
In the Matter of the Compensation of
JOHN BUTTON, Claimant
WCB Case No: 12-01489C
ORDER ON RECONSIDERATION APPROVING CLAIM DISPOSITION
AGREEMENT

Robert J Guarrasi, Claimant Attorneys
Sather Byerly & Holloway, Defense Attorneys

Reviewing Panel: Members Biehl and Lowell.

On July 3, 2012, we approved parties' claim disposition agreement (CDA), which released claimant's rights to future workers' compensation benefits, except medical services-related benefits, for his compensable injury.

On July 11, 2012, we received the parties' motion for reconsideration and addendum to the CDA. The parties explained that the attorney fee and the amount payable to claimant on the summary page were inadvertently transposed.

In order to be considered, a motion for reconsideration of the approved CDA must be received by the Board within 10 days of the date of mailing of the final order. OAR 438-009-0035(1), (2). Because the request for reconsideration was received within 10 days of the mailing of the order of approval, it is timely. OAR 438-009-0035(1). Thus, we grant the request for reconsideration.

Based on the parties' addendum, we find that the parties' intent is for the disposition proceeds to be distributed in the manner described in their addendum.

The agreement, as clarified by this order, is in accordance with the terms and conditions prescribed by the Board. *See* ORS 656.236(1). Accordingly, the parties' CDA is approved.

If the parties disagree with our interpretation of the CDA, they may move for reconsideration by filing a motion for reconsideration within 10 days of the date of mailing of this order. OAR 438-009-0035.

IT IS SO ORDERED.

Entered at Salem, Oregon on July 23, 2012