

**United States Department of Labor  
Employees' Compensation Appeals Board**

In the Matter of B.G., Appellant	)	
	)	
and	)	Docket No. 19-0602
	)	Issued: February 29, 2024
DEPARTMENT OF HOMELAND SECURITY,	)	
CUSTOMS & BORDER PROTECTION,	)	
BORDER PATROL, San Diego, CA, Employer	)	

*Appearances:*  
Daniel M. Goodkin, Esq., for the appellant<sup>1</sup>  
Office of Solicitor, for the Director

*Case Submitted on the Record*

**ORDER GRANTING FEE PETITION**

Before:  
ALEC J. KOROMILAS, Chief Judge  
PATRICIA H. FITZGERALD, Deputy Chief Judge  
JAMES D. MCGINLEY, Alternate Judge

Counsel for appellant has filed a fee petition in the amount of \$1,272.50.<sup>2</sup> The Board notes that all petitions for approval of fees for representatives' services are considered under the Board's statutory authority found at section 8127 of the Federal Employees' Compensation Act<sup>3</sup> (FECA) and under its *Rules of Procedure* found at 20 C.F.R. § 501.9(e).<sup>4</sup>

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<sup>1</sup> In all cases in which a representative has been authorized in a matter before the Board, no claim for a fee for legal or other service performed on appeal before the Board is valid unless approved by the Board. 20 C.F.R. § 501.9(e). No contract for a stipulated fee or on a contingent fee basis will be approved by the Board. *Id.* An attorney or representative's collection of a fee without the Board's approval may constitute a misdemeanor, subject to fine or imprisonment for up to one year or both. *Id.*; see also 18 U.S.C. § 292. Demands for payment of fees to a representative, prior to approval by the Board, may be reported to appropriate authorities for investigation.

<sup>2</sup> FECA (5 U.S.C. § 8127(b)) and its implementing regulations (20 C.F.R. § 501.9) require the Board to review each fee petition on its own merits and with regard to the unique facts and issues of each appeal.

<sup>3</sup> 5 U.S.C. § 8127.

<sup>4</sup> 20 C.F.R. § 501.9(e).

As required by the Board's regulations, appellant has been afforded written notice of the fee requested and provided an opportunity to comment on the fee petition.<sup>5</sup> Attached to the fee petition is a signed acknowledgement by appellant consenting to the fee in the amount of \$1,272.50.

The Board has reviewed the fee petition and finds that it is in compliance with the Board's *Rules of Procedure*.<sup>6</sup>

**IT IS HEREBY ORDERED THAT** the fee petition is granted in the amount of \$1,272.50.

Issued: February 29, 2024  
Washington, DC

Alec J. Koromilas, Chief Judge  
Employees' Compensation Appeals Board

Patricia H. Fitzgerald, Deputy Chief Judge  
Employees' Compensation Appeals Board

James D. McGinley, Alternate Judge  
Employees' Compensation Appeals Board

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<sup>5</sup> *Id.*

<sup>6</sup> *Id.*