

F.H.)	BRB No. 08-0612
)	
Claimant-Respondent)	
)	
v.)	
)	
NORTHROP GRUMMAN SHIP SYSTEMS, INGALLS SHIPBUILDING DIVISION)	DATE ISSUED: 04/21/2009
)	
Self-Insured)	
Employer-Petitioner)	
)	
F.H.)	BRB No. 08-0802
)	
Claimant-Petitioner)	
)	
v.)	
)	
NORTHROP GRUMMAN SHIP SYSTEMS, INGALLS SHIPBUILDING DIVISION)	
)	
Self-Insured)	
Employer-Respondent)	ORDER

Claimant has filed a timely motion for reconsideration of the Board's affirmance of the administrative law judge's award of an attorney's fee in the captioned case, BRB No. 08-0802. *F.H. v. Northrop Grumman Ship Systems, Ingalls Shipbuilding Div.*, BRB Nos. 08-0612, 08-0802 (Feb. 12, 2009); 33 U.S.C. §921(b)(5); 20 C.F.R. §802.407. Employer opposes claimant's motion. We deny claimant's motion, as it is merely a request for *en banc* review, which is not accompanied by a motion for panel reconsideration. 20 C.F.R. §802.407(b). Moreover, claimant has not stated any rationale for his motion for reconsideration nor alleged any specific error in the Board's decision. 20 C.F.R. §802.408(a). The Board's decision is affirmed.

Claimant's counsel has filed a fee petition for work performed before the Board for the successful defense of the district director's fee award of over \$8,000. BRB No. 08-0612. Counsel requests a fee of \$1,462.50 for 6.5 hours at an hourly rate of \$225. Employer objects to the hourly rate, suggesting \$200 is appropriate. Employer also objects to the number of hours requested for brief writing, suggesting counsel is entitled to a fee for only three hours instead of the 4.9 hours claimed. Employer also objects to the compensability of the fee petition.

Upon consideration of the fee petition and employer's objections thereto, we award the fee as requested. The number of hours requested is commensurate with the necessary work performed in defense of the award and the hourly rate requested is reasonable. 20 C.F.R. §802.203; *Lewis v. Todd Pacific Shipyards Corp.*, 30 BRBS 154 (1996). Moreover, counsel is entitled to a reasonable fee for preparation of a fee petition. *Baumler v. Marinette Marine Corp.*, 40 BRBS 5 (2006). Therefore, we award counsel the requested fee of \$1,462.50.

Accordingly, claimant's motion for reconsideration in BRB No. 08-0802 is denied. 20 C.F.R. §802.409. Claimant's counsel is awarded an attorney's fee of \$1,462.50 for services provided in BRB No. 08-0612, to be paid directly to counsel by employer. 33 U.S.C. §928.

SO ORDERED.

NANCY S. DOLDER, Chief
Administrative Appeals Judge

ROY P. SMITH
Administrative Appeals Judge

REGINA C. McGRANERY
Administrative Appeals Judge