
In the Matter of the Compensation of
CRYSTAL BALL, Claimant
WCB Case No. 16-01419
ORDER OF DISMISSAL
Alana C Diccio Law, Claimant Attorneys
Reinisch Wilson Weier, Defense Attorneys

Reviewing Panel: Members Johnson and Lanning.

On April 14, 2017, as reconsidered on July 3, 2017, we issued an order that affirmed an Administrative Law Judge's (ALJ's) order that: (1) found that the self-insured employer had properly calculated the rate of claimant's temporary total disability (TTD) benefits; (2) authorized the employer to offset an overpayment of TTD benefits that it had initially paid at a higher rate; and (3) declined to award penalties and attorney fees for allegedly unreasonable claim processing. Claimant petitioned the court for judicial review of that order. The parties have since submitted a proposed Claim Disposition Agreement (CDA), which is designed to release all of claimant's past, present, and future "non-medical service-related" benefits (including temporary disability, penalties, and attorney fees) concerning her November 2014 claim.

We have approved the CDA.¹ As a result of our CDA approval, the issues arising from this case are no longer viable.² Accordingly, this matter is dismissed.

IT IS SO ORDERED.

Entered at Salem, Oregon on October 13, 2017

¹ Although a petition for judicial review is pending, the Board has jurisdiction to enter an order necessary to implement the settlement. *See* ORS 656.298(9)(a).

² The parties have also submitted a proposed "Disputed Claim Settlement and Stipulation," wherein claimant agrees to the dismissal of her petition for judicial review. That agreement has received ALJ approval. (WCB Case No. 16-03233).