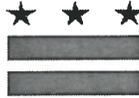


GOVERNMENT OF THE DISTRICT OF COLUMBIA

Department of Employment Services

MURIEL BOWSER
MAYOR



DEBORAH A. CARROLL
DIRECTOR

COMPENSATION REVIEW BOARD

CRB No. 15-125(A)

CARLOS HERNANDEZ,
Claimant,

v.

CLARK FOUNDATIONS, LLC and
AMERICAN ZURICH INSURANCE COMPANY
Employer/Insurer.

DEPT. OF EMPLOYMENT
SERVICES
COMPENSATION REVIEW
BOARD
2016 DEC 20 AM 9 57

On Consideration of an October 31, 2016 Application for an Attorney's Fee
AHD No. 14-587, OWC No. 694808

(Issued December 20, 2016)

Brian P. Riley for the Claimant
Sarah M. Burton for the Employer

Before HEATHER C. LESLIE, JEFFREY P. RUSSELL, *Administrative Appeals Judges* and LAWRENCE
D. TARR, *Chief Administrative Appeals Judge*.

HEATHER C. LESLIE for the Compensation Review Board:

ORDER GRANTING AN ATTORNEY FEE AWARD

Following a formal hearing, an administrative law judge ("ALJ") issued a Compensation Order awarding Claimant 25% permanent partial disability to his right hand, 15% permanent partial disability to his left upper extremity, and a 20% permanent partial disability to his left lower extremity. Employer appealed. The Compensation Review Board ("CRB"), after considering the parties arguments, vacated and remanded the Compensation Order for further findings of fact and conclusions of law. *Hernandez v. Clark Foundations*, CRB No. 15-125(1) (December 28, 2015).

A Compensation Order on Remand was then issued which awarded Claimant 25% permanent partial disability to his right hand and 15% permanent partial disability to his left hand. This award was not appealed by either party.

On October 31, 2016, counsel for Claimant filed a fee petition. In that fee petition, Counsel outlined the \$69,690.62 benefits secured through Counsel's representation. Counsel requested the CRB approve a fee in the amount of \$2,398.12 for 12.20 hours of work at a rate of \$200.00 per hour. Counsel also requested costs in the amount of \$55.50. Said fee request and costs were to be assessed against Claimant.

In support of the fee application, Counsel submitted retainer agreements¹ signed by the Claimant, a copy of a check for costs, and a time itemization outlining attorney and paralegal hours detailing work performed before the CRB.

CONCLUSION AND ORDER

Subject to the condition that the total attorney fee awarded and payable for all work performed before the Office of Hearings and Adjudication's Administrative Hearings Division and the CRB is limited to and does not exceed twenty percent (20%) of the actual benefits secured as a result of counsel's efforts with respect to the issues arising from AHD No. 14-587 and OWC No. 694808 an award of a reasonable attorney's fee in the amount of \$2,398.12 and costs in the amount of \$55.50 is assessed against Claimant and is payable directly to Claimant's counsel, Brian P. Riley.

So ordered.

¹ Claimant's counsel switched firms while representing Claimant and submitted retainers from both firms signed by the Claimant.