

# Oneida Appeals Commission

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## Trial Court

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Rebecca Kamps,  
Petitioner

Docket No. 05-T-129

vs.

Oneida HRD-Benefits,  
Crawford Ins.,  
Respondents

Date: November 7, 2005

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## Motion to Dismiss

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This case has come before the Oneida Appeals Commission, Trial Court. Judicial Officers, Mary Adams, Janice McLester, and Winnifred Thomas, presiding.

### I Background

On September 21, 2005, Petitioner, Rebecca Kamps, filed an appeal of Respondent, HRD-Benefits, Crawford Insurance, decision to deny her medical expenses.

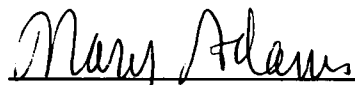
On October 21, 2005, Petitioner filed a Motion to Dismiss. Petitioner's motion contained a memo from Respondent's claims Representative, Betty Jaffer, explaining after a reconsideration, had agreed to pay all medical expenses relating to this injury.

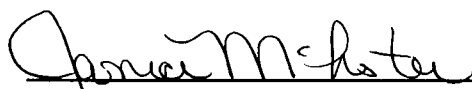
### II Decision

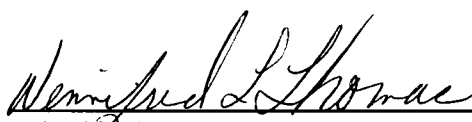
According to Rules of Civil Procedure, Rule 14 (A) (1), the trial court may dismiss the party's

claim with or without prejudice.<sup>1</sup> Therefore, this case is dismissed without prejudice.

By the authority vested in the Oneida Tribal Judicial System pursuant to Resolution 8-19-91A of the General Tribal Council it is so held on this 7<sup>th</sup> day of November 2005, in the matter of Rebecca Kamps v Oneida HRD-Benefits, Crawford Insurance, Docket No. 05-TC-129.

  
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Mary Adams, Lead Judicial Officer

  
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Janice McLester, Judicial Officer

  
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Winnifred Thomas, Judicial Officer

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<sup>1</sup> Voluntary Dismissal (1): A party may move the trial court to dismiss that party's claim and the trial court shall do so with or without prejudice as is just and proper given the stage of the proceedings.