
In the Matter of the Compensation of
DAVID M. POWELL, Claimant
WCB Case No: 16-00279C
ORDER APPROVING CLAIM DISPOSITION AGREEMENT
Jon C Correll, Claimant Attorneys
SAIF Legal Salem, Defense Attorneys

Reviewing Panel: Members Curey and Lanning.

On February 5, 2016, the Board received the parties' claim disposition agreement (CDA). In consideration of the payment of a stated sum, claimant releases certain rights to future workers' compensation benefits, except medical services-related benefits, for his compensable injury. We approve the proposed disposition.

The first page of the proposed CDA provides that the amount due claimant is \$1,500 and the amount due his attorney is \$500, which equals a total consideration of \$2,000. Page 4 of the CDA is consistent with these numbers. Yet, Page 3 of the CDA provides that the consideration for the CDA is \$500.

After comparing these inconsistent provisions, we have relied on Page 4 and the summary page. *See Barbara J. Eddy*, 65 Van Natta 811 (2013). Accordingly, we interpret the agreement as providing for total consideration of \$2,000, with \$1,500 payable to claimant and \$500 payable as an attorney fee.¹

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 February 18, 2016

¹ \$500 is a reasonable allowable attorney fee, in the absence of extraordinary circumstances, for a CDA with proceeds of \$2,000. OAR 438-015-0052(1).