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Supreme Court, Appellate Division, Third Department, New York

Matter of ALBANA SHIQUERUKAJ, Claimant

v

GOTHAM BROAD, LLC, Respondent

and

Joseph A. ROMANO, Appellant

and

WORKERS' COMPENSATION BOARD

Decided February 23, 2017

Facts: The claimant was found by the Law Judge to have a 75% loss of wage earning capacity and her counsel was awarded a \$4,700.00 fee. The carrier appealed and the Board Panel reduced the loss of wage earning capacity to 45% and reduced the counsel fee to \$3,000.00. The claimant's attorney appealed the reduction of the fee.

Holding: *Remitted to Board for reconsideration.*

Discussion: The Court noted the claimant's counsel's fee application to be "largely indecipherable" and the Board's reliance on the claimant's "financial status," which was not otherwise mentioned in the Board Panel Decision or record to make the issue of the appropriate fee "incapable of intelligent appellate review." Therefore, the matter was remitted to the Board for further consideration.