

FILED

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

AUG 11 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.

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.

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District of Oregon,
Portland

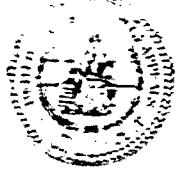
ORDER

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



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 Ander L. Haggerty to the Honorable John V. Acosta, United States Magistrate Judge.¹ Information on this case may be obtained from the following:

Courtroom Deputy: Paul Gale
Telephone: 503-326-8056
Email: paul_gale@ord.uscourts.gov

Docket Information: Giselle Williams
Telephone: 503-326-8022
Email: 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

¹ 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. Aucer 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

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

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.

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,

18 APPENDIX B
Appeal and enter final judgment, which may be appealed directly to the Ninth Circuit Court of Appeals.

POR~~T~~LAND OR 970

25 APR 2014 PM2 L

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

38569696

Circuit Ct. U.S. Dist. Ct. Case No. 03-02977
 Appeals Ct. Bankruptcy Ct. Our File No. _____
 Supreme Ct. Other _____

RAE
(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 Removal of Civil Action
(Title of Document)

<input type="checkbox"/> Date signed _____	, by Judge _____
<input checked="" type="checkbox"/> Date entered _____	, by _____
<input type="checkbox"/> Date terminated _____	
<input checked="" type="checkbox"/> Date filed _____	
<input type="checkbox"/> Date served _____	
<input type="checkbox"/> Attorney fees awarded \$ _____	<input type="checkbox"/> Costs awarded at \$ _____
<input type="checkbox"/> Motion allowed	<input type="checkbox"/> Motion denied
Remarks _____	

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FORM No. 943 EK
NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.

APPENDIX C

1 | Brent-Evan: Webster
| Authorized Representative

3-12-14

3 PO Box 55696
Portland, Oregon [97238]
503-933-2000
4 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.) Civil Case No.: 140302977
Plaintiffs,) Filing Date: 3-12-2014
vs.) Date of Injury: 3-13-2011
MULTNOMAH COUNTY OREGON, JUDGE) CCMSI CLAIM No.: 11C31B530569
MICHAEL MARKUS OSB 742039) CORVEL CLAIM No.: MU110500403
Individually, DDA ADAM GIBBS OSB 083354) WCD File No.: GBF8864
Individually, SGT D'MOORE) COMPLAINT FOR PERSONAL INJURY
Individually, SGT HAASE Individually,) INVOLUNTARY SERVITUDE/SLAVERY,
PPO OFFICER HOESLEY, CANNON COCHRAN) KIDNAPPING, LEGAL MALPRACTIC
MANAGEMENT SERVICES INC. and SR.)
CLAIMS EXAMINER THERESE BRADY) ENFORCEMENT OF EMPLOYMENT CONTRACT
Individually, CÖRVEL ENTERPRISES COMP)
INC. and SR. CLAIMS SPECIALIST JD) NOT SUBJECT TO MANDATORY ARBITRATION
TAYLOR Individually, ARAMARK UNIFORM)
SERVICES, PRESIDENT/CEO ERIC J. FOSS) DISCOVERY AND DEPOSITIONS DEMANDED
FOR THE BOARD OF DIRECTORS, and DOES)
1 through 100, inclusive,) JURY TRIAL DEMANDED (POSSIBLE CLASS)
Defendants,)

Plaintiffs allege:

Parties

25 1) Plaintiffs brent-evan: Webster is a Natural born native and citizen
26 of Oregon and holds status of sui juris, Individual, and Business Owner.

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,) PETITION FOR
v.) WRIT OF HABEAS CORPUS BY ONE OF
,) THE PEOPLE IN STATE CONSTRUCTIVE
THE STATE OF OREGON, COUNTY OF) CUSTODY (NOT SENTENCED TO DEATH)
MULTNOMAH, THE CIRCUIT COURT OF)
THE STATE OF OREGON FOR MULTNOMAH) Re: Circuit Court of the State of
COUNTY, MICHAEL D. SCHRUNK, ADAM) Oregon No. 10-10-51070
GIBBS, RON HOESLY, & CITY ATTORNEY)
LINDA MENG, *PMV*)
Respondents,)

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
2/12/11

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

10-01-10

Brent Weller

Original Exhibit B

This is my habeas Corpus

This is a self executing contract
Whether I Finish speaking OR not.

I have a right to make this
clear and certain.

I will not accept any nominee
to speak for me neither politician
nor attorney.

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

I thank the court for expediting
this issuance for both legal and
personal purposes.

How may I address you judge?

Thank you _____.

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

10-01-22 AM 8:22
FOURTH JUDICIAL
FILER 10-6
①

Brent Weller
10/01/2010

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 states, this Countries
and this Cities 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 fact. I Represent
the body and call on Hague
Corous I to release this flesh
without 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 admitly cont under
the rule of law.

Now comes Brett & Webster, says just people 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 force me to stipulate to an order, not much different than placing an order at "McDonalds", by their own words, they asked if I was "Macked 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 ~~we~~ have rebuked all presumptions ~~of~~ ~~as~~ corporate fiction and/or ~~as~~ ~~an~~ artificial legal person.

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

Brett Webster 10-01-2016
30FB (3)

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 a city under color of law and not the rule of law and is no different than a McDonald's Corporation, who creates road blocks to sit 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.

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

So as a matter of notice
this is my second notice to
end 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 or
and fulfill this agreement. On
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
Attorneys 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.

Bethel 506
Bethel 5

as representative of subject
that if any part of this
agreement is unclear, that
this court error in favor
of the defendant by releasing
him now, no harm or
foul other from this contract
will be self evident from
the time of signature
till such time as charges
are fully drawn from all
agencies concerning this violation
of my persons right to contract
under reasonable conditions.

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

There for, UCC will be
used to enforce these agree-
ments in the administrative
process, authorized universally
from out the world including
these United States.

If there nothing further to add

Original

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

2014 JAN 23 PM 4:14
FILED

FOR MULTNOMAH COUNTY
CIRCUIT COURT

3 STATE OF OREGON

4 Plaintiff,

5 vs.

ENTERED

FEB 19 2014

IN REGISTER BY

6 brent-evan: webster, sui juris

7 Accused/Third-Party Plaintiffs

8 (Private Attorney General)

9 Vs.

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

12 Living Third-Party Defendants,

) 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 9th 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 COMMITTED ANY CORPUS
) DELICTI TO THE STATE OR PERSONS

)

13

14 AFFIDAVIT OF Private Attorney General brent-evan: webster dba- WEBSTER:

15 BRENT-EVAN, This Action was commenced on January 22, 2013 and was served upon
16 all third-party defendants named in this counter-claims case. A copy of the
17 counter-claims (case 130100928) was certified through the U.S. Postal Service
18 and was also served by way of e-mail to the best known Addresses; this was
19 followed by an Affidavit of service on February 6, 2013.

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

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

26 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,

No. 10-10-51070

Plaintif
v.

Defendant's Motion in
IN ARREST OF JUDGMENT
and denial of STATES
SENTENCING MEMORANDUM

BRENT WEBSTER

Defendant.

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 6pm
2/27/11
JG



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:

*Horacic 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.



www.ccmsi.com

3. Are there any non-working factors (such as avocational activities, off work injuries, idiopathic causes, congenital abnormalities, etc.)? If so, please identify. *ptate burns*
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 days off work affecting 10 days occasional*
6. Do you anticipate any permanent impairment as a result of the incident of 03/13/11? Please explain. *NO*

Sincerely,

Therese Brady
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 follow free until 3/20/11. He was
missed a week of work - we have not or will
not authorize that since 3/13/11.
He has not attended physical therapy since 3/13/11.
He was supposed to follow-up 4/3/11 but has not
done so.*

He took 8 days off

He told Pt 3/24/11 that he was not working - yet we put him on
light duty -
4/6/11-
32 Did yard work 503-561-8318 ! 503-589-4727 ! Fax: 503-589-4724 ! www.ccmsi.com
at home

Cannon Cochran Management Services, Inc.

750 Front Street ! Suite 260 ! Salem, OR 97301

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

CORVEL ENTERPRISE COMP, INC.

MULTNOMAH COUNTY
P.O. BOX 230608
PORTLAND, OR 97281**C O R V E L**bankcode=MULTN
65798
531(NC)CHECK NUMBER
5016886CHECK DATE
03/21/14

*****\$300.58

PLEASE CASH IMMEDIATELY
VOID AFTER 180 DAYSPAY EXACTLY: *Three hundred and 58/100 Dollars*PAY
TO THE
ORDER
OF
BRENT WEBSTER
PO Box 55696
Portland, OR 97238

BANK OF AMERICA



#0005016886# 1053107989# 002210005534#

C O R V E LDETACH 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) 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

Address: PO Box 55696

Portland, Oregon [97238]

Phone no.: 503-933-2000

E-mail: brentewebster@gmail.com

Worker's attorney (if any): _____

Address: _____

Phone no.: _____

E-mail: _____

WCD no.: GBF8864 Date of injury: 3/13/2011

Worker's date of birth: 12-7-1963

Insurer claim no.: MU-11-0500403

Insurer name: Corvel

E-mail: _____

Insurer's attorney (if known): _____

Address: _____

Phone no.: _____

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.

C O R V E L

August 29, 2012

Brent Webster
PO Box 55696
Portland, OR 97238

RE: Claim No.: MU-11-0500403
D/Iccident: 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)

1 Worker's legal name (first, m.i., last): BRENT WEBSTER								WCD file no.: GBF8864	
Date of birth: 12/7/63 Denial date(s): _____								Date of injury: 3/13/11	
Type of notice: 1222 <input type="checkbox"/> No additional PPD First closure date: NOW <input type="checkbox"/> Prior PPD award considered Prior awards of PPD: Date: _____ Value: _____ Date: _____ Value: _____								Insurcr's claim no.: MU-11-0500403	
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 3/20/11		8-13-12	<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: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> 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) A.P. concurrence? <input type="checkbox"/> Yes <input type="checkbox"/> No Dated: _____							
<input checked="" type="checkbox"/> Per A.P. report <input type="checkbox"/> Per IME		Report dated: 8/13/12 Failed exam date: _____							
Last exam/treatment date: _____		Released to regular work date: 8/13/12 Date extent of PPD established: _____							
Treatment letter sent date: _____		Worker response received date: _____							
3 ATP begin date: _____ ATP end date: _____ Exam/report date: _____									
4 Impairment (Show applicable body part code/rules/conversions/computations below)		5 Social/vocational factors							
Closing exam: Date: 8/13/12 By: Kevin Kane, DO		Age and education Age: _____ (0-1): <input type="checkbox"/> Formal education: _____ (0-1): <input type="checkbox"/> Job-at-injury DOT(s): _____ 5-year high SVP DOT(s): _____ SVP: _____ (1-4): <input type="checkbox"/> Total age/ed value: _____							
<input type="checkbox"/> Amputation <input type="checkbox"/> Opposition <input type="checkbox"/> Range of motion <input type="checkbox"/> Instability		No impairment							
<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		Whole person <input type="checkbox"/> %							
6 Impairment calculation: Whole person (%) X 100 X (SAWW) S = Impairment benefit: _____ \$ _____		Adaptability 5-year high strength DOT(s): _____ Strength code: _____ BFC: _____ to RFC: _____ (1-7): <input type="checkbox"/> Adaptability scale: whole person (%) _____ (1-7): <input type="checkbox"/> Higher adaptability value: _____							
7 Work disability calculation: Whole person (%) + Soc-voc value X 150 X (Worker AWW) S = Work disability benefit: _____ \$ _____		Social-vocational value Age/cd — X Adapt — = Value: _____							
8 Total PPD calculation: Impairment benefit \$ + Work disability benefit \$ = Total PPD award: _____ \$ _____									
9 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.

440-2807a (01/10/DCBS/WCD/WEB)

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

Insurer Notice of Closure Summary

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

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 _____
 (U) Rescind Notice of Closure dated _____

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

2. Claim information since date of injury

Time loss: Total _____ weeks and/or **40** workdays of TTD paid since DOI. Total **\$ 36.00** TTD paid since DOI.
 Time 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 **S 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)

4403903 (01/10/DCBS/WCD/WEB)

8/29/2012

Date

503-501-5585

Phone/extension

1503

C O R V E L

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**