
In the Matter of the Compensation of
THOMAS SCHMIDT, Claimant
WCB Case No. 17-03446
ORDER APPROVING SETTLEMENT
Ransom Gilbertson Martin et al, Claimant Attorneys
Reinisch Wilson Weier, Defense Attorneys

Reviewing Panel: Members Woodford and Lanning.¹

On May 29, 2018, we issued an order that affirmed an Administrative Law Judge's (ALJ's) order that: (1) found the self-insured employer was not precluded from applying an overpayment; and (2) declined to award penalties and attorney fees for allegedly unreasonable claim processing. Claimant petitioned for judicial review of our order. The parties have submitted a Claim Disposition Agreement (CDA) in which claimant fully releases all "non-medical service-related" rights (including temporary disability, penalties, and attorney fees) concerning his October 2013 claim. We have approved that CDA.

Under such circumstances, the issues pending in this case are no longer viable. Accordingly, consistent with our authority under ORS 656.298(9)(a),² this matter is dismissed.

IT IS SO ORDERED.

Entered at Salem, Oregon on December 18, 2018

¹ Member Johnson was a member of the reviewing panel that issued the order that is pending judicial review. Because Member Johnson is no longer with the Board, Member Woodford has participated in the approval of this settlement.

² Pursuant to ORS 656.298(9)(a), we are authorized to enter any orders that may be necessary to implement a settlement of all or any part of the matter during the pendency of a petition for judicial review.