

W.B.)	
)	
Claimant-Petitioner)	
)	
v.)	
)	
SEA-LOGIX, L.L.C.)	DATE ISSUED: 11/30/2007
)	
and)	
)	
SIGNAL MUTUAL INDEMNITY)	
ASSOCIATION)	
)	
Employer/Carrier-)	ORDER on MOTION
Respondents)	for RECONSIDERATION

Employer has filed a timely motion for reconsideration of the Board’s Decision and Order in the captioned case, *W.B. v. Sea-Logix, L.L.C.*, 41 BRBS 89 (2007). *See* 33 U.S.C. §921(b)(5); 20 C.F.R. §802.407. Employer, after asserting that there are no additional issues to be decided by the administrative law judge, requests that the Board modify its Decision and Order to delete the statement that “the case is remanded to the administrative law judge for consideration of the remaining issues.” *W.B.*, 41 BRBS at 95. Claimant has responded in opposition to employer’s motion.

The formal hearing in this case was limited to the issue of coverage; in this regard, the administrative law judge specifically stated at the hearing that should she find that claimant is covered under the Act, further proceedings would be required. *See* Hearing Tr. at 6. Although the administrative law judge approved a number of stipulations presented by the parties at the formal hearing, those approved stipulations are insufficient to state the full terms of an award of benefits. *See* Decision and Order Denying Claim at 2. As the administrative law judge’s Decision and Order Denying Claim does not contain the findings necessary to enter an award of benefits, remand of the case to the administrative law judge for such findings is required.¹ *See Jackson v. Straus Systems, Inc.*, 21 BRBS 266, 269 n.2 (1988); *see generally Severin v. Exxon Corp.*, 910 F.2d 286, 289 (5th Cir. 1990) (to constitute a “final” decision of the administrative law judge, “the

¹ On remand, the parties may submit additional stipulations and request that the administrative law judge enter an order based on those stipulations.

order must at a minimum specify the amount of compensation due or provide a means of calculating the correct amount without resort to extra-record facts which are potentially subject to general dispute between the parties”).

Employer’s motion for reconsideration is therefore denied. 20 C.F.R. §802.409.

ROY P. SMITH
Administrative Appeals Judge

REGINA C. McGRANERY
Administrative Appeals Judge

BETTY JEAN HALL
Administrative Appeals Judge