

# TESTIMONY SIGN-UP FOR

35831

#1441

IF YOU WISH TO SPEAK TO THE CITY COUNCIL,  
PLEASE PRINT YOUR NAME AND ADDRESS BELOW

NAME

ADDRESS & ZIP CODE

	NAME	ADDRESS & ZIP CODE
①	Jennifer Webber	3625 SW Logan, Pdx 97219
2	Billy Washington	Pdx 97218

Date: \_\_\_\_\_

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35831

**RESOLUTION No.**

Authorize the City Attorney to file an application to appear *amicus curiae* before the Supreme Court of the State of Oregon in Johansen v. SAIF, 158 Or App 672 (1999), CA A100445 (Resolution)

WHEREAS, SAIF Corporation is in litigation with Paul D. Johansen regarding the applicability and interpretation of statutes relating to entitlement of temporary disability benefits and other procedural and substantive issues with respect to new medical conditions arising on a previously accepted claim, and

WHEREAS, SAIF Corporation has petitioned to the Oregon Supreme Court asking for its review of the Court of Appeals decision on this litigation in Johansen v. SAIF, and

WHEREAS, the issues raised in SAIF's litigation impact the processing of many of the City's claims; and

WHEREAS, SAIF Corporation has estimates that if Johansen v. SAIF remains the law in the State of Oregon, the financial impact of the ruling in the workers' compensation system will be in the neighborhood of a quarter of a billion dollars (250 million), and

WHEREAS, the Bureau of Risk Management advises that if Johansen v. SAIF remains the law in the State of Oregon, the City will have to bear significant additional costs on many of the City's workers' compensation claims, and

WHEREAS, the City Attorney believes that participation by the City as an *amicus curiae* would assist obtaining review by the Oregon Supreme Court and assist the court in fully considering the implications arising from the decision in Johansen v. SAIF; and

WHEREAS, due to the short time limits provided by law, the City's *amicus* brief was due 10/6/99 before this resolution could be scheduled before the Council;

NOW, THEREFORE, BE IT RESOLVED that the City Attorney's application dated 10/6/99 to the Oregon Supreme Court for permission for the City of Portland to appear *amicus curiae* in the case of Johansen v. SAIF, 158 Or App 672 (1999) is authorized.

Mayor Vera Katz  
David L. Jorling nap  
October 5, 1999

Adopted by the Council:

**OCT 13 1999**

**Gary Blackmer**

Auditor of the City of Portland

By

*Britta Olson*  
Deputy

RESOLUTION NO. 35831

Title

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INTRODUCED BY	DATE FILED
Mayor Vera Katz	OCT 8 1999
NOTED BY COMMISSIONER	Gary Blackmer Auditor of the City of Portland
Affairs	By <u>Cory Kershner</u> Deputy
Finance and Administration <i>VK</i>	For Meeting of _____
Safety	ACTION TAKEN.
Utilities	
Works	
BUREAU APPROVAL	
Bureau Bureau of Risk Management	
Prepared by <i>MS</i> Date October 5, 1999	
David Jorling nap	
Budget Impact Review	
___ Completed ___ x ___ Not Required	
Bureau Head	

AGENDA	FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS	
		YEAS	NAYS
Consent <input checked="" type="checkbox"/> Regular	Francesconi	Francesconi	<input checked="" type="checkbox"/>
NOTED BY	Hales	Hales	<input checked="" type="checkbox"/>
City Attorney	Saltzman	Saltzman	<input type="checkbox"/>
City Auditor	Sten	Sten	<input checked="" type="checkbox"/>
City Engineer	Katz	Katz	<input checked="" type="checkbox"/>