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In the Matter of the Compensation of  
**KENT L. KROUSE, Claimant**  
WCB Case No. 13-00465  
**ORDER APPROVING SETTLEMENT**  
Ronald A Fontana, Claimant Attorneys  
Maher & Tolleson, Defense Attorneys

Reviewing Panel: Members Lanning and Curey.<sup>1</sup>

On December 26, 2013, we affirmed an Administrative Law Judge's (ALJ's) order that declined to award a penalty under ORS 656.268(5)(d) and an attorney fee under ORS 656.382(1) for an allegedly unreasonable Notice of Closure. Claimant petitioned 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. Specifically, the agreement is designed to resolve the parties' disputes pending before the Hearings Division (WCB No. 13-03971), and before the Court of Appeals. We are authorized to consider the parties' settlement. ORS 656.298(9); *Rebecca E. Seelye*, 60 Van Natta 332 (2008).

Those portions of the agreement that pertain to the Hearings Division have received ALJ approval.<sup>2</sup> Pursuant to the portion of the agreement that pertains to the issues in this case, claimant has agreed to withdraw his current case before the Court of Appeals.

By this order, we approve that portion of the parties' agreement that pertains to this case, thereby fully and finally resolving their dispute. Accordingly, this matter is dismissed.

**IT IS SO ORDERED.**

Entered at Salem, Oregon on October 7, 2014

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<sup>1</sup> Member Lowell was a member of the initial reviewing panel. However, because Member Lowell is no longer a member of the Board, Member Curey has participated in this review.

<sup>2</sup> This date, we have also approved a Claim Disposition Agreement (CDA) in which claimant fully releases his rights to all "non-medical service-related" benefits under his February 2009 claim.