

GOVERNMENT OF THE DISTRICT OF COLUMBIA

Department of Employment Services

VINCENT C. GRAY
MAYOR



LISA MARÍA MALLORY
DIRECTOR

COMPENSATION REVIEW BOARD

CRB No. 13-056(A)(1)

**JACQUELINE CANNON,
Claimant-Respondent,**

v.

**COASTAL INTERNATIONAL SECURITY and CHARTIS INSURANCE CO.,
Employer/Insurer-Petitioner.**

Julie D. Murray, Esquire for the Petitioner
Rebekah A. Miller, Esquire for the Respondent

Before MELISSA LIN JONES, HEATHER C. LESLIE, and HENRY W. MCCOY, *Administrative Appeals Judges*.

MELISSA LIN JONES for the Compensation Review Board.

ORDER GRANTING ATTORNEY'S FEE

In a Compensation Order dated April 15, 2013, an administrative law judge awarded Ms. Jacqueline Cannon medical benefits and ongoing temporary total disability benefits as of July 21, 2012 because her left knee injury is compensable.¹ Ms. Cannon's employer, Coastal International Security, filed an appeal of that Compensation Order, and on June 24, 2013, the Compensation Review Board ("CRB") affirmed the Compensation Order.²

On September 19, 2013, Rebekah A. Miller, Esquire filed an application for an attorney's fee of \$1,550.00 for 7.75 hours of work before the CRB. Among other things, Ms. Miller's fee request lacked specificity regarding the statutory authority she relied upon and the party against whom the fee was to be assessed. Because she had not complied with the appropriate statutory and regulatory requirements for an award of an attorney's fee, the CRB denied Ms. Miller's request on October 3, 2013; she was granted 30 days to resubmit a request for an attorney's fee complying with the appropriate statutory and regulatory requirements for an award of an attorney's fee.

¹ *Cannon v. Coastal International Security*, AHD No. 13-012, OWC No. 695488 (April 15, 2013).

² *Cannon v. Coastal International Security*, CRB No. 13-056, AHD No. 13-012, OWC No. 695488 (June 24, 2013).

On October 17, 2013, with no request pending, Julie D. Murray, Esquire filed a letter consenting to Ms. Miller's September 19, 2013 fee petition. With nothing pending, this filing was late and unnecessary.

On October 21, 2013, Ms. Miller filed Claimant's Application for Attorney's Fee and Reconsideration of Order Denying Attorney's Fee ("Application").³ In the Application, Ms. Miller represents that as a result of her successful efforts before the CRB, her client has received more than \$43,000.00 in temporary total disability benefits, and Ms. Miller has provided an itemized statement of the time she spent preparing for the appeal in this matter; therefore, upon careful review of the record pertaining to this proceeding and in consideration of D.C. Official Code §32-1530, 7 DCMR §§224 and 269 *et. seq.*, and the May 12, 2005 Department of Employment Services Policy Directive Clarifying the Award of Attorney Fees in Workers' Compensation Cases, it hereby is

ORDERED:

Subject to the condition that the total attorney's fee awarded and payable for all work performed before the Office of Workers' Compensation, the Administrative Hearings Division, and the CRB does not exceed twenty percent (20%) of the actual benefits secured as a result of Ms. Miller's efforts with respect to the issues arising from OWC No. 695488, AHD No. 13-012 and CRB No. 13-056, as provided by the D.C. Official Code §32-1530(f) and 7 DCMR §224, an award of a reasonable attorney's fee in the amount of \$1,550.00 to be paid by Coastal International Security and Chartis Insurance Company is approved for payment directly to Rebekah A. Miller, Esquire.

FOR THE COMPENSATION REVIEW BOARD:

MELISSA LIN JONES
Administrative Appeals Judge

November 26, 2013

DATE

³ Ms. Murray did not file anything in response to this Application.