
In the Matter of the Compensation of
KRISTEN E. LOWE, Claimant
WCB Case No: 16-01019C
ORDER APPROVING CLAIM DISPOSITION AGREEMENT
Lakepoint Law Firm, Claimant Attorneys
Bohy Conratt LLP, Defense Attorneys

On April 28, 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 despite an apparent typographical error.

The first page ("summary page") of the proposed CDA provides that the total amount due claimant is \$1,800, and the total due claimant's attorney is \$600, for a total consideration of \$2,400. However, page 3, paragraph 12 of the agreement recites that the total "consideration" is \$240. Page 3, paragraph 13 provides for an attorney fee of \$600, consistent with the "summary page."

On review of the document as a whole, we conclude that the reference on page 3, paragraph 12 to a total consideration of "\$240" is a typographical error. Instead, based on the "summary page," we interpret the agreement as providing for a total consideration of \$2,400, with \$1,800 payable to claimant and \$600 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 May 5, 2016

¹ A \$600 attorney fee is consistent with Board rule regarding attorney fees from CDA proceeds. *See* OAR 438-015-0052(1).