

In the Matter of the Compensation of
RANDY COENEN, Claimant
WCB Case No. 12-00835, 11-06239
ORDER ON REVIEW
Bottini Bottini & Oswald, Claimant Attorneys
Gress & Clark LLC, Defense Attorneys

Reviewing Panel: Members Langer and Lanning.

Claimant requests review of Administrative Law Judge (ALJ) Wren's order that: (1) found that his injury claim was untimely filed; and (2) upheld the self-insured employer's denial of his injury claim for a back condition. On review, the issue is timeliness of claim filing.

We adopt and affirm the ALJ's order with the following changes. On pages 2 and 3, we change the date of claimant's initial treatment with Dr. Krein to "December 21, 2010." In the first full paragraph on page 4, we replace the third and fourth sentences with the following:

"Claimant testified that he did not recall the date of the work injury or whether it was before or after Thanksgiving 2010. (Tr. 16). The medical reports refer to inconsistent dates of the alleged injury. On December 21, 2010, Dr. Krein reported that claimant experienced pain after moving a piano 'before Thanksgiving.' (Ex. AAa). However, other medical reports referred to an injury in mid-December 2010. (Exs. 2, 3, 6)."

In the last paragraph on page 4, we change the dates to "November 1, 2011."

ORDER

The ALJ's order dated June 28, 2012 is affirmed.

Entered at Salem, Oregon on November 30, 2012