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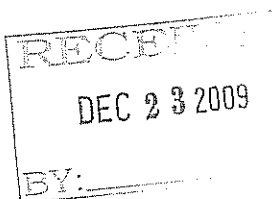
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**WHEREAS**, Claimant presented a claim for the injuries he sustained in the September 2, 2009 accident to PASWIF; and

**WHEREAS**, on September 15, 2009, PASWIF denied Claimant's claim on the basis that Claimant did not meet the statutory definition of a Pennsylvania employee entitled to extraterritorial Pennsylvania worker's compensation coverage set forth by 77 P.S. § 411.2; and

**WHEREAS**, on December 17, 2009, the Industrial Accident Board convened a Hearing to determine whether Girafa was insured by Delaware worker's compensation insurance at the time of Claimant's September 2, 2009 accident, and whether it is currently so insured, and due notice of the Hearing was provided to Girafa and WM; and

**WHEREAS**, Girafa failed to appear at the December 17, 2009 Hearing and failed to present evidence that it was insured by a policy of Delaware worker's compensation coverage at the time of Claimant's September 2, 2009 accident and ongoing, as required by 19 *Del. C.* § 2371 *et seq.*; and

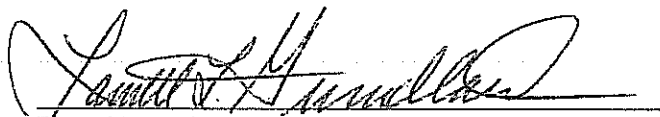
**NOW, THEREFORE**, upon consideration of the testimony and argument presented at the Hearing, the Industrial Accident Board hereby finds as follows:


(a) Girafa failed to carry Delaware worker's compensation insurance at the time of Claimant's September 2, 2009 accident.

(b) Girafa is hereby fined for its failure to carry Delaware worker's compensation insurance at the time of Claimant's September 2, 2009 accident, in the amount of \$250.00 per day commencing October 16, 2009, and continuing until proof of current Delaware worker's compensation insurance is provided to the Department of Labor; and

(c) Girafa is hereby **ORDERED** to post a bond in the amount of \$40,000.00 against Claimant's past, present, and future medical expenses, temporary total disability, and other worker's compensation benefits, said bond to be posted within twenty (20) days of the date of this Order.

It is **SO ORDERED** this 17<sup>th</sup> day of DECEMBER, 2009.

  
Board Member

  
Board Member

Date of Mailing: 12-18-09 (H)