
In the Matter of the Compensation of
GERALD W. COX, Claimant
WCB Case No. 14-01769
ORDER APPROVING SETTLEMENT
Guinn & Dalton, Claimant Attorneys
MacColl Busch Sato PC, Defense Attorneys

Reviewing Panel: Members Weddell and Curey.

On October 20, 2015, we issued an order that reversed an Administrative Law Judge's (ALJ's) order that upheld the self-insured employer's denial of claimant's new/omitted medical condition claim for a left shoulder posterior labral tear and traumatic arthritis of the posterior left humeral head. The employer petitioned the court for judicial review of our order. The parties have submitted proposed "Stipulations and Order of Dismissal" designed to resolve all issues raised or raisable between them. Specifically, the agreement is designed to resolve the parties' dispute pending before the Court of Appeals. We are authorized to consider the parties' agreement. ORS 656.298(9); *Rebecca E. Seelye*, 60 Van Natta 332 (2008).

Pursuant to the stipulation, the employer agrees to rescind its denial of claimant's new/omitted medical condition claim and to accept "left shoulder posterior labral tear and traumatic arthritis posterior left humeral head." The agreement further provides that claimant shall receive specified attorney fees and costs, and that "all other issues raised or raisable relating to [this case] and the petition for judicial review before the Court of Appeals of the State of Oregon, including penalties, interest, attorney fees, and costs, are hereby resolved."

By this order, we have approved the parties' stipulation, thereby fully and finally resolving their dispute. Accordingly, this matter is dismissed.

IT IS SO ORDERED.

Entered at Salem, Oregon on April 27, 2016