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OF COUNSEL

Supreme Court, Appellate Division, Third Department, New York

In the Matter of the Claim of JULIO FERNANDEZ, Claimant,

v.

ROYAL COACH LINES, INC., et al., Respondents,
WORKERS' COMPENSATION BOARD, Respondent,
JOSEPH A. ROMANO, Appellant.

January 19, 2017

Please note that this case involved a Workers' Compensation however it pertains to the Workers' Compensation Board's broad discretion in approving an award of counsel fees. The Court outlined the following facts that supported the Boards decision: counsel only listed four categories of service with a total time for each category, identified only starting date for the initial work, record confirms that the counsel was familiar with bulletin Subject Number 046-548 and therefore knew that "the form must be filled out in its entirety including the section for the date, description, and amount of time spent on each service." Therefore, the Board did not abuse its discretion in reducing counsel fees from \$2,000.00 to \$450.00, more so given that counsel failed to disclose previous award of \$900.00.