

BRB Nos. 04-426
and 04-426A
Case No. 02-LHC-00759
OWCP No. 01-144187

ROBERT LEWIS ZINGG)
) DATE ISSUED: August 25, 2004
 Claimant-Respondent)
 Cross-Petitioner)
)
 v.)
)
 P & W MARINE SERVICE, INC.)
)
 and)
)
 AMERICAN HOME INSURANCE)
 COMPANY)
)
 Employer/Carrier-)
 Petitioners)
 Cross-Respondents) ORDER

By joint motion dated August 12, 2004, the parties indicated that they have reached a settlement agreement and request that the Board remand the case to the District Director for further proceedings.

Section 8(i)(1) of the Longshore and Harbor Workers' Compensation Act, 33 U.S. C. §908 (i)(1), provides for the approval of such settlements by the administrative law judge or the district director. Consistent with this section, the Board, hereby, dismisses both claimant's and employer's appeals, BRB Nos. 04-234 and 04-234A, and remands the case to the Office of the District Director for further appropriate action.

In the event the settlement is not approved, and the petitioners wish review of the merits of their appeals, the Board will reinstate the appeals at the request of the petitioners. 33 U.S.C. §921(b)(4); 20 C.F.R. §802.405(a).

ROY P. SMITH
Administrative Appeals Judge

REGINA C. McGRANERY
Administrative Appeals Judge

JUDITH S. BOGGS
Administrative Appeals Judge