

COURT OF APPEALS OF VIRGINIA

Present: Judges Elder, Beales and Senior Judge Annunziata

VIRGINIA EQUIPMENT DISTRIBUTORS, INC. AND  
STARNET INSURANCE COMPANY/ BERKLEY NET  
UNDERWRITERS, LLC

v. Record No. 2676-10-2

JOHNNY M. BRIGHT, SR.

MEMORANDUM OPINION\*  
PER CURIAM  
MAY 10, 2011

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Arthur T. Aylward; Angela F. Gibbs; Midkiff, Muncie & Ross,  
P.C., on briefs), for appellants.

(Wesley G. Marshall; Joel W. Young; Law Offices of Wesley G.  
Marshall PLC, on brief), for appellee.

Virginia Equipment Distributors, Inc., and its insurer, Starnet Insurance Company/Berkley Net Underwriters, LLC (collectively "employer") appeal a decision of the Workers' Compensation Commission. Employer contends the commission erred in (1) concluding the evidence was sufficient to prove Johnny M. Bright, Sr. (claimant) proved his neck/cervical spine, thoracic spine, right shoulder, and brachial plexus injuries were causally related to his work injury as a direct result of the accident, or as a compensable aggravation of a pre-existing condition; (2) according weight to and in relying on the opinions of Drs. Merrick, Nikpey, Cowl, and Herring; (3) failing to accord Dr. Heilbronner's medical opinion the greatest weight; (4) concluding claimant's disability from June 2, 2009 through the present was related to his work injury; and (5) finding the original agreement form did not list any injury to specific body parts. We have reviewed the record and the commission's opinion and find that this appeal

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

is without merit. Accordingly, we affirm for the reasons stated by the commission in its final opinion. See Bright v. Virginia Equip. Distrib., Inc., VWC File No. 235-99-18 (Nov. 29, 2010). 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.