

In the Matter of the Compensation of
SHERRIE L. BREWER, Claimant
WCB Case No. 11-00473
ORDER APPROVING SETTLEMENT
Strooband & Ousey PC, Claimant Attorneys
Andersen & Nyburg, Defense Attorneys

Reviewing Panel: Members Weddell and Langer.

On November 28, 2011, we issued an order that affirmed an Administrative Law Judge's order that set aside the insurer's denial of claimant's current combined low back condition. The insurer petitioned the court for judicial review of our order.

The parties have submitted a proposed "Disputed Claim Settlement" (DCS) that is designed to resolve all issues raised or raisable between them, in lieu of all prior orders. Specifically, the agreement is designed to resolve the parties' disputes pending before the Hearing Division (WCB Case No. 11-04731), and before the Court of Appeals. We are authorized to consider the parties' DCS. ORS 656.298; *Rebecca E. Seelye*, 60 Van Natta 332 (2008).

That portion of the DCS which pertains to the Hearings Division has received Administrative Law Judge (ALJ) approval. Pursuant to those portions of the DCS that pertain to this case, the parties agree that the insurer's denial, as supplemented in the agreement, "shall forever remain in full force and effect." The agreement further provides that the hearing request "shall be dismissed with prejudice."

By this order, we approve those portions of the parties' DCS that pertain to this case, thereby fully and finally resolving their dispute, in lieu of all prior orders.¹ Accordingly, these matters are dismissed with prejudice.

IT IS SO ORDERED.

Entered at Salem, Oregon on January 11, 2012

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).