

BRB Nos. 09-0544 and 09-0544A
Case Nos. 2006-LHC-01708 and 2007-LHC-00242
OWCP Nos. 05-0103327 and 05-0123825

E.B.)
)
Claimant-Respondent)
Cross-Respondent)
)
v.)
)
ATLANTICO, INCORPORATED)
)
Employer)
)
W.F. MAGANN CORPORATION) DATE ISSUED: 10/14/2009
)
Employer)
)
ALISON FISK)
)
Principal-Petitioner)
)
KIMBERLY B. WRENCH)
)
Principal)
)
DAVID B. O'NEAL)
)
Principal)
)
PATRICK HARGIS)
)
Principal-Cross Petitioner)
)
DIRECTOR, OFFICE OF WORKERS')
COMPENSATION PROGRAMS, UNITED)
STATES DEPARTMENT OF LABOR)
)
Party-in-Interest) ORDER

By motion dated September 11, 2009, Petitioner Alison Fisk moves to withdraw her appeal on the ground that she has reached a settlement agreement with the Department of Labor concerning her liability, pursuant to 33 U.S.C. §938(a), for the compensation benefits awarded claimant. Petitioner's motion is granted, and her appeal is dismissed. BRB No. 09-0544. As the stay of payments granted by Board Order dated June 17, 2009, is no longer necessary, the stay is lifted as to Petitioner Fisk only.¹

The appeal of Petitioner Patrick Hargis, BRB No. 09-0544A, remains pending and the stay of payments granted to him remains in effect. The Director, OWCP, has filed a motion to stay the proceedings and the briefing schedule for 30 days, as settlement negotiations are ongoing with respect to the liability of Petitioner Hargis. We grant the Director's motion to stay the proceedings until October 30, 2009, at which time the Director should file his brief in response to Petitioner Hargis's Petition for Review and brief.

NANCY S. DOLDER, Chief
Administrative Appeals Judge

ROY P. SMITH
Administrative Appeals Judge

BETTY JEAN HALL
Administrative Appeals Judge

¹ In view of the dismissal of this appeal, Petitioner Fisk's motion for oral argument is moot.