
In the Matter of the Compensation of
LARRY D. BROWN, Claimant
WCB Case No: 16-00788C
ORDER APPROVING CLAIM DISPOSITION AGREEMENT
Glen J Lasken, Claimant Attorneys
SAIF Legal Salem, Defense Attorneys

Reviewing Panel: Members Lanning and Curey.

On April 4, 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 summary page of the CDA provides that claimant shall receive \$625, with his attorney receiving \$1,875, which equals a total consideration of \$2,500. The body of the agreement also describes the total consideration as \$2,500. (Pages 3-4). However, as with the summary page, the body of the CDA purports to allocate \$625 to claimant and \$1,875 to his counsel. (Page 4). After reviewing the allocation of proceeds between claimant and his attorney, we conclude that the proposed distribution has been inadvertently transposed.¹ Thus, we find that the parties' intent is for the disposition proceeds to be distributed as follows:

\$ 625 Total Due Attorney
\$1,875 Total Due Claimant
\$2,500 Total Consideration

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.

Should 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 April 14, 2016

¹ Absent extraordinary circumstances, a \$625 attorney fee is also consistent with the Board's attorney fee rules for a CDA totalling \$2,500. *See* OAR 438-015-0052(1). The CDA does not describe extraordinary circumstances warranting an increased attorney fee.