

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

In the Matter of R.B., Appellant)	
)	
and)	
)	
DEPARTMENT OF HOMELAND SECURITY,)	Docket Nos. 18-0048; 15-0577;
TRANSPORTATION SECURITY)	11-1320
ADMINISTRATION, Egg Harbor Township, NJ,)	Issued: May 1, 2024
Employer)	
)	

Appearances:
Thomas R. Uliase, Esq., for the appellant
Office of Solicitor, for the Director

Case Submitted on the Record

ORDER DENYING FEE PETITION

Before:
PATRICIA H. FITZGERALD, Deputy Chief Judge
JANICE B. ASKIN, Judge

Counsel for appellant has filed a fee petition in the amount of \$4,847.74.¹ The Board notes that all petitions for approval of fees for representatives' services are considered under the Board's statutory authority found at section 8127 of the Federal Employees' Compensation Act² (FECA) and under its *Rules of Procedure* found at 20 C.F.R. § 501.9(e).³

As required by the Board's regulations, appellant has been afforded written notice of the fee requested and provided an opportunity to comment on the fee petition.⁴ No response was received.

¹ FECA (5 U.S.C. § 8127(b)) and its implementing regulations (20 C.F.R. § 501.9) require the Board to review each fee petition on its own merits and with regard to the unique facts and issues of each appeal.

² 5 U.S.C. § 8127.

³ 20 C.F.R. § 501.9(e).

⁴ *Id.*

The Board, having considered the fee petition and supporting documentation, denies the fee petition. Enclosed with the fee petition was an itemized statement of services and corresponding fees. The itemized statement, however, includes services dating back to 2011, which predates the October 6, 2017 appeal in Docket No. 18-0048. The fee petition fails to distinguish the services performed in connection with 18-0048 from services performed in connection with Docket Nos. 11-1320 and 15-0577. Accordingly,

IT IS HEREBY ORDERED THAT the fee petition in the amount of \$4,847.74 is denied and may be resubmitted to the Board within 60 days of the date of this order.

Issued: May 1, 2024
Washington, DC

Patricia H. Fitzgerald, Deputy Chief Judge
Employees' Compensation Appeals Board

Janice B. Askin, Judge
Employees' Compensation Appeals Board