

BRB No. 06-0136 BLA
Case No. 03-BLA-6585

HIRAM J. ACORD)	
)	
Claimant-Respondent)	
)	
v.)	
)	
EASTERN ASSOCIATED COAL CORPORATION)	
)	
Employer-Petitioner)	DATE ISSUED: 07/27/2007
)	
DIRECTOR, OFFICE OF WORKERS' COMPENSATION PROGRAMS, UNITED STATES DEPARTMENT OF LABOR)	
)	
Party-in-Interest)	ORDER on RECONSIDERATION <i>EN BANC</i>

As no member of the Board has affirmatively voted to vacate or modify the decision herein, the motion for reconsideration with request for rehearing *en banc* filed by employer is DENIED. 33 U.S.C. §921(b)(5); 20 C.F.R. §§801.301(c), 802.407(a), and 802.409.

Claimant's counsel has submitted a petition for an attorney's fee in the amount of \$2,552.00, representing 11.6 hours of legal services at a rate of \$220.00 per hour for work performed before the Board in this case. Neither employer nor the Director, Office of Workers' Compensation Programs, has filed any objections to claimant's counsel's Petition for Fees. Consequently, we award claimant's counsel the amount of \$2,552.00, representing 11.6 hours of legal services at a rate of \$220.00 per hour for work performed before the Board in this case. 20 C.F.R. §§725.366, 725.367; *Abbott v. Director, OWCP*, 13 BLR 1-15, 1-16 (1989).

By Order of the Board:

NANCY S. DOLDER, Chief
Administrative Appeals Judge

ROY P. SMITH
Administrative Appeals Judge

REGINA C. McGRANERY
Administrative Appeals Judge

BETTY JEAN HALL
Administrative Appeals Judge

JUDITH S. BOGGS
Administrative Appeals Judge