

COURT OF APPEALS OF VIRGINIA

Present: Judges Elder, Beales and Senior Judge Annunziata

GILBERT C. MARTIN COMPANY, INC. AND  
WCAMC CONTRACTORS GROUP  
SELF-INSURANCE ASSOCIATION

MEMORANDUM OPINION\*  
PER CURIAM  
DECEMBER 15, 2009

v. Record No. 1596-09-2

LOUIS CAMERON PHILLINGANE

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Lorraine B. D'Angelo; Angela F. Gibbs; Midkiff, Muncie & Ross,  
P.C., on brief), for appellants.

(Andrew J. Reinhardt; Kerns, Kastenbaum & Reinhardt, on brief),  
for appellee.

Gilbert C. Martin Company, Inc., and its insurer appeal a decision of the Workers' Compensation Commission finding that (1) claimant's non-compensable injury was a compensable consequence of his earlier work-related injury; (2) ongoing temporary total disability benefits were appropriate following claimant's re-injury; and (3) claimant had no duty to market his residual work capacity from July 28-August 7, 2008. 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 final opinion. See Phillingane v. Gilbert C. Martin Co., VWC File No. 235-90-58 (June 23, 2009). We dispense with oral argument and summarily affirm because the facts and legal contentions are adequately presented in the

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

materials before the Court and argument would not aid the decisional process. See Code  
§ 17.1-403; Rule 5A:27.

Affirmed.