

BRB No. 03-391
Case No. 02-LHC-1569

SCOTTY GRAVES)
)
 Claimant-Respondent) DATE ISSUED: November 25, 2003
)
 v.)
)
 HAM MARINE, INCORPORATED,)
 d/b/a FRIEDE GOLDMAN)
)
 and)
)
 EAGLE PACIFIC INSURANCE COMPANY)
)
 Employer/Carrier-)
 Petitioner) ORDER

By motion dated October 30, 2003, employer informed the Board that the parties have reached a settlement in the captioned case. Employer has requested that the Board hold its appeal in abeyance pending the administrative law judge's approval. The Board will construe employer's request as a motion for remand.

Section 8(i)(1), 33 U.S.C. §908(i)(1), provides for the approval of such settlements by the administrative law judges. Consistent with this section, the Board dismisses and remands this case to the Office of the Administrative Law Judges for further appropriate action.

In the event that the proposed settlement is not approved and petitioner wishes review of

the merits of this appeal, the Board will reinstate the appeal at the request of the petitioner. 33

U.S.C. §921(b)(4); 20 C.F.R. §802.405(a).

NANCY S. DOLDER, Chief
Administrative Appeals Judge

ROY P. SMITH
Administrative Appeals Judge

REGINA C. McGRANERY
Administrative Appeals Judge