

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Department of Employment Services**  
**Labor Standards Bureau**

**Office of Hearings and Adjudication**  
**COMPENSATION REVIEW BOARD**



**(202) 671-1394-Voice**  
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**CRB No. 07-155**

**ROSA ROGEL,**

**Claimant–Respondent,**

**v.**

**BASIC INDUSTRIES, INC., AND GALLAGHER BASSETT INSURANCE,**

**Employer/Carrier–Petitioner.**

Appeal from a Compensation Order of  
Administrative Law Judge David L. Boddie  
AHD No. 06-358, OWC No. 613308

Samuel J. DeBlasis, II, Esquire, for the Petitioner

Arturo H. Hernandez, Esquire, for the Respondent

Before JEFFREY P. RUSSELL, FLOYD LEWIS and SHARMAN J. MONROE, *Administrative Appeals Judges.*

JEFFREY P. RUSSELL, *Administrative Appeals Judge*, for the Compensation Review Panel:

**ORDER VACATING COMPENSATION ORDER**

On December 19, 2006, a formal hearing was conducted before an Administrative Law Judge (ALJ) in the Administrative Hearings Division (AHD) of the Office of Hearings and Adjudication (OHA) of the Department of Employment Services (DOES). The issues presented for resolution were identified as (1) the nature and extent of Respondent’s disability, if any, and (2) whether Petitioner terminated Respondent in retaliation for filing a workers’ compensation claim, in violation of D.C. Code § 32-1542.

While the matter was pending and under consideration by the ALJ following the formal hearing, the parties reached agreement on resolution of the issues raised at the formal hearing, as well as all other issues and disputes relating to the work related injury sustained by Respondent. The parties submitted a “Joint Petition for § 32-1508 Lump Sum Settlement” to the Office of Workers’ Compensation (OWC) on June 19, 2007, containing the terms of their agreement, which settlement petition was approved by OWC on July 5, 2007. Neither party advised the ALJ of this settlement,

and on August 17, 2007, the ALJ issued a Compensation Order awarding temporary partial disability benefits from November 8, 2006 through the date of the Compensation Order and continuing, and denying the claim for retaliatory discharge.

Petitioner filed an Application for Review with the Compensation Order Review Board (CRB), asserting that the parties jointly request that the Compensation Order of August 17, 2007 be vacated as moot. Counsel for the Petitioner personally advised the chairperson of this panel, in a telephone conference on September 19, 2007, that Respondent, through her counsel, joins in this request.

Accordingly, the issues presented for resolution at the formal hearing having been disposed of by issuance of a "Compensation Order Approval of Lump-Sum Settlement Pursuant to Section 32-1501" on July 5, 2007, the issues addressed in the Compensation Order issued by AHD thereafter were rendered moot, and the Compensation Order of August 17, 2007 is hereby vacated.

FOR THE COMPENSATION REVIEW BOARD:

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JEFFREY P. RUSSELL  
Administrative Appeals Judge

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September 20, 2007  
DATE