

BRB No. 09-0703

E.M.)
)
 Claimant-Respondent)
)
 v.)
)
 DYNCORP INTERNATIONAL) DATE ISSUED: 09/30/2009
)
 and)
)
 FIDELITY AND CASUALTY)
 COMPANY OF NEW YORK/CAN)
 INTERNATIONAL)
)
 Employer/Carrier-)
 Petitioners) ORDER

On June 24, 2009, employer filed a timely notice of appeal of the administrative law judge's Decision and Order on Remand (2006-LDA-00147) which was filed in the Office of the District Director on June 3, 2009. 33 U.S.C. §§919(e), 921(a); 20 C.F.R. §802.205(a).

On September 8, 2009, employer filed a Motion for Expedited Summary Decision, stating that it does not wish to appeal the substance of the decision on remand but seeks a final order so that it may challenge the Board's prior decision in this case which, it acknowledges, constitutes the law of the case. *E.M. v. DynCorp Int'l*, 42 BRBS 73 (2008). We grant employer's motion and affirm the decision on remand of the administrative law judge. *See generally Boone v. Newport News Shipbuilding & Dry Dock Co.*, 37 BRBS 1 (2003).

Accordingly, the Decision and Order on Remand of the administrative law judge is affirmed.

SO ORDERED.

NANCY S. DOLDER, Chief
Administrative Appeals Judge

ROY P. SMITH
Administrative Appeals Judge

BETTY JEAN HALL
Administrative Appeals Judge