

³ 20 C.F.R. § 501.9(e). On March 25, 2025, appellant contested the requested fee, asserting that the fee agreement was contingent upon the receipt of a schedule award or payment of retroactive benefits. However, appellant submitted no evidence substantiating his assertion.

On appeal, counsel submitted a five-page brief arguing that the Office of Workers' Compensation Programs (OWCP) erred in denying appellant's claimed period of disability. By decision dated September 20, 2024, the Board set aside OWCP's May 3, 2023 decision and remanded the case for additional development of the medical evidence.

OWCP's decision on appeal was dated May 3, 2023. The fee petition requests approval of time spent in connection with this appeal before the Board from June 8, 2023 through April 19, 2024 and documents 7.8 hours spent by counsel at \$350.00 per hour; 7.6 hours spent by paralegals at \$75.00 to \$150.00 per hour; and 0.7 hours spent by secretaries at \$75.00 per hour.

The Board notes that under 20 C.F.R. § 501.9(e) "[n]o claim for a fee for legal or other service performed on appeal before the Board is valid unless approved by the Board." Under 18 U.S.C. § 292, collecting a fee without the approval of the Board may constitute a misdemeanor, subject to fine or imprisonment for up to a year or both.

The Board has reviewed the fee petition and finds that it is in compliance with the Board's *Rules of Procedure*.⁴ Accordingly,

IT IS HEREBY ORDERED THAT the fee petition is granted in the amount of \$3,870.00.

Issued: July 13, 2026
Washington, DC

Patricia H. Fitzgerald, Deputy Chief Judge
Employees' Compensation Appeals Board

Janice B. Askin, Judge
Employees' Compensation Appeals Board

⁴ *Id.*