

In the ORS 656.245 Medical Services of
PATRICIA D. HIGHTOWER, Claimant

Contested Case No: 09-164H

PROPOSED & FINAL ORDER

February 5, 2010

MARYBETTS SINCLAIR LMT, Petitioner

SAIF, Respondent

Before Martha J. Brown, Administrative Law Judge

On October 19, 2010, the Hearings Division received a request for hearing from Marybetts Sinclair, provider, regarding a Medical Services Dispute. The matter was set for hearing on January 22, 2010, in Salem, Oregon. At the time of the scheduled hearing, Ms. Sinclair did not appear and there was no representative present on her behalf. The insurer, SAIF, was represented by its attorney, Thomas R. Nash. In light of Ms. Sinclair's failure to appear, SAIF moved for dismissal of the request for hearing.

Pursuant to OAR 438-006-0071(1), a request for hearing may be dismissed if a Administrative Law Judge finds that the party that requested the hearing has abandoned that request or has engaged in conduct that has resulted in an unjustified delay in the hearing of more than sixty (60) days.

Under the Board's rule, I conclude that Ms. Sinclair's request for hearing should be dismissed and SAIF's motion granted.

IT IS HEREBY ORDERED that the request for hearing is dismissed.