

BRB No. 11-0322

CHARLES M. LAMON)
)
 Claimant-Respondent)
)
 v.)
)
 A-Z CORPORATION) DATE ISSUED: 10/31/2012
)
 and)
)
 HARTFORD INSURANCE COMPANY)
)
 Employer/Carrier-) ORDER on MOTION
 Petitioners) FOR RECONSIDERATION

Claimant has filed a timely motion for reconsideration of the Board's Order granting employer's motion for reconsideration in *Lamon v. A-Z Corp.*, 46 BRBS 27 (2012), *vacating on recon.*, 45 BRBS 73 (2011). 33 U.S.C. §921(b)(5); 20 C.F.R. §802.407. Claimant avers that the Board erred in vacating the administrative law judge's award of total disability benefits and in remanding the case for the administrative law judge to make additional findings regarding the cause of claimant's total disability. Employer responds that employer's motion should be denied.

We deny claimant's motion. The issues raised by claimant on reconsideration are subsumed in the issues on which the Board remanded the case. Specifically, claimant's contentions concern whether his present total disability is due to the work exacerbations of his underlying condition or is due solely to the natural progression of his non-work-related chronic obstructive pulmonary disease. We, therefore, deny claimant's request that the Board reinstate its affirmance of the administrative law judge's decision awarding him temporary total disability benefits commencing July 8, 2008. Claimant may raise his arguments before the administrative law judge on remand.

Accordingly, claimant's motion for reconsideration is denied. 20 C.F.R. §802.409.

SO ORDERED.

NANCY S. DOLDER, Chief
Administrative Appeals Judge

ROY P. SMITH
Administrative Appeals Judge

BETTY JEAN HALL
Administrative Appeals Judge