

affirmed OWCP's denial of the claim.³ The record in the instant case, however, does not contain any evidence relating to the development of the prior claim.

The record contains a March 7, 2011 memorandum from an OWCP claims examiner reflecting that appellant's claim in File No. xxxxxx026 was substantially similar to her claim in File No. xxxxxx704. Noting that he was not combining the two cases due to the fact that both claims had been denied, the claims examiner stated that File No. xxxxxx704 should be consulted in the event that further review was necessary in File No. xxxxxx026.

As the allegations contained in File No. xxxxxx026 are substantially the same as those contained in File No. xxxxxx704, the medical evidence contained in File No. xxxxxx704 will necessarily bear directly on appellant's claim for compensation in File No. xxxxxx026. Because it is essential for the Board to review the medical evidence contained in file number xxxxxx704 in order to render a full and fair adjudication of the present appeal, this case will be remanded for OWCP to consolidate case file numbers xxxxxx704 and xxxxxx026. Reconstruction of the record will be followed by a *de novo* decision on the merits of the claim, in order to protect appellant's appeal rights.

³ Docket No. 07-1830 (issued November 14, 2007).

IT IS HEREBY ORDERED THAT the Office of Workers' Compensation Programs' December 6, 2010 decision be set aside and the case remanded for further development consistent with this order.⁴

Issued: November 15, 2011
Washington, DC

Richard J. Daschbach, Chief Judge
Employees' Compensation Appeals Board

Alec J. Koromilas, Judge
Employees' Compensation Appeals Board

Colleen Duffy Kiko, Judge
Employees' Compensation Appeals Board

⁴ In light of the Board's ruling on the December 6, 2010 merit decision, it is not necessary to address the March 7, 2011 nonmerit decision.