

In the Matter of the Compensation of
KENT L. CRITES, Claimant

WCB Case No. 01-06061, 00-01334

ORDER ON REMAND

Thomas J Dzieman, Claimant Attorneys
David Runner, SAIF Legal, Defense Attorneys
Steven T Maher, Defense Attorneys

Reviewing Panel: Members Biehl and Lowell.

This matter is before the Board on remand from the Court of Appeals. Pursuant to the court's August 20, 2002 order (which dismissed an appeal by SIMS from a Board order finding it responsible for claimant's low back condition), we have been directed to consider a settlement between claimant and SIMS. The proposed "Stipulation and Order, and Disputed Claim Settlement" is designed to resolve all issues raised or raisable between claimant and SIMS, in lieu of all prior orders.

In accordance with the settlement, claimant agrees that SIMS' denial, "shall be affirmed." The settlement further stipulates that claimant's requests for hearing "shall be dismissed with prejudice."

We approve the settlement, thereby fully and finally resolving all issues raised or raisable between claimant and SIMS, in lieu of all prior orders.¹ Accordingly, this matter is dismissed with prejudice.

IT IS SO ORDERED.

Entered at Salem, Oregon on September 5, 2003

¹ Those portions of our prior order that upheld the SAIF Corporation's *de facto* denial and assessed a penalty are not effected by our approval of the settlement. This order republishes those portions of our prior order.