

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**

Department of Employment Services

MURIEL BOWSER  
MAYOR



DEBORAH A. CARROLL  
DIRECTOR

COMPENSATION REVIEW BOARD

**CRB No. 15-014 (A)**

**In Re: Application for Approval of an Attorneys' Fees Assessment**

**NORA SURRETT,  
Claimant,**

v.

**DISTRICT OF COLUMBIA PUBLIC SCHOOLS,  
Employer.**

AHD No. PBL10-012A, DCP No. 760005-0001-2001-0005

DEPT. OF EMPLOYMENT  
SERVICES  
COMPENSATION REVIEW  
BOARD  
2015 AUG 19 AM 11 56

(Issued August 19, 2015)

Frank McDougald for the Employer  
Andrew Hass for the Claimant

LAWRENCE D. TARR for the Compensation Review Board.

**ORDER AWARDING ATTORNEYS' FEES**

On June 12, 2001, Ms. Nora Surratt injured her back, shoulder, head, and pelvis when she fell while working as a special education assistant for the District of Columbia Public Schools ("Employer"). Employer paid Ms. Surratt temporary total disability compensation benefits and medical expenses until December 3, 2012.

In a Compensation Order dated December 30, 2014, an administrative law judge reinstated Ms. Surratt's benefits and awarded her continuing temporary total disability benefits. This was affirmed by the Compensation Review Board ("CRB") on June 29, 2015.

On July 29, 2015, the Claimant's attorney, Mr. Andrew Hass filed a fee application. Mr. Hass requested the CRB approve a fee in the amount of \$1,120.50 for 12.00 hours of legal work performed by Mr. Hass, Ms. Barbara Kavanaugh, and law clerk Jenna Johnson. In the application, Mr. Hass represents that as a result of the successful prosecution in this matter, his client is scheduled to receive sixty bi-weekly payments of \$231.14, for a total of \$13,868.40. Mr. Hass has provided and itemized statement of the time spent preparing for the appeal in this matter. Mr. Haas requests the fee be assessed against Employer.

On August 5, 2015, the CRB issued an Order for Employer to show cause why the fee should not be assessed as requested. Employer responded on August 14, 2015, stating that it does not oppose the award of the requested attorney fee.

Upon careful review of the contents of the file and all issues presented in this matter, and on due and sufficient consideration of Claimant's Motion for Attorneys' Fees, Employer's Response thereto, D.C. Code § 1-623.27, 7 DCMR §§ 109 and 269, the May 12, 2005 *Department of Employment Services Policy Directive Clarifying the Award of Attorneys Fees in Workers Compensation Cases*, and other applicable authority, the CRB finds that the fee requested to be assessed against Employer is reasonable, appropriate and should be granted.

**IT IS HEREBY ORDERED:**

An award for attorney fees and costs, to be assessed against Employer is approved in the total amount of one thousand one hundred and twenty dollars and fifty cents (\$1,120.50) as requested by counsel for Claimant-Petitioner, subject to the condition that the total fees awarded and payable for all work performed before the Department of Employment Services' Office of Workers' Compensation, Administrative Hearings Division, and the and CRB are limited to and do not exceed twenty percent (20%) of the actual benefits obtained as a result of Claimant's counsel's efforts with respect to issues decided in CRB No. 15-014, arising from the appeal of the Compensation Order issued in AHD No. PBL10-012A, DCP No. 760005-0001-2001-0005, as provided by the D.C. Code § 1-623.27(b)(2).

*So ordered.*