

BRB No. 14-0231

NED O. MILLER)	
)	
Claimant-Petitioner)	DATE ISSUED: <u>Oct. 22, 2014</u>
)	
v.)	
)	
HUNTINGTON INGALLS)	
INCORPORATED-PASCAGOULA)	
OPERATIONS)	
)	
Self-Insured)	ORDER on MOTION
Employer-Respondent)	for RECONSIDERATION

Employer has filed a timely motion for reconsideration of the Board’s decision in the captioned case, *Miller v. Huntington Ingalls Inc.*, BRB No. 14-0231 (Aug. 19, 2014) (unpub.). 33 U.S.C. §921(b)(5); 20 C.F.R. §802.407. Claimant responds that employer’s motion should be denied.

In its decision, the Board vacated the administrative law judge’s grant of employer’s motion for summary decision and his order terminating the de minimis award previously awarded to claimant by Administrative Law Judge Avery. The Board reinstated Judge Avery’s de minimis award and ordered that, in the interest of judicial efficiency, employer’s motion for modification of the prior award should be consolidated with claimant’s additional claims for adjudication by the same administrative law judge. In its motion, employer asks the Board to reconsider its decision to reinstate claimant’s de minimis award.

Employer has not demonstrated error in the Board's decision. Therefore, we deny employer's motion for reconsideration. 20 C.F.R. §§801.301(c), 802.409.

SO ORDERED.

BETTY JEAN HALL, Acting Chief
Administrative Appeals Judge

REGINA C. McGRANERY
Administrative Appeals Judge

JUDITH S. BOGGS
Administrative Appeals Judge¹

¹ Administrative Appeals Judge Judith S. Boggs is substituted on this panel due to the retirement of Administrative Appeals Judge Roy P. Smith. 20 C.F.R. §802.407(a).