

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

TRIPLE CANOPY, INC. and ALLIED
WORLD NATIONAL ASSURANCE
COMPANY,

Petitioners,

v.

Case No. 3:16-cv-739-J-32JBT

U.S. DEPARTMENT OF LABOR,
STEVEN RITZHEIMER, and
DIRECTOR, OFFICE OF WORKERS'
COMPENSATION PROGRAMS,
UNITED STATES DEPARTMENT OF
LABOR,

Respondents.

ORDER

On January 17, 2017, the Court affirmed the decision of the Benefits Review Board awarding Claimant Steven Ritzheimer disability compensation and medical benefits under the Longshore and Harbor Workers' Compensation Act. (Doc. 27). This case is now before the Court on the Unopposed Petition for Attorneys' Fees and Costs, filed by Ralph R. Lorberbaum and Eric R. Gotwalt, counsel for Claimant ("Petitioners"). (Doc. 29). Petitioners seek an award of attorneys' fees and costs in the amount of \$7,375.00 for 17.5 hours of work on the successful argument on appeal on behalf of Claimant.

The Court has reviewed the memorandum and exhibits in support of the request and finds that the rates of \$450 per hour for Mr. Lorberbaum and \$350 per hour for

Mr. Gotwalt, both of which were unopposed in the prior phase of this case before the Benefits Review Board, are reasonable. The total number of hours expended, 17.5 hours, is similarly reasonable, given that all of the time was spent preparing briefs and responses to the arguments on appeal.

Accordingly, it is hereby

ORDERED:

1. Petitioners' Unopposed Petition for Attorneys' Fees and Costs (Doc. 29) is **GRANTED**.

2. Triple Canopy, Inc. and Allied World National Assurance Company owe Petitioners **\$7,375.00** as attorneys' fees and costs.¹

DONE AND ORDERED in Jacksonville, Florida the 6th day of February, 2017.


TIMOTHY J. CORRIGAN
United States District Judge

sj
Copies:

Counsel of record

¹ The fees awarded are neither payable nor enforceable until such time as the award of benefits to Claimant becomes final and reflects successful prosecution of the claim. 33 U.S.C. § 928. Therefore, if at some point the parties would like the award of fees memorialized in a judgment from the Clerk of Court, they shall so move the Court.