

**FILED**

**UNITED STATES COURT OF APPEALS**

**AUG 11 2014**

**FOR THE NINTH CIRCUIT**

**MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS**

**BRENT EVAN WEBSTER,**

**No. 14-35351**

**Plaintiff - Appellant,**

**D.C. No. 3:14-cv-00652-AC**

**v.**

**District of Oregon,  
Portland**

**ARAMARK CORRECTIONAL  
SERVICES, INC.; et al.,**

**ORDER**

**Defendants - Appellees.**

**Before: LEAVY, CALLAHAN, and HURWITZ, Circuit Judges.**

**The motion for reconsideration is denied. See 9th Cir. R. 27-10.**

**All other pending motions are denied as moot.**

**No further filings will be entertained in this closed case.**

**APPENDIX A**

**MF/Pro Se**

**FILED**

**UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT**

**MAY 15 2014**

**MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS**

**BRENT EVAN WEBSTER,**

**Plaintiff - Appellant,**

**v.**

**ARAMARK CORRECTIONAL  
SERVICES, INC.; et al.,**

**Defendants - Appellees.**

**No. 14-35351**

**D.C. No. 3:14-cv-00652-AC  
District of Oregon,  
Portland**

**ORDER**

**Before: LEAVY, CALLAHAN, and HURWITZ, Circuit Judges.**

**A review of the record demonstrates that this court lacks jurisdiction over  
this appeal because the order challenged in the appeal is not final or appealable.**

**See 28 U.S.C. § 1291. Consequently, this appeal is dismissed for lack of  
jurisdiction.**

**DISMISSED.**

**APPENDIX A**

**MF/Pro Se**



Office of the Clerk  
**United States Court of Appeals for the Ninth Circuit**  
Post Office Box 193939  
San Francisco, California 94119-3939  
415-355-8000

Molly C. Dwyer  
Clerk of Court

April 25, 2014

---

No.: 14-35351  
D.C. No.: 3:14-cv-00652-AC  
Short Title: Brent Webster v. Aramark Correctional Services,, et al

---

Dear Appellant

A copy of your notice of appeal/petition has been received in the Clerk's office of the United States Court of Appeals for the Ninth Circuit. The U.S. Court of Appeals docket number shown above has been assigned to this case. You must indicate this Court of Appeals docket number whenever you communicate with this court regarding this case.

Please furnish this docket number immediately to the court reporter if you place an order, or have placed an order, for portions of the trial transcripts. The court reporter will need this docket number when communicating with this court.

**The due dates for filing the parties' briefs and otherwise perfecting the appeal have been set by the enclosed "Time Schedule Order," pursuant to applicable FRAP rules. These dates can be extended only by court order. Failure of the appellant to comply with the time schedule order will result in automatic dismissal of the appeal. 9th Cir. R. 42-1.**

**Payment of the \$505 docketing and filing fees is past due.** Failure to correct this deficiency **within 14 days** will result in the dismissal of this case for failure to prosecute. See 9th Cir. R. 42-1. The fee is payable to the District Court.

**Appellants who are filing pro se should refer to the accompanying information sheet regarding the filing of informal briefs.**

APPENDIX A

**U.S. District Court**

**District of Oregon**

**Notice of Electronic Filing**

The following transaction was entered on 7/7/2014 at 3:45 PM PDT and filed on 7/7/2014

**Case Name:** Webster v. Aramark Correctional Services, Inc. et al

**Case Number:** 3:14-cv-00652-AC

**Filer:**

**Document Number:** 54(No document attached)

**Docket Text:**

**ORDER: The Court REFERS Plaintiff's "Motion to Reconsider/Second Notice of Appeal" [26] to the Ninth Circuit Court of Appeals for resolution as it appears Plaintiff seeks reconsideration of that Court's Order [25] dismissing Plaintiff's appeal. Ordered by Magistrate Judge John V. Acosta. (prslc1)**

**3:14-cv-00652-AC Notice has been electronically mailed to:**

Eric J. Neiman eneiman@williamskastner.com, jlehr@williamskastner.com,  
wschaener@williamskastner.com

John C. Young jyoung@ghrlawyers.com, dnelson@ghrlawyers.com

Rachel A. Robinson rrobinson@williamskastner.com, wschaener@williamskastner.com

Robert Spajic bspajic@gordon-polser.com, ajones@gordon-polser.com

Susan M. Dunaway susan.m.dunaway@multco.us, amy.goodale@multco.us

Tracy J. White tracy.j.white@doj.state.or.us, maureen.a.mccarthy@doj.state.or.us,  
teresa.a.walsh@doj.state.or.us

William W. Manlove, III William.Manlove@portlandoregon.gov, Clair.Warnock@portlandoregon.gov,  
Jody.Thoman@portlandoregon.gov

**3:14-cv-00652-AC Notice will not be electronically mailed to:**

Brent Evan Webster  
P O Box 55696



**UNITED STATES DISTRICT COURT**  
District of Oregon

**NOTICE OF JUDICIAL REASSIGNMENT**

---

Date of Reassignment: April 21, 2014  
Case Number: 3:14-cv-00652-AC  
Case Title: Webster v. Aramark Correctional Services, Inc. et al

---

(A) **Case Reassignment:** In accordance with the Court's Case Management Plan, the above-captioned case has been reassigned from the Honorable Ancer L. Haggerty to the Honorable John V. Acosta, United States Magistrate Judge.<sup>1</sup> Information on this case may be obtained from the following:

Courtroom Deputy: Paul Gale  
Telephone: 503-326-8056  
Email: [paul\\_gale@ord.uscourts.gov](mailto:paul_gale@ord.uscourts.gov)  
Docket Information: Giselle Williams  
Telephone: 503-326-8022  
Email: [giselle\\_williams@ord.uscourts.gov](mailto:giselle_williams@ord.uscourts.gov)

(B) **Place of Filing:** Unless electronically filed, an original and copy of all documents will be filed with the Clerk's Office, Mark O. Hatfield U.S. Courthouse, 1000 S.W. Third Ave., Portland, OR, 97204.

(C) **Change to the Case Number:** Effective immediately, Judge Acosta's initials (AC) will replace the previous judge's initials in this case.

**MARY L. MORAN**  
Clerk of Court

cc: Judge Acosta  
Counsel of Record

**APPENDIX B**

<sup>1</sup> All United States Magistrate Judges in this District are certified to exercise civil jurisdiction in assigned cases and, with the consent of the parties, may also enter final orders on dispositive motions, conduct trial, and enter final judgment which may be appealed directly to the Ninth Circuit Court of Appeals (instead of to a District Judge). We strongly encourage the parties to consent to the jurisdiction of a U.S. Magistrate Judge over dispositive motions, trial, and entry of final judgment in this case by signing and filing a Consent to Jurisdiction by a United States Magistrate Judge. There are no adverse consequences for failure to file a Consent.

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON

BRENT EVAN WEBSTER, et al.  
Plaintiff(s),

Case No.: 3:14-cv-00652-HA

v.

ARAMARK CORRECTIONAL SERVICES, INC., et al.  
Defendant(s).

Civil Case Assignment Order

1. **Presiding Judge:** The above referenced case has been filed in the Portland Division of the U.S. District Court for the District of Oregon and assigned to:

Presiding Judge.....Hon. Ancer L. Haggerty  
Presiding Judge's Suffix Code\*.....HA

\*These letters must follow the case number on all future filings.

2. **Courtroom Deputy Clerk:** Questions about the status or scheduling of this case should be directed to:

Sandi Payne  
Telephone: 503-326-8320  
Email: [sandra\\_payne@ord.uscourts.gov](mailto:sandra_payne@ord.uscourts.gov)

3. **Case Administrator/Docket Clerk:** Questions about filings or docket entries in this case should be directed to:

Giselle Williams  
Telephone: 503-326-8022  
Email: [giselle\\_williams@ord.uscourts.gov](mailto:giselle_williams@ord.uscourts.gov)

4. **Place of Filing:** Any paper filings must be submitted to the Clerk of Court, Mark O. Hatfield U.S. Courthouse, 1000 S.W. Third Ave., Portland, OR, 97204. (See LR 3-3, LR 5-5.)

5. **District Court Website:** Information about local rules of practice, CM/ECF electronic filing requirements, responsibility to redact personal identifiers from filings, and other related information can be found on the Court's website at [ord.uscourts.gov](http://ord.uscourts.gov).

6. **Consent to a Magistrate Judge:** In accordance with 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73, all United States Magistrate Judges in the District of Oregon are certified to exercise civil jurisdiction in assigned cases and, with the consent of the parties, enter final orders on dispositive motions, and enter final judgment, which may be appealed directly to the Ninth Circuit Court of Appeals.

18 APPENDIX B

PORTLAND OR 970

23 APR 2014 PM 2 L



Mr. Brent Evan Webster  
PO Box 55696  
Portland, OR 97238

38569696



☒ Circuit Ct. ☐ U.S. Dist. Ct. Case No. 403-02977  
☐ Appeals Ct. ☐ Bankruptcy Ct. Our File No. \_\_\_\_\_  
☐ Supreme Ct. ☐ Other \_\_\_\_\_

RAR  
(Attorney)

Please indicate when the document listed below was processed. Thank you.

Webster v. Multnomah County Oregon; et al  
(Short Title of Case or Proceeding)

Notice of Filing of Removal of Civil Action  
(Title of Document)

☒ Date signed \_\_\_\_\_, by Judge \_\_\_\_\_  
☒ Date entered \_\_\_\_\_, by \_\_\_\_\_  
☐ Date terminated \_\_\_\_\_  
☒ Date filed \_\_\_\_\_  
☐ Date served \_\_\_\_\_  
☐ Attorney fees awarded \$ \_\_\_\_\_ ☐ Costs awarded at \$ \_\_\_\_\_  
☐ Motion allowed ☐ Motion denied  
Remarks \_\_\_\_\_

(Judge/Deputy/Clerk)

FORM No. 943 EK

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## APPENDIX C

Brent-Evan: Webster  
Authorized Representative

3-12-14

PO Box 55696  
Portland, Oregon [97238]  
503-933-2000  
brentewebster@gmail.com

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH COUNTY

brent-evan: Webster sui juris is  
personal representative and  
authorized agent for BRENT EVAN  
WEBSTER, & WEBSTER TECHNOLOGIES INC.

Plaintiffs,

vs.

MULTNOMAH COUNTY OREGON, JUDGE  
MICHAEL MARKUS OSB 742039  
Individually, DDA ADAM GIBBS OSB  
083354 Individually, SGT D'MOORE  
Individually, SGT HAASE Individually,  
PPO OFFICER HOESLEY, CANNON COCHRAN  
MANAGEMENT SERVICES INC. and SR.  
CLAIMS EXAMINER THERESE BRADY  
Individually, CORVEL ENTERPRISES COMP  
INC. and SR. CLAIMS SPECIALIST JD  
TAYLOR Individually, ARAMARK UNIFORM  
SERVICES, PRESIDENT/CEO ERIC J. FOSS  
FOR THE BOARD OF DIRECTORS, and DOES  
1 through 100, inclusive,

Defendants,

Civil Case No.:

140302977

Filing Date:

3-12-2014

Date of Injury:

3-13-2011

CCMSI CLAIM No.:

11C31B530569

CORVEL CLAIM No.:

MU110500403

WCD File No.:

GBF8864

COMPLAINT FOR PERSONAL INJURY

INVOLUNTARY SERVITUDE/SLAVERY,  
KIDNAPPING, LEGAL MALPRACTIC

ENFORCEMENT OF EMPLOYMENT CONTRACT

NOT SUBJECT TO MANDATORY ARBITRATION

DISCOVERY AND DEPOSITIONS DEMANDED

JURY TRIAL DEMANDED (POSSIBLE CLASS)

Plaintiffs allege:

Parties

1) Plaintiffs brent-evan: Webster is a Natural born native and citizen

of Oregon and holds status of sui juris, Individual, and Business Owner.

APPENDIX C

Page 1 - ORIGINAL COMPLAINT OF PERSONAL INJURY AND DEMAND FOR JURY TRIAL



My Copy

Brent Evan Webster  
P.O. Box 55696  
Portland, Oregon 97238

Private Attorney

RECEIVED

FEB 22 2011

MULTNOMAH

IN THE CIRCUIT COURT OF THE STATE OF OREGON

**1102-02292**

Brent Evan Webster,

Petitioner,

v.

THE STATE OF OREGON, COUNTY OF

MULTNOMAH,<sup>2</sup> THE CIRCUIT COURT OF

THE STATE OF OREGON<sup>3</sup> FOR MULTNOMAH<sup>4</sup>

COUNTY, MICHAEL D. SCHRUNK,<sup>5</sup> ADAM

GIBBS,<sup>6</sup> RON HOESLY,<sup>7</sup> & CITY ATTORNEY

LINDA MENG,<sup>8</sup> DMU<sup>9</sup>

Respondents,

)  
)  
) PETITION FOR  
) WRIT OF HABEAS CORPUS BY ONE OF  
) THE PEOPLE IN STATE CONSTRUCTIVE  
) CUSTODY (NOT SENTENCED TO DEATH)

) Re: Circuit Court of the State of  
) Oregon No. 10-10-51070

1. COMES NOW Brent Evan Webster, one of the people of the state of Oregon, and petitions the above-entitled court of record for a writ of habeas corpus to inquire into the cause of constructive custody and restraint of liberty of said Brent Evan Webster (hereinafter "People"), who is a people of the state of Oregon neither in the capacity of a citizen of the United States nor a citizen of THE STATE OF OREGON or STATE OF OREGON, and who is not subject to the jurisdiction of the following CUSTODIANS:

THE STATE OF OREGON (a legal fiction)

Attorney General

1162 Court Street NE  
APPENDIX D

Received copy  
2/22/11  
[Signature]

HABEAS, PARTCONS, PPS

**U.S. District Court  
District of Oregon (Pendleton)  
CIVIL DOCKET FOR CASE #: 2:11-cv-00225-SU**

Webster v. The State of Oregon et al  
Assigned to: Magistrate Judge Patricia Sullivan  
Cause: 28:2254 Petition for Writ of Habeas Corpus (State)

Date Filed: 02/23/2011  
Jury Demand: None  
Nature of Suit: 530 Habeas Corpus  
(General)  
Jurisdiction: Federal Question

**Petitioner**

**Brent Evan Webster**

represented by **Brent Evan Webster**  
145959  
P O Box 55696  
Portland, OR 97238-5696  
(503) 933-2000  
PRO SE

V.

**Respondent**

**The State of Oregon**

**Respondent**

**County of Multnomah**

**Respondent**

**The Circuit Court of the State of Oregon  
for Multnomah County**

**Respondent**

**Michael D. Schrunk**

**Respondent**

**Adam Gibbs**

**Respondent**

**Ron Hoesly**

**Respondent**

**City Attorney Linda Meng**

Date Filed	#	Docket Text
------------	---	-------------

APPENDIX E

Original Copy of self exiciting contract

10-01-2010  
Brent Welter

# Original Exhibit B

This is my habeas Corpus  
This is a self exiciting contract  
Weather I Finish speaking OR not.

I have a right to make this  
clear and certian.

I will not accept any nomnee  
to speak for me neither polition  
nor attorney.

I am only a visitor and I  
wish to be treated as a distingisher  
guest for the remainder of my stay.

I thank the court for expositing  
this ~~process~~ for both legal and  
lawful purposes.

How may I address you judge?  
Thank You \_\_\_\_\_

I wish for you to call me  
Brent, is that ok?

Brent Welter  
10/01/2010

FILED  
10 OCT 22 AM 8:22  
FOURTH JUDICIAL  
DISTRICT  
10-6  
①

APPENDIX F

Original copy of all circulating contracts

I thank this court for indulging me in this matter at hand.

On and for the record, unless it is rebutted point for point, by facts and evidence available here today, this testimony will become fact.

I rebut all presumptions to the contrary of this status, this Country and this citizen's position of authority over my person.

I am merely the Representative for the defendant, I am the attorney in fact, this appearance is by way of law. I Represent the body and call on Habeas Corpus to release this flesh with out delay.

Let the record reflect, no response or granted. hopefully

as Representative I have no choice but to invoke the common law, contract law, and maritime law by way of a special appearance. This is now admissible court under the rule of law.

Pro W. 10/01/2010

2 of 6 ②

Original copy of self executing contract

Now comes Breit & Webster, signers,  
proper willing, and able to contract  
fully by what ever means, but  
not as a child or minor in  
the eyes of the state.

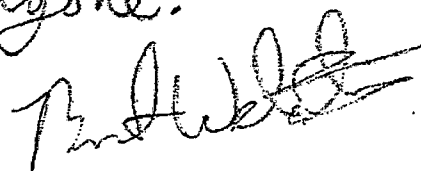
The Booking agents and the  
guards have attempted to have  
me stipulate to an order, not  
much different than placing an  
order at "McDonalds". by their  
own words they asked if I was  
"Mashed out" and told me  
quote: "I have a right to pursue  
life, liberty and happiness by you  
providing me with a job  
when I get here". End quote

Well joke or no joke I  
am no "Big Mac".

Let the record reflect that I have  
rebutted all presumptions  
corporate fiction and/or  
artificial legal person.

Let the record reflect that this  
individual, this flesh & blood  
living being has not injured or  
harmed anyone.

APPENDIX F

 10-01-2010  
30F6 ③

Original copy of all existing contracts

Let the record reflect and with no rebuttal that the City of Portland, the County of Multnomah, by way of this State of Oregon, is acting under Color of Law and not the Rule of Law, and is no different than a Mr. Spaldie a corporation, who creates road blocks to, will everyone a happy meal.

Well this happy meal is going to be served my way.

Either my defendant is released without delay, or the City of Portland will have given implied consent to contracting thru this representative for the use of his fiction.

This is my standing and it will be cured and perfected before I leave here today, If I leave in chains this court agrees to my terms, I leave as a free man with no restraints. This contract is void.

APPENDIX F

Butler

10-01-2010 406

(4)

Original copy of self executing contract.

As Representative I can offer no protection from what DMU or Lane County has you do to my legal person.

So as a matter of certainty this is my second notice to cure this kidnapping.

If I am not on the street before 5 p.m. today I will have no choice but to comply with the wishes of the city and fulfill this agreement. In return the City of Portland agrees to fulfill their obligation to this representative thru the consideration of real value of no less than three hundred dollars face of gold or silver per hour which is a reasonable cost since that is what an attorney's charge.

This contract will be reviewed daily by this representative from a cost plus point of view. That means that the 300 face of Gold or silver is the minimum cost to the city.

But Webb 50F6 ⑤

APPENDIX F

Original copy of self existing contract

as representative I suggest that if any part of this agreement is unclear, that this court error in favor of the defendant by releasing him now, no harm no foul. Other wise this contract will be self educating from the time of detention till such times as charges are withdrawn from all agencies concerning this violation of my persons right to contract under reasonable conditions.

If our process of law isn't good enough in this court system, then Maritime, commercial contract law will have to be the better of two evils.

There fore UCC will be used to enforce these agreements in the administrative process, authorized universally thru-out the world including these United states.

I have nothing further to add

APPENDIX F

1001-1015

6 of 6

Pat Kelly

(6)



Original

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH COUNTY

FILED  
2014 JAN 23 PM 4:14

CIRCUIT COURT  
FOR MULTNOMAH COUNTY

STATE OF OREGON,

Plaintiff,

vs.

brent-evan: webster, sui juris

Accused/Third-Party Plaintiffs

(Private Attorney General)

Vs.

KATE BROWN, CHRIS DUCKWORTH, PAT  
EGAN, CHARLIE HALE, TODD T. JACKSON,  
MICHAEL REESE, MICHAEL SCHRUNK,  
JOANNE STEFFEY, ROD UNDERHILL AND  
BILL WYATT,

Living Third-Party Defendants,

ENTERED

FEB 19 2014

IN REGISTER BY

Case No.: 1301-00928

Last appearance Date May 29, 2013

Before: The Clerk of the Court

By way of order: VACATE ALL INFERIOR  
ORDERS AFTER APRIL 9<sup>th</sup> 2013

brent-evan: webster

AFFIDAVIT: CONSPIRACY AGAINST RIGHTS

AGAINST ALL THIRD-PARTY DEFENDANTS,

AGAINST MULTNOMAH COUNTY CIRCUIT

COURT FOR TRESPASS ON THIS CASE AND

TRESPASS ADMINISTRATIVELY THROUGH

COLOR OF LAW AND WITHOUT LEGAL

STANDING TO CONFRONT THE NATURAL MAN

WHOM HAS NOT COMMITED ANY CORPUS

DELICTI TO THE STATE OR PERSONS

AFFIDAVIT OF Private Attorney General brent-evan: webster dba- WEBSTER:  
BRENT-EVAN, This Action was commenced on January 22, 2013 and was served upon  
all third-party defendants named in this counter-claims case. A copy of the  
counter-claims (case 130100928) was certified through the U.S. Postal Service  
and was also served by way of e-mail to the best known Addresses; this was  
followed by an Affidavit of service on February 6, 2013.

On March 22, 2013 in room 548 at 4:45 PM Marilyn Litzenberger commenced  
case management for a Trial sometime in September of 2013. Private Attorney  
General brent-evan: webster was there at the correct times and place set for  
this complaint as certified in all of the filings of this exercise.

Although Peter Mersereau was present in Room 548 for his apparent  
clients Bill Wyatt and Joanne Steffey who are non-sui juris persons. Mr.

Affidavit of a Living Soul brent-evan: webster

My Copy

RECEIVED

FEB 22 2011

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR MULTNOMAH COUNTY

THE STATE OF OREGON,

Plaintif

v.

BRENT WEBSTER

Defendant.

No. 10-10-51070

Defendant's Motion in

IN ARREST OF JUDGMENT

and denial of STATES

SENTENCING MEMORANDUM

COMES THE REAL MAN, Brent Evens Webster, in defense of the  
DEFENDANT: BRENT WEBSTER in violation of Rights Reserved and Rights Retained  
against OREGON STAR CHAMBER CORTS now claim and state against corruption of  
CITY OF PORTLAND, DMV, DOT, and this statutory cort that violate the People  
Natural Rights under USC 18 Section 241 and 242 denying Civil Rights by color of law  
without a common law crime:

**MOTION IN ARREST OF JUDGMENT and DENY STATES MEMORANDUM**

Comes now defendant, who moves in arrest of judgment. Defendant had filed a demurrer.  
Said demurrer was overruled.

In addition to the grounds asserted in his demurrer, defendant also now argues that the  
Defendant had filed a bill of particulars. Said bill of particulars was overruled. In addition to the  
grounds asserted in his bill of particulars, defendant also now argues that the

1 **MOTION IN ARREST OF JUDGMENT and DENY STATES MEMORANDUM**

Received Cam  
2/27/11



CCMSI

www.ccmsi.com

April 21, 2011

RECEIVED APR 22 2011

Deborah Reynolds, NP  
Urgent Care  
P.O. Box 647  
Gresham OR 97030

RE: Employee: Brent Webster  
Employer: Multnomah County  
D/Injury: 03/13/11  
Claim No.: 11C31B530569

Dear Ms. Reynolds:

CCMSI administers the Self-Insured Workers' Compensation program for Multnomah County. Mr. Brent Webster was working in the capacity of an Inmate/Worker at the time of his slip and fall at the jail. Upon release, he was no longer employed. His slip and fall at the corrections facility did not hamper him from doing his job at injury as a kitchen worker. His initial diagnosis were a redening of the area of the right hip where he had landed with some swelling. He was able to walk with support due to pain. He was provided with an ice pack and ibuprofen. Mr. Webster did not follow up with Corrections Health between the fall of 03/09/11 and his release on 03/17/11. There was no indication of a scraping on his arm, nor any sign of injury above his left eye. There were no complaints of back pain, mid back pain or cervical pain. He was not reported to have had headaches.

Please review and respond to the following questions;

*Thoracic back strain - Cervical strain*  
*847.1 847.0*  
1. Outline all diagnosed conditions related to Mr. Webster's 03/13/11 date of injury.

2. In your opinion, is Mr. Webster's condition due to an injury or an occupational disease?  
Please explain. *injury from slip and fall*

Cannon Cochran Management Services, Inc.

750 Front Street ! Suite 260 ! Salem, OR 97301

877-561-8318 ! 503-589-4727 ! Fax: 503-589-4724 ! www.ccmsi.com



www.ccmis.com

3. Are there any non-working factors (such as avocational activities, off work injuries, idiopathic causes, congenital abnormalities, etc.)? If so, please identify. *none known*
4. If Mr. Webster is not yet medically stationary, please outline your recommended treatment plan to include modalities, duration and medical expectation as to when the condition would be expected to plateau. *Physical therapy*
5. Are there restrictions regarding his ability to work? Are these restrictions considered permanent or temporary? Please explain your answer and provide the specific restrictions recommended. *YES - 5 lbs continuous lifting 10 lbs occasional*
6. Do you anticipate any permanent impairment as a result of the incident of 03/13/11? Please explain. *NO*

Sincerely,

*Therese*  
Therese Brady  
Sr. Claims Examiner,  
503-589-4727 x 13

Cc: Multnomah County  
File

*If this patient is not working  
you folks need to find out  
why we have not authorized  
any time off*

*Patient was not seen here until 3/20/11. He had  
missed a week of work - we have not or will  
not authorize that time off.  
He has not attended physical therapy since 3/20/11.  
He was supposed to follow-up 4/3/11 but has not  
done so*

*Multnomah reported that*

*He told PT 3/24/11 that he was not working - yet we put him on  
light duty -*

*4/6/11 - Did yard work at home*

Cannon Cochran Management Services, Inc.

750 Front Street ! Suite 260 ! Salem, OR 97301

7561-8318 ! 503-589-4727 ! Fax: 503-589-4724 ! www.ccmis.com

CORVEL ENTERPRISE COMP, INC.  
MULTNOMAH COUNTY  
P.O. BOX 230608  
PORTLAND, OR 97281

**CORVEL**

bankcode=MULTN  
66796  
531(NC)

CHECK NUMBER  
5016886

CHECK DATE  
03/21/14

\*\*\*\*\*\$300.58

PLEASE CASH IMMEDIATELY  
VOID AFTER 180 DAYS

PAY EXACTLY: *Three hundred and 58/100 Dollars*

PAY  
TO THE  
ORDER  
OF

**BRENT WEBSTER**  
**PO Box 55696**  
**Portland, OR 97238**

BANK OF AMERICA

*[Signature]*

⑈0005016886⑈ ⑆053107989⑆ 002210005534⑈

**CORVEL**

DETACH HERE: 

 DETACH HERE

Claim No.	D/A	Claimant	From	Thru	Invoice Reference/Comments	Remittance
MU-11-0500403	03/13/2011	Brent Webster	05/16/2011	08/13/2012	TTD payment	*****\$300.58



**SATHER BYERLY & HOLLOWAY LLP**  
ATTORNEYS

**DEBORAH L. SATHER**  
Licensed in Oregon and Washington  
Direct Dial: 503.412.3101  
dsather@sbhlegal.com

June 10, 2013

Brent Webster  
PO Box 55696  
Portland, OR 97238

**Re: Claimant: Brent Webster**  
**Employer: Multnomah County**  
**Claim No.: MU-11-0500403**  
**D/Injury: March 13, 2011**  
**WCB No.: 13-00628**  
**WCD No.: GBF8864**  
**D/Hearing: April 29, 2013**

Dear Mr. Webster:

You have filed an appeal to the Workers' compensation Board. Please contact me directly or my appellate assistant Teresa Beristain (503-412-3114 or [tberistain@sbhlegal.com](mailto:tberistain@sbhlegal.com)) for issues relating to your appeal.

If you retain an attorney, please have your attorney contact me as soon as possible.

Sincerely,

Deborah L. Sather

DLS:tab

cc: JD Taylor, Multnomah County - via email



**SATHER BYERLY & HOLLOWAY LLP**  
**ATTORNEYS**

**JEANA C. WINES**  
Licensed in Oregon and Washington  
Direct Dial: 503.595.2122  
jwines@sbhlegal.com

April 1, 2013

Hon. Robert Pardington  
Workers' Compensation Board  
Hearings Division  
800 NE Oregon St., Suite 340  
Portland, OR 97232

**Re: Claimant: Brent Webster**  
**Employer: Multnomah County**  
**Claim No.: MU-11-0500403**  
**D/Injury: March 13, 2011**  
**WCB No.: 13-00628**  
**D/Hearing: April 29, 2013**

Dear Judge Pardington:

This office represents Multnomah County and CorVel in connection with the above-referenced matter. Enclosed, please find the indexed exhibits we will rely upon at time of hearing. A duplicate packet has been provided this date to claimant.

Please direct all Board and Hearings Division correspondence, notices and inquiries regarding this matter to my attention.

Sincerely,

Jeana C. Wines

JCW:dha  
Enclosure

cc: Brent Webster, Claimant (w/ encl.)  
JD Taylor, CorVel (w/ index)



Workers' Compensation Division

## Worker Request for Reconsideration

There can only be one reconsideration proceeding by the Workers' Compensation Division (WCD) for any claim closure. All parties can raise issues and provide evidence within the statutory time limits. When permanent disability is raised, WCD will automatically review accepted conditions for temporary rating standards. For help filling out this form, contact the Appellate Review Unit, 503-947-7816, or the Ombudsman for Injured Workers, 503-378-3351 or toll-free 800-927-1271. Complete and send a signed copy of this form, along with any information you want reviewed, to: Appellate Review Unit, Workers' Compensation Division, 350 Winter St. NE, P.O. Box 14480, Salem, Oregon 97309-0405. If you have an attorney, include a current signed retainer agreement.

### Claim identification

Worker's name: Brent E. Webster WCD no.: GBF8864 Date of injury: 3/13/2011  
Address: PO Box 55696 Worker's date of birth: 12-7-1963  
Portland, Oregon [97238] Insurer claim no.: MU-11-0500403  
Phone no.: 503-933-2000 Insurer name: Corvel  
E-mail: brentwebster@gmail.com E-mail: \_\_\_\_\_  
Worker's attorney (if any): \_\_\_\_\_ Insurer's attorney (if known): \_\_\_\_\_  
Address: \_\_\_\_\_ Address: \_\_\_\_\_  
Phone no.: \_\_\_\_\_ Phone no.: \_\_\_\_\_  
E-mail: \_\_\_\_\_ E-mail: \_\_\_\_\_

### Reconsideration of closure (Check all boxes that apply. See back of this form for definitions.)

I request reconsideration of the Notice(s) of Closure (NOC) dated: \_\_\_\_\_

- ☐ I have special language needs. Please identify your language need: \_\_\_\_\_  
☐ I have asked for and received a "lump sum" (full) payment of my permanent disability award.  
☐ I will be scheduling a worker deposition.  
☐ I initiated this request by phone.  
☐ I request a panel exam.

### Issues (Check all issues you want reviewed. If you don't check a box, your right to dispute that issue ends.)

- ☒ 1. The insurer closed my claim too soon or closed it improperly (e.g., not medically stationary).  
☒ 2. I disagree with the medically stationary or statutory closure date on the NOC. Correct date: UNKNOWN  
☒ 3. I disagree with the temporary disability dates shown on the NOC. Correct dates: 3/13/2011 to - Present  
☒ 4. I disagree with the impairment findings used to determine and rate permanent disability. I want to be examined by a medical arbiter.  
☐ 5. I disagree with the rating of permanent disability and understand that by marking this box I will *not* be scheduled for a medical arbiter exam.  
☒ 6. I have additional issue(s) with the NOC. Explain: I disagree with the temporary disability and time loss findings.  
Yes Dr. Kane has released me for work on 8-13-2012, but not because I am not still suffering from my injuries. I have only been able to do small project of no more than 2-3 hours a day for 2-3- days a week. I am still suffering from the same conditions that are associated with my injury from 3-13-2011. JD Taylor Sr. Claims Specialist with CorVel Corporation has stifled my treatments by closing my claim several times over the last year and a half. Although my claim was reopened no less than 4 times I have not recovered from my injuries. By closing my claims several times JD Taylor has prevented me from receiving adequate care in the beginning months of fighting for my health. Also I have not received one penny from CorVel for not being able to work more than a few hours a week. Now JD Taylor sends me a NOC stating that "You are entitled to no permanent disability benefits" when he didn't even give me Temporary benefits monetarily. I waited 30 days after the NOC to receive some reimbursement of some kind and have not to this date 11-12-2012. My injuries are considered medically stationary which only means that Dr. Kane believes that I will not get any better with more treatment or the passage of time. I am not back to normal; I now have to live with chronic pain which is a reminder every day to the limitations caused by a preventable injury, in an un-safe work environment. Then to make matters worse I did not receive satisfactory treatment until it was too late to help. Now JD Taylor is once again trying to stifle my well-being by not attempting to offer any considerations in the form of a check for not working or in the form of palliative care to help reduce or moderate temporarily the intensity of an otherwise stable medical condition. I ask that provisions be granted to facilitate a happier and healthier life for myself in the form of permanent partial disability benefits and palliative care to help me live a more pain free. Thank you for your reconsideration.



# CORVEL

August 29, 2012

Brent Webster  
PO Box 55696  
Portland, OR 97238

RE: Claim No.: MU-11-0500403  
D/Incident: 03/13/2011  
Employer: Multnomah County

## UPDATED NOTICE OF ACCEPTANCE AT CLOSURE

Dear Mr. Webster:

Recent information in your claim indicates it qualifies for closure. Information pertaining to your claim closure is being processed separately. Pursuant to ORS 656.262(7), we are issuing this *"Updated Notice of Acceptance at Closure"* specifying the currently accepted medical conditions relative to your claim.

This letter is to inform you we have classified your claim as **disabling** and accepted your claim for the following compensable condition(s):

### Thoracic, lumbar and cervical strains

Should you disagree with the condition(s) accepted you are required to advise us immediately in written form at the address listed on this letter, and state the nature of your disagreement.

We are required to inform you of the following:

**Notice to Worker:** This notice restates and includes all prior acceptances. The conditions that were the basis of this claim opening were the only conditions considered at the time of claim closure. The insurer or self-insured employer is not required to pay any disability compensation for any condition specifically identified as under appeal, unless and until the condition is found to be compensable after all litigation is complete. Appeal of any denied conditions or objections to this notice will not delay claim closure. Any condition found compensable after the Notice of Closure is issued will require the insurer to reopen the claim for processing of that condition. If you believe a condition has been incorrectly omitted from this notice, or this notice is otherwise deficient, you must communicate the specific objection to the insurer in writing.

Multnomah County  
c/o Corvel Corporation  
PO Box 230608  
Portland OR 97281  
503-501-5578

# Notice of Closure Worksheet

(Dates of injury on or after Jan. 1, 2005)

<b>1</b>	Worker's legal name (first, m.i., last): <b>BRENT WEBSTER</b>	WCD file no.: <b>GBF8864</b>
	Date of birth: <b>12/7/63</b> Denial date(s): _____	Date of injury: <b>3/13/11</b>
	Type of notice: <b>1222</b> <input type="checkbox"/> No additional PPD First closure date: <b>NOW</b> <input type="checkbox"/> Prior PPD award considered	Insurer's claim no.: <b>MU-11-0500403</b>
	Prior awards of PPD: Date: _____ Value: _____ Date: _____ Value: _____	
	Other claims? Insurer: _____ No: _____ Open? <input type="checkbox"/> Yes <input type="checkbox"/> No	

2	Time loss	Authorized from	Authorized through	Time loss	Authorized from	Authorized through	Time loss	Authorized from	Authorized through
<input type="checkbox"/> TTD <input checked="" type="checkbox"/> TPD	<b>3/20/11</b>	<b>8-13-12</b>		<input type="checkbox"/> TTD <input type="checkbox"/> TPD			<input type="checkbox"/> TTD <input type="checkbox"/> TPD		
<input type="checkbox"/> TTD <input type="checkbox"/> TPD				<input type="checkbox"/> TTD <input type="checkbox"/> TPD			<input type="checkbox"/> TTD <input type="checkbox"/> TPD		
<input type="checkbox"/> TTD <input type="checkbox"/> TPD				<input type="checkbox"/> TTD <input type="checkbox"/> TPD			<input type="checkbox"/> TTD <input type="checkbox"/> TPD		

Three-day waiting period: ☒ Yes ☐ No Dates: **3-13, 14, 15-11**

Med-stat date: **8/13/12** OR Date claim qualified for closure: \_\_\_\_\_ Per OAR 436-030- **0035 (1)**

☒ Per A.P. report ☐ Per IME Report dated: **8/13/12** A.P. concurrence? ☐ Yes ☐ No Dated: \_\_\_\_\_

Last exam/treatment date: \_\_\_\_\_ Failed exam date: \_\_\_\_\_ Released to regular work date: **8/13/12**

Treatment letter sent date: \_\_\_\_\_ Worker response received date: \_\_\_\_\_ Date extent of PPD established: \_\_\_\_\_

<b>3</b>	ATP begin date: _____	ATP end date: _____	Exam/report date: _____
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<b>4</b>	Impairment (Show applicable body part code/rules/conversions/computations below)
	Closing exam: Date: <b>8/13/12</b> By: <b>Kevin Kane, DO</b>
	<input type="checkbox"/> Amputation <input type="checkbox"/> Opposition <input type="checkbox"/> Range of motion <input type="checkbox"/> Instability <input type="checkbox"/> Hearing loss <input type="checkbox"/> Prosthetic implant <input type="checkbox"/> Sensory change <input type="checkbox"/> Surgery <input type="checkbox"/> Change of length <input type="checkbox"/> Strength loss <input type="checkbox"/> Visual loss <input type="checkbox"/> Chronic condition <input type="checkbox"/> Other
	<b>No impairment</b>
	Whole person _____ %

<b>5</b>	Social/vocational factors
	<b>Age and education</b> Age: _____ Range (0-1): _____ Impact: _____ Formal education: _____ Range (0-1): _____ Job-at-injury DOT(s): _____ 5-year high SVP DOT(s): _____ SVP: _____ (1-4): _____ Total age/ed value: _____ <b>Adaptability</b> 5-year high strength DOT(s): _____ Strength code: _____ BFC: _____ to RFC: _____ (1-7): _____ Adaptability scale: whole person (%) _____ (1-7): _____ Higher adaptability value: _____ <b>Social-vocational value</b> Age/ed _____ X Adapt _____ = Value _____

<b>6</b>	Impairment calculation:		
	Whole person (%) _____ X 100 X (SAWW) _____ S _____ = Impairment benefit: _____	\$	
<b>7</b>	Work disability calculation:		
	Whole person (%) _____ + Soc-voc value _____ X 150 X (Worker AWW) _____ S _____ = Work disability benefit: _____	\$	
<b>8</b>	Total PPD calculation:		
	Impairment benefit \$ _____ + Work disability benefit \$ _____ = Total PPD award: _____	\$	
<b>9</b>	Subsequent change of award:		
	Prior award of PPD in dollars \$ _____ Net change of award in dollars \$ _____		

Prepared by: **Tally Kuehn** Print name/title: \_\_\_\_\_ D/E operator: **TK**

**NOTE TO WORKER:** The insurer used this worksheet to calculate benefits shown on the attached Notice of Closure (NOC). This worksheet is not a legal order and is not subject to appeal. If you have questions, contact the insurer at the address or phone number on the front of the NOC. You can get more help by calling the phone numbers listed on the back of the NOC.

Multnomah County  
c/o Corvel Corporation  
PO Box 230608  
Portland OR 97281  
503-501-5585

## Insurer Notice of Closure Summary

Worker (legal name) First MI Last <b>BRENT WEBSTER</b>			WCD file no. <b>gbf8864</b>
Address <b>PO BOX 55696</b>			Date of injury (Month-Day-Year) <b>3/13/2011</b>
City State ZIP <b>PORTLAND OR 97238</b>			Insurer claim no. <b>MU-11-0500403</b>
Employer (legal name), address, city, state, ZIP <b>MULTNOMAH COUNTY; 501 SE HAWTHORNE BLVD #400, PORTLAND OR 97214</b>			Was the claim closed timely? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Attending physician <b>KEVIN KANE, DO</b>		Worker's attorney <b>N/A</b>	

**Notice to worker:** This copy is for your information only. No action is required if the information is correct. Immediately report any incorrect information to your insurer and to the Workers' Compensation Division, 503-947-7585 or 800-452-0288.

**1. Reason for filing this form** (Attach the Notice of Closure, Worksheet, and Updated Notice of Acceptance at Closure as applicable.)

☒ (A) Notice of Closure

☐ Yes Is the claim being closed after reopening for an accepted new medical condition?

☒ No See ORS 656.262(7)(c).

☐ (J) Correct Notice of Closure dated \_\_\_\_\_

**Note:** Provide the mailing date printed on the (prior) Notice of Closure being corrected or rescinded.

☐ (U) Rescind Notice of Closure dated \_\_\_\_\_

**2. Claim information since date of injury**

**Time** Total \_\_\_\_\_ weeks and/or 40 workdays of TTD paid since DOI. Total **\$ 36.00** TTD paid since DOI.

**loss:** Total \_\_\_\_\_ weeks and/or \_\_\_\_\_ workdays of TPD paid since DOI. Total **\$** TPD paid since DOI.

☐ Check here if you are aware of an overpayment of time-loss benefits.

**Medical** **\$ 13,487.50** Total medical costs paid (including charges received but not yet paid at time of this filing)

**3. Preferred worker and vocational information (on the date the claim is closed)**

Accurate information is necessary to determine the worker's eligibility for preferred worker and vocational benefits.

**Return to work type (Check one.)**

☒ (J) Job at injury (same employer)

☐ (A) Job at aggravation (same employer)

☐ (M) Modified/restricted duty

☐ (N) New job

☐ (X) No job

☐ (D) Worker is deceased (Do not complete the remainder of Section 3.)

**Release to work type (Check one.)**

☒ (J) Job at injury without restrictions

☐ (A) Job at aggravation without restrictions

☐ (M) Restricted duty due to compensable conditions

☐ (Z) Work restrictions NOT due to compensable conditions

☐ (X) Unable to work at all due to compensable conditions (PTD)

☐ (Y) No closing medical information received (administrative closure under OAR 436-030-0034)

**Employer type (Check one.)**

☒ (S) Employer at injury

☐ (A) Employer at aggravation

☐ (N) New employer

☐ (X) Not employed

**Employment status (Check one.)**

☒ (P) Permanent

☐ (T) Temporary

☐ (X) Not employed

☐ Yes

☒ No

Did the worker refuse appropriate employment with the employer at original injury or employer at aggravation?

**Explanation:**

**DCBS USE ONLY**

I certify this information is true and correct, and that all dates required are entered and accurate:



Insurer representative signature

**JD Taylor, Senior Claim Specialist**

Name and title (please print)

4403503 (01/10/DCBS/WCD/WEB)

**8/29/2012**

Date

**503-501-5585**

Phone/extension

**1503**

# CORVEL

June 5, 2012

Brent Webster  
PO Box 55696  
Portland, OR 97238

RE: Employee: Brent Webster  
Employer: Multnomah County  
Claim #: MU-11-0500403  
DOI: 3/13/2011

Dear Mr. Webster:

Two checks were issued to you on May 23, 2011 totaling \$36.00. It has come to our attention this check has not been cashed. This payment was issued for time loss benefits.

Please advise us if you received the check and if you plan to cash it. If we do not hear back from you within 14 days the check will be voided.

Sincerely,



JD Taylor  
Claims Specialist  
503-501-5585

Cc: Multnomah County



**OREGON JUDICIAL DEPARTMENT  
Appellate Court Records Section**

**November 25, 2019**

**Brent Evan Webster  
8701 SE Cottrell Rd  
Boring OR 97009**

**RE: Filings Received after Petition Denied and Appellate Judgment Issued**

**Dear Mr. Webster,**

**This court received the attached filings on October 30, 2019, asking for Supreme Court review or action. The Supreme Court issued an order denying your petition on October 3, 2019, and therefore the Supreme Court case is closed.**

**To the extent your filings attempt to initiate a new proceeding, they are not a recognized form for doing so. As a result, the court is returning as unfiled your documents. If you wish to initiate a new proceeding, please review the Oregon Rules of Appellate Procedure and the Oregon Revised Statutes for the form for filing a case initiating document.**

**Sincerely,**

**Emily, Paralegal  
Supreme Court Clerk**