## **United States Department of Labor Employees' Compensation Appeals Board**

J.G., Appellant and NATIONAL ENDOWMENT FOR THE ARTS, THE NANCY HANKS CENTER, Washington, DC, Employer	) ) ) ) ) )	Docket No. 11-1437 Issued: September 27, 2011
Appearances: Appellant, pro se Office of Solicitor, for the Director	)	Case Submitted on the Record

## ORDER GRANTING REQUEST FOR ORAL ARGUMENT

Before:

RICHARD J. DASCHBACH, Chief Judge ALEC J. KOROMILAS, Judge COLLEEN DUFFY KIKO, Judge

By application dated May 23, 2010, appellant filed for review of a November 29, 2010 decision of the Office of Workers' Compensation Programs' (OWCP) which denied his claim for an injury in the performance of duty. The appeal was docketed as No. 11-1437. Appellant submitted a timely request for oral argument, explaining the need to address the evidence of record before the Board.

The Board has duly considered the matter and finds that appellant's request for oral argument should be granted. Pursuant to 20 C.F.R. § 501.5(a), oral argument may be held in the discretion of the Board. In the present appeal, appellant's request was timely filed and a need for oral argument was advanced. The Board has jurisdiction over the merits of appellant's claim. The November 29, 2010 OWCP decision found that the medical evidence did not address the factual history of how the injury occurred. Appellant contends that his condition was sustained in the performance of duty. He also contends that the medical evidence supports his claim. The Board, in its discretion, grants oral argument.

**IT IS HEREBY ORDERED THAT** appellant's request for oral argument in Docket No. 11-1437 be granted.

Issued: September 27, 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