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In the Matter of the Compensation of  
**DWAYNE L. MINNER, Claimant**  
Own Motion No. 09-0080M  
**OWN MOTION ORDER OF ABATEMENT**  
Floyd H Shebley, Claimant Attorneys  
Radler Bohy et al, Defense Attorneys

Reviewing Panel: Members Lowell and Weddell.

On October 21, 2009, we adhered to our July 23 order that declined claimant's request to reopen his Own Motion claim for a worsened condition under ORS 656.278(1)(a). Announcing that he has now retained legal counsel, claimant seeks abatement of our decision to submit evidence and argument regarding this matter. In doing so, claimant represents that the self-insured employer has no objection to his request.

Under these circumstances, we withdraw our order and implement the following supplemental briefing schedule. Claimant's opening argument, including any additional documentation, must be filed within 28 days from the date his counsel receives copies of the record from the employer. The employer's response, including any additional documentation, must be filed within 21 days from the date of mailing of claimant's argument. Claimant's reply must be filed within 14 days from the date of mailing of the employer's response. Thereafter, we will proceed with our reconsideration.

**IT IS SO ORDERED.**

Entered at Salem, Oregon on November 20, 2009