brief), for appellee.

Babcock & Wilcox and Indemnity Insurance Company of America (collectively employer) appeal the decision by the Workers' Compensation Commission (commission) awarding Paul Moran (claimant) medical benefits for a traumatic brain injury, temporary total disability benefits effective March 5, 2014, and wage loss benefits prior to April 21, 2014. Employer argues the commission erred in finding that (1) claimant suffered a causally-related brain injury; (2) the opinions of Drs. Joseph Conley, Gregory O'Shanick, and David Ross outweighed the contrary opinion of Dr. William Peck; (3) the treatment provided by Drs. Conley and O'Shanick was reasonable and necessary, causally-related, and authorized, and a proper referral of physicians was maintained; (4) claimant's travel for treatment with Dr. O'Shanick was reasonable; (5) claimant was entitled to wage loss benefits prior to April 21, 2014 and in awarding payment of temporary total disability benefits effective March 5, 2014; and

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\* Pursuant to Code § 17.1-413, this opinion is not designated for publication.

(6) claimant was totally disabled from employment after April 21, 2014 and in awarding ongoing temporary total disability benefits. We have reviewed the record and the commission's opinion and find that this appeal is without merit. Accordingly, we affirm for the reasons stated by the commission in its opinion. See Moran v. Babcock & Wilcox, JCN VA00000558282 (Feb. 3, 2015). We dispense with oral argument and summarily affirm because the facts and legal contentions are adequately presented in the materials before the Court and argument would not aid the decisional process. See Code § 17.1-403; Rule 5A:27.

Affirmed.