
In the Matter of the Compensation of
SHERI L. DUNN, Claimant
WCB Case No: 16-01787C
ORDER APPROVING CLAIM DISPOSITION AGREEMENT
Welch Bruun & Green, Claimant Attorneys
SAIF Legal Salem, Defense Attorneys

Reviewing Panel: Members Johnson and Lanning.

On July 25, 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 first page of the CDA provides that claimant shall receive \$250, with claimant's attorney receiving \$750. The body of the agreement also provides for the above-mentioned distribution. After reviewing the first page and the body of the CDA, however, we conclude, that the attorney fee and the amount payable to claimant have been inadvertently transposed.¹ Thus, we find that the parties' intent is for the disposition proceeds to be distributed as follows:

\$ 250 Total Due Attorney
\$ 750 Total Due Claimant
\$1,000 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.

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 August 1, 2016

¹ We note that a \$250 attorney fee from a CDA totaling \$1,000 in proceeds would be consistent with Board rules, whereas a \$750 attorney fee from such a CDA would require a CDA provision reciting extraordinary circumstances to warrant such an attorney fee award. *See* OAR 438-015-0052(1). The proposed CDA does not contain a provision describing any extraordinary circumstances.