
In the Matter of the Compensation of
CYNTHIA K. VANBEEK, Claimant
WCB Case No: 16-01984C
ORDER APPROVING CLAIM DISPOSITION AGREEMENT
Harder Wells Baron & Manning PC, Claimant Attorneys
Wallace Klor & Mann PC, Defense Attorneys

Reviewing Panel: Members Johnson and Weddell.

On August 15, 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 her compensable injury. We approve the proposed disposition.

The summary page of the CDA provides that claimant shall receive \$500, with her attorney receiving \$1,500. These amounts total \$2,000, which is consistent with Page 3 of the agreement. Page 3 also states that, out of the total consideration, "claimant's attorney shall receive an attorney fee in the amount of \$500 (which the parties confirm is consistent with OAR 438-015-0052)." After reviewing the summary page and the aforementioned provisions, we conclude that the attorney fee and the amount payable to claimant were inadvertently transposed on the summary page.¹ Thus, we find that the parties' intent is for the disposition proceeds to be distributed as follows:

\$ 500	Total Due Attorney
<u>\$1,500</u>	<u>Total Due Claimant</u>
\$2,000	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 August 23, 2016

¹ We agree with the parties that a \$500 attorney fee is consistent with the Board's attorney fee rules for a CDA totalling \$2,000. *See* OAR 438-015-0052(1).