

In the Matter of the Compensation of
MELISSA HARTVIGSEN, Claimant
WCB Case No. 11-06234, 11-04605
CORRECTED ORDER ON REVIEW
Edward J Hill, Claimant Attorneys
SAIF Legal, Defense Attorneys
Gress & Clark LLC, Defense Attorneys

Reviewing Panel: Members Curey and Lanning.

On September 30, 2014, we affirmed an Administrative Law Judge's (ALJ's) order that: (1) upheld Adecco, Inc.'s (Adecco's) compensability and responsibility denials of claimant's new/omitted medical condition claim¹ for bilateral deQuervain's tenosynovitis; (2) upheld the compensability and responsibility denial from the SAIF Corporation, on behalf of Robert Breitenstein (SAIF/Breitenstein) for the same condition; and (3) declined to award an assessed attorney fee under ORS 656.386(1) or ORS 656.308(2)(d). Contending that neither it nor its counsel was mailed a copy of our order, Adecco seeks republication of our decision.

A review of our September 30 order confirms that Adecco was not listed as one of the parties on the order's "mailing list." In light of such circumstances, the order was not mailed to a party to the proceeding and, as such, we retain authority to republish our order. *Berliner v. Weyerhaeuser Company*, 92 Or App 264, 266-67 (1988); *Joseph L. Cilione*, 52 Van Natta 789 (2000).

Consequently, to correct this oversight, we withdraw our September 30, 2014 order and republish it in this order. The parties' rights of appeal shall begin to run from the date of this order.

Specifically, we adopt and affirm the ALJ's order.

ORDER

The ALJ's order dated January 17, 2014, as reconsidered on February 19, 2014, and March 31, 2014, is affirmed.

Entered at Salem, Oregon on December 1, 2014

¹ For the reasons explained in the ALJ's order, the claim for bilateral deQuervain's tenosynovitis was not for a "new" or "omitted" medical condition.