

BRB No. 07-0999

R.T.)	
)	
Claimant-Respondent)	
)	
v.)	
)	
TODD PACIFIC SHIPYARDS)	DATE ISSUED: 07/17/2008
)	
and)	
)	
LIBERTY NORTHWEST INSURANCE)	
CORPORATION)	
)	
Employer/Carrier-)	
Petitioners)	ORDER

By motion filed June 30, 2008, employer/carrier-petitioner moves to remand this case to the administrative law judge for adjudication of its petition for modification. 33 U.S.C. §922. We grant employer's motion. 20 C.F.R. §802.301(c). Employer's appeal will be reinstated only if the petitioner requests reinstatement. The request for reinstatement must be filed with the Board within thirty (30) days from the date the decision on modification is filed, and it must be identified by the Board's docket number assigned to this case, BRB No. 07-0999. The request for reinstatement must be served on all parties. If reinstatement is requested, the Board will consider only the issues raised in the petitioner's appeal of the administrative law judge's original decision.

Any party who is aggrieved by the administrative law judge's decision on modification may file a notice of appeal thereof within thirty (30) days of the date the decision on modification is filed. 33 U.S.C. §921; 20 C.F.R. §802.205. This appeal will be assigned a new docket number and will be consolidated with any reinstated appeal of the original decision.

Accordingly, employer's appeal is dismissed without prejudice and the case is remanded to the Office of Administrative Law Judges for modification proceedings.

SO ORDERED.

ROY P. SMITH
Administrative Appeals Judge

BETTY JEAN HALL
Administrative Appeals Judge

JUDITH S. BOGGS
Administrative Appeals Judge