



BRB No. 19-0520 BLA

DALLAS W. McCOY)	
)	
Claimant-Petitioner)	
)	
v.)	
)	
EASTERN ASSOCIATED COAL, LLC)	
)	
and)	DATE ISSUED: 01/24/2022
)	
PEABODY ENERGY CORPORATION)	
)	
Employer-Respondent)	
)	
DIRECTOR, OFFICE OF WORKERS')	
COMPENSATION PROGRAMS, UNITED)	
STATES DEPARTMENT OF LABOR)	
)	
Party-in-Interest)	ORDER AWARDING AN
)	ATTORNEY'S FEE

Claimant’s counsel has filed a complete, itemized statement requesting an attorney’s fee for services performed before the Board in defending Claimant’s award. 20 C.F.R. §802.203(a). Counsel requests a fee of \$1,787.50 for 1 hour of legal services by Joseph E. Wolfe at an hourly rate of \$350; 5 hours of legal services by Brad A. Austin at an hourly rate of \$200; 0.25 hour of legal services by Victoria S. Herman at an hourly rate of \$150; and 4 hours of legal assistant services at an hourly rate of \$100. Employer has not filed objections to counsel’s fee petition.

Upon review of the fee petition, we find the requested fee to be reasonably commensurate with the necessary services performed in defending the award of benefits.

We thus approve a fee of \$1,787.50, 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

MELISSA LIN JONES
Administrative Appeals Judge

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