
In the Matter of the Compensation of
LINDA HALL, Claimant
WCB Case Nos. 07-00430, 07-06726
ORDER OF DISMISSAL
Daniel J Denorch, Claimant Attorneys
Andersen & Nyburg, Defense Attorneys

Reviewing Panel: Members Biehl and Langer.

Claimant requested review of Administrative Law Judge (ALJ) Pardington's order that upheld the insurer's partial denial of claimant's left shoulder rotator cuff tendonitis and impingement syndrome conditions. The parties have submitted a proposed "Disputed Claim Settlement" (DCS) that is designed to resolve all issues raised or raisable between them. Specifically, the settlement is intended to resolve disputes pending before the Board, as well as before the Hearings Division (WCB Case No. 07-06726).

That portion of the settlement that pertains to the Hearings Division has received ALJ approval. Pursuant to those portions of the settlement that pertain to this case, claimant understands that the insurer's denials, as supplemented by the agreement, "shall forever remain in full force and effect." Finally, the parties agree that the hearing request "shall be dismissed with prejudice."

We approve those portions of the parties' settlement that pertain to this case, thereby fully and finally resolving their dispute.¹ This matter is dismissed with prejudice.

IT IS SO ORDERED.

Entered at Salem, Oregon on February 12, 2008

¹ Pursuant to the agreement, claimant agrees to waive her right to "file a claim for civil remedies arising out of the denied claim under ORS 656.019." Our approval of the parties' settlement is limited to matters arising under chapter 656. As such, to the extent, if any, that the parties' settlement purports to address civil matters that exceed chapter 656, our approval would not extend to such matters. *See Claude A. Benson, 55 Van Natta 3935 (2003).*