

SUPREME COURT OF VIRGINIA



SUPREME COURT BUILDING
100 NORTH NINTH STREET
RICHMOND, VIRGINIA 23219
(804) 786-2259

Granted Appeal Summary

Case

MERCK & CO., INC. v. MERRICK B. VINCENT
(Record Number 200222)

From

The Court of Appeals of Virginia.

Counsel

Thomas G. Bell, Jr. (TimberlakeSmith) for appellant.

Stephen F. Forbes (Forbes & Broadwell) for appellee.

Assignment of Error

Petitioner assigns as error the decision of the Court of Appeals of Virginia that the Claimant in this workers' compensation case, Merrick B. Vincent ("Vincent"), qualified for permanent total disability benefits under the applicable provisions of the Workers' Compensation Act. The decision was in error because the injuries to the two extremities relied upon by the Claimant to support his eligibility for permanent total disability benefits occurred in two separate and distinct accidents rather than "in the same accident" as Code § 65.2-503(C)(1) requires.