
In the Matter of the Compensation of
JUAN H. ZAPATA, Claimant
WCB Case No. 15-02557,14-05575, 14-04733
ORDER APPROVING SETTLEMENT
Thomas Coon Newton & Frost, Claimant Attorneys
Ronald W Atwood PC, Defense Attorneys

Reviewing Panel: Members Johnson and Ousey.¹

On March 28, 2017, the Board issued an order that affirmed those portions of an Administrative Law Judge's (ALJ's) order that: (1) set aside the self-insured employer's denial of claimant's new/omitted medical condition claim for a right shoulder rotator cuff tear; and (2) found that claimant's right shoulder arthroscopy was causally related to his compensable injury. The order further modified the ALJ's employer-paid attorney fee award. The employer petitioned the court for judicial review of our order. The parties have submitted a proposed "Stipulation in Support of Order of Dismissal," which is designed to resolve the parties' dispute pending before the Court of Appeals. We are authorized to consider that agreement. ORS 656.298(9); *Rebecca E. Seelye*, 60 Van Natta 332 (2008).

Pursuant to the stipulation, the employer agrees to pay claimant's attorney a specified attorney fee and costs. In addition, the parties have submitted a Claim Disposition Agreement (CDA), which provides that, on its approval, this pending review "shall be dismissed." (WCB Case No. 17-01979C).

This date, we have approved the parties' stipulation and their CDA. Accordingly, this matter is dismissed.

IT IS SO ORDERED.

Entered at Salem, Oregon on September 1, 2017

¹ Because Member Weddell is no longer a member of the Board, Member Ousey has participated in this review.