

BRB No. 09-0380  
OWCP No. 13-102956

W.B. )  
 )  
 Claimant-Respondent )  
 )  
 v. )  
 )  
 SEA-LOGIX, L.L.C. ) DATE ISSUED: 02/25/2009  
 )  
 and )  
 )  
 SIGNAL MUTUAL INDEMNITY )  
 ASSOCIATION )  
 )  
 Employer/Carrier- )  
 Petitioners ) ORDER

The Board acknowledges receipt of employer's timely notice of appeal of the Order Approving Stipulations and Awarding Benefits (2005-LHC-00876) of Administrative Law Judge Jennifer Gee rendered on a claim filed pursuant to the provisions of the Longshore and Harbor Workers' Compensation Act, as amended, 33 U.S.C. §901 *et seq.* (the Act). 33 U.S.C. §921(a), (b); 20 C.F.R. §802.205. This appeal is assigned the Board's docket number BRB No. 09-0380. All correspondence pertaining to this appeal should bear this number.

Employer and claimant have filed a joint motion for summary affirmance of the administrative law judge's order. 20 C.F.R. §802.219(a), (b), (c). Employer does not challenge the substance of the administrative law judge's Order Approving Stipulations and Awarding Benefits, but seeks to appeal to the United States Court of Appeals for the Ninth Circuit the Board's prior decision in this case, *W.B. v. Sea-Logix, L.L.C.*, 41 BRBS 89 (2007). In this decision, the Board reversed the administrative law judge's finding that claimant is not a maritime employee pursuant to Section 2(3) of the Act, 33 U.S.C. §902(3). The Board remanded the case to the administrative law judge to address any remaining issues.

On remand, the parties stipulated that claimant sustained cumulative traumatic injuries to his cervical and lumbar spine and to both arms. The parties agreed that there are no unpaid claims for disability compensation and employer authorized medical care related to the injuries. Employer does not challenge the administrative law judge's award based on the stipulations and the Board's prior decision constitutes the law of the case. *See, e.g., Boone v. Newport News Shipbuilding & Dry Dock Co.*, 37 BRBS 1 (2003); *Ravalli v. Pasha Maritime Services*, 36 BRBS 91 (2002), *denying recon. in* 36 BRBS 47 (2002). Therefore, we grant the parties' motion for summary affirmance and affirm the administrative law judge's Order Approving Stipulations and Awarding Benefits.

Accordingly, the joint motion for summary affirmance is granted. 20 C.F.R. §802.303(b). The administrative law judge's Order Approving Stipulations and Awarding Benefits is affirmed.

SO ORDERED.

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ROY P. SMITH  
Administrative Appeals Judge

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REGINA C. McGRANERY  
Administrative Appeals Judge

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BETTY JEAN HALL  
Administrative Appeals Judge