

U.S. Department of Labor

Benefits Review Board
200 Constitution Ave. NW
Washington, DC 20210-0001



BRB Nos. 18-0260 BLA and 18-0416 BLA
Case Nos. 2013-BLA-06020 and 2016-BLA-05391

CHARLENE GALE KILGORE)
(o/b/o and Survivor of JUDY WAGNER))
)
Claimant-Respondent)

v.)

GUEST MOUNTAIN MINING)
CORPORATION)
)
and)

CHARTIS CASUALTY COMPANY)
)
Employer/Carrier-)
Petitioners)

DIRECTOR, OFFICE OF WORKERS')
COMPENSATION PROGRAMS, UNITED)
STATES DEPARTMENT OF LABOR)

Party-in-Interest)

DATE ISSUED: 01/24/2022

ORDER AWARDING AN
ATTORNEY'S FEE

Claimant's counsel filed an itemized petition requesting an attorney's fee for legal services performed in these appeals pursuant to 20 C.F.R. §802.203. *Wagner v. Guest Mountain Mining Corp.*, BRB Nos. 18-0260 BLA and 18-0416 BLA (Oct. 22, 2019) (unpub.). Counsel requests a fee of \$587.50 representing \$87.50 for 0.25 hour of legal services performed by Joseph E. Wolfe at the hourly rate of \$350, \$50 for 0.25 hour of legal services performed by Brad A. Austin at the hourly rate of \$200, \$350 for 1.75 hours of legal services performed by Rachel Wolfe at the hourly rate of \$200, and \$100 for 1.0

hour of legal assistant services at the hourly rate of \$100. Employer has not filed objections to counsel's fee petition.

The Benefits Review Board finds the requested fee to be reasonably commensurate with the necessary services performed in defending the awards of benefits on reconsideration. 20 C.F.R. §802.203(e).

Accordingly, we approve the requested fee of \$587.50, to be paid directly to Claimant's counsel by Employer.¹ 33 U.S.C. §928, as incorporated by 30 U.S.C. §932(a); 20 C.F.R. §802.203.

SO ORDERED.

JUDITH S. BOGGS, Chief
Administrative Appeals Judge

GREG J. BUZZARD
Administrative Appeals Judge

JONATHAN ROLFE
Administrative Appeals Judge

¹ The Board's award in this matter is of no precedential value given that counsel's request is unopposed.