
In the Matter of the Compensation of
CLAUDE A. BENSON Claimant
WCB Case No. 01-00466
ORDER ON REMAND
Strooband & Ousey PC, Claimant Attorneys
Scheminske et al, Defense Attorneys

Reviewing Panel: Members Lowell and Kasubhai.

This matter is before the Board on remand from the Court of Appeals. Pursuant to the court's October 30, 2003 order, we have been directed to consider the parties' proposed settlement. The parties have submitted a proposed stipulation and settlement that is designed to resolve all issues raised or raisable between them, in lieu of all prior orders.

Pursuant to the settlement, claimant understands that the insurer's denial, as set forth in the agreement, "shall forever remain in full force and effect." The parties further agree that "all requests for hearing shall be dismissed with prejudice."

We approve the parties' settlement, thereby fully and finally resolving their disputes, in lieu of all prior orders.¹ Accordingly, this matter is dismissed with prejudice.

IT IS SO ORDERED.

Entered at Salem, Oregon on November 19, 2003

¹ Pursuant to the agreement, claimant has agreed to waive his right to bring a "claim and/or action or suit pursuant to *Smother's v. Gresham Transfer, Inc.* and/or ORS 656.019." Although we have approved the parties' agreement, our approval is limited to matters arising under chapter 656. Consequently, to the extent that the parties' settlement purports to address civil matters that exceed beyond chapter 656, our approval of their agreement does not extend to such matters.