



BRB No. 14-0425

JOHN D. STEPHENSON )

Claimant-Respondent )

v. )

DATE ISSUED: Nov. 3, 2015

METRO MACHINE CORPORATION )

and )

SIGNAL MUTUAL INDEMNITY )  
ASSOCIATION, LIMITED )Employer/Carrier- )  
Petitioners )ORDER on MOTIONS for  
RECONSIDERATION and for  
ATTORNEY'S FEES

Employer has filed a timely motion for reconsideration of the Board's Decision and Order in the captioned case, *Stephenson v. Metro Machine Corp.*, BRB No. 14-0425 (Aug. 17, 2015). 33 U.S.C. §921(b)(5); 20 C.F.R. §802.407. Claimant responds, urging the Board to deny the motion. After consideration of the parties' contentions, we deny employer's motion for reconsideration. 20 C.F.R. §802.409. The Board's decision is affirmed.

Claimant's counsel has filed a petition for an attorney's fee for services performed before the Board in this appeal. Counsel seeks \$3,152, representing 5.76 hours of Attorney Camden's time at \$400 per hour and 5.75 hours of paralegal time at \$200 per hour. Employer has not filed objections to the attorney's fee petition.

Claimant is entitled to an attorney's fee payable by employer for successfully defending employer's appeal. See *Canty v. S.E.L. Maduro*, 26 BRBS 147 (1992); 20 C.F.R. §802.203(a). The fee requested by claimant's counsel is reasonable for the work performed in defending claimant's award of medical benefits. 20 C.F.R. §802.203(e). Therefore, we award claimant's counsel a fee of \$3,152, payable directly to counsel by employer. 33 U.S.C. §928; 20 C.F.R. §802.203.

Accordingly, employer's motion for reconsideration is denied, and the Board's decision is affirmed. Claimant's counsel is awarded a fee of \$3,152 for work performed before the Board in BRB No. 14-0425, to be paid directly to claimant's counsel by employer.

SO ORDERED.

---

BETTY JEAN HALL, Chief  
Administrative Appeals Judge

---

RYAN GILLIGAN  
Administrative Appeals Judge

---

JONATHAN ROLFE  
Administrative Appeals Judge