

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**

Department of Employment Services

VINCENT C. GRAY  
MAYOR



LISA M. MALLORY  
ACTING DIRECTOR

**COMPENSATION REVIEW BOARD**

**CRB No. 10-141**

**NATHALIA L. BROWN,  
Claimant-Petitioner,**

v.

**POTOMAC ELECTRIC POWER COMPANY,  
Self-Insured Employer-Respondent.**

Appeal from a Compensation Order on Remand of  
Administrative Law Judge Nata K. Brown  
AHD No. 98-259D, OWC No. 525617

DEPT. OF EMPLOYMENT  
SERVICES  
COMPENSATION REVIEW  
BOARD  
2011 JUN 21 AM 9 37

Matthew J. Peffer, Esq., for the Petitioner  
Kevin J. O'Connell, Esq., for the Respondent

Before HENRY W. MCCOY, MELISSA LIN JONES, and LAWRENCE D. TARR, *Administrative Appeals Judges*.

HENRY W. MCCOY, *Administrative Appeals Judge*, for the Review Panel.

**ORDER DISMISSING APPLICATION FOR REVIEW**

This case is before the Compensation Review Board (CRB) on the July 7, 2010 Application for Review (AFR) filed by Nathalia L. Brown (Claimant-Petitioner) appealing a June 10, 2010 Compensation Order on Remand issued by the Hearings and Adjudication section of the Office of Hearings and Adjudication.

On April 8, 2011, the CRB received correspondence from employer's counsel advising that "the parties have settled this case and are submitting a settlement agreement for approval by the Office of Workers' Compensation." The April 8, 2011 correspondence requested that this matter be stayed "to preserve the pending appeal in the event that the Office of Workers' Compensation does not approve our settlement agreement." The correspondence was signed by counsel for both parties. Claimant's counsel's office further advised the CRB that the proposed settlement agreement is currently pending submission to and approval by the Office of Workers' Compensation (OWC).

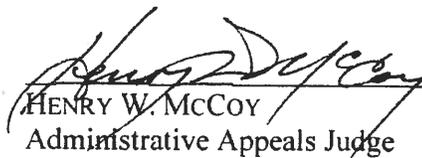
Neither the statutes nor regulations give the CRB authority to stay a pending appeal. However, to allow a party to pursue a settlement agreement without jeopardizing their right of

review, the CRB has adopted the procedure of dismissing an application for review without prejudice to refiling should such settlement agreement not be approved by the OWC.

Therefore, claimant's July 7, 2010 AFR is dismissed subject to reinstatement on claimant's re-filing an AFR within 20 calendar days after the OWC issues an order, if any, or takes such other action disapproving the parties' settlement agreement.

**So ORDERED:**

FOR THE COMPENSATION REVIEW BOARD:

  
HENRY W. MCCOY  
Administrative Appeals Judge

June 21, 2011  
Date