

BRB No. 07-0616

R.D. )  
 )  
 Claimant-Petitioner )  
 )  
 v. )  
 )  
 CROWN CENTRAL PETROLEUM ) DATE ISSUED: 04/08/2008  
 CORPORATION )  
 )  
 and )  
 )  
 LIBERTY MUTUAL INSURANCE )  
 COMPANY )  
 )  
 Employer/Carrier- )  
 Respondents ) ORDER

Claimant, who is without counsel, has filed a timely motion for reconsideration of the Board's Decision and Order in the captioned case, *R.D. v. Crown Central Petroleum Corp.*, BRB No. 07-0616 (Feb. 21, 2008). 33 U.S.C. §921(b)(5); 20 C.F.R. §802.407(a). The Board has reviewed its decision and there is no basis for granting reconsideration.

In its decision, the Board affirmed the administrative law judge's finding that the suspension of claimant's compensation and payments for pain management treatment ended on August 28, 2003. Thus, as of this date, the previous award of permanent total disability benefits and payments for pain management treatment were to resume. The administrative law judge did not suspend payment for psychological treatment. If employer is not paying for medical costs awarded by the administrative law judge, claimant should contact the district director's office. Similarly, any questions concerning medical care should be directed to the district director's office. 20 C.F.R. §702.407.

Claimant is advised that the case record forwarded to the Board is not missing any depositions admitted into evidence by the administrative law judge. Claimant is further advised that his costs cannot be paid by employer, as the Act provides for the payment of costs only when employer also is liable for an attorney's fee. 33 U.S.C. §928(d). As claimant is not represented by an attorney, no fees or costs are payable by employer. *Galle v. Director, OWCP*, 246 F.3d 440, 35 BRBS 17(CRT) (5<sup>th</sup> Cir.), cert. denied, 534 U.S. 1002 (2001).

Accordingly, claimant's motion for reconsideration is denied. 20 C.F.R. §802.409. The Board's decision is affirmed.<sup>1</sup>

SO ORDERED.

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NANCY S. DOLDER, Chief  
Administrative Appeals Judge

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ROY P. SMITH  
Administrative Appeals Judge

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REGINA C. McGRANERY  
Administrative Appeals Judge

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<sup>1</sup> If claimant is dissatisfied with the Board's decision, he may file an appeal with the appropriate United States Court of Appeals within 60 days of the date this Order is filed. 33 U.S.C. §921(c). A list of the Courts of Appeals is attached.