

STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS  
OFFICE OF THE JUDGES OF COMPENSATION CLAIMS  
MIAMI DISTRICT OFFICE

Willie R. Worlds,  
Employee/Claimant,

OJCC Case No. 15-025523ERA

vs.

Accident date: 9/4/2015

Progressive Employer Management  
Co./Finish Line Feed/AmTrust North  
America of Florida, and Technology  
Insurance Company,  
Employer/Carrier/Servicing Agent.

Judge: Edward Almeyda

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**CONTESTED ATTORNEY'S FEE AND COSTS ORDER**

This matter came before me, the undersigned Judge of Compensation Claims, for a contested fee hearing held on June 5, 2017. The Verified Motion for fees and costs is dated 4/24/2017. The response is dated 5/12/2017. This order ensues.

**DOCUMENTARY EVIDENCE:**

Claimant:

1. Verified Motion (93)

Employer/Carrier:

- a. Verified response (97)
- b. Pretrial (37)
- c. Dr. Suarez deposition (71)
- d. Christine Whobley's deposition (67)

**FINDINGS OF FACTS AND CONCLUSIONS OF LAW**

In this matter, the benefits obtained by the Claimant mostly came through a merits order dated 12/28/2016. In that order claims for the following benefits were made:

1. Determination that AWW is \$472.40
2. Temporary total/partial from date of accident to present and continuing
3. Follow up with PHC

4. Provision of a second opinion
5. Advance of \$2000.00
6. Provision of Flexeril
7. Provision of pain management
8. Provision of aqua-therapy
9. Provision of physical therapy
10. Authorization of Dr. Suarez for evaluation and treatment
11. Penalties, interest, costs and attorney's fees

The end result of the order was the allowance of six weeks of temporary partial disability from 9/9/2015 to 10/16/2015, which totals \$477.90. The claim for authorization of Dr. Suarez evaluation was deemed moot, as he had already examined the Claimant and had been timely paid by the Carrier for this office visit. The balance of the claims was denied.

In addition to this, the E/C paid mileage late, for a total sum of \$116.50. These benefits were not in dispute as to the amount. The Claimant submitted that the hours dedicated total 91.8. The E/C did not dispute entitlement nor the fact that a deviation from the statutory formula would apply.

In their response to the Verified Motion the E/C proposed prorating the hours which they agreed to be based upon the total benefits claimed and the actual payment made. In so doing, the hours were reduced to 32.96. This methodology was disputed by the Claimant, and I find, likewise, that it is contrary to the law. Rather, the analysis is whether the time dedicated related to the obtaining of the ultimate awarded benefits.

While the Claimant did not prevail in raising the AWW from the E/C's position in the pretrial, the testimony involving the payment of wages is found to have a direct relationship to the ultimate award of TPD, and that time dedicated to that discovery is therefore allowed. Similarly, the time dedicated to the adjuster's deposition is allowed, as that time was related to the benefits already paid and the E/C's position on the balance of the claimed benefits.

The time related to the testimony of Dr. Suarez is not allowed for two reasons. First, he was timely administratively paid, and that issue was rendered moot. Second, the examination by Dr. Suarez occurred after the Claimant was found not to be entitled to further benefits, and as such did not produce any benefit at all. In fact, the award did not accept his opinions relative to the need for further treatment, which ultimately was denied.

Attached as an exhibit to this order is the undersigned's analysis of the reasonable time allowed for the prosecution of this matter.

THE TIME AND LABOR NECESSARY TO OBTAIN BENEFITS, THE NOVELTY OF THE QUESTION, ETC:

Pursuant to the attached time sheet the time allowed for this matter is 67.5 hours, which in light of the fact that it involved at least four depositions, and a trial, is reasonable. This is not a novel case, as the issues were routine to worker's compensation, for which no unique expertise was required.

THE BENEFITS OBTAINED:

The parties agreed that a total of \$594.40 is the benefits obtained.

THE REPUTATION OF THE ATTORNEYS:

Both set of attorneys are highly regarded experts in the field of worker's compensation, and acted as such during the litigation of this matter.

THE CONTINGENCY OF THE MATTER:

This was totally contingent.

TIME LIMITATIONS IMPOSED BY THE CASE:

This is also a neutral factor as there was no concrete evidence of any urgency, and in fact the Claimant sought a continuance of the merits hearing.

THE CUSTOMARY HOURLY RATE IN THE COMMUNITY:

The Claimant submits that \$375.00 is the rate, but concedes that it ranges from \$325.00 to \$375.00 per hour. The E/C submits that a range is between \$250.00 to \$4350.00 per hour and that in this case the rate should be \$300.00.

In determining the rate for this case all of the above factors are considered. Of particular importance is the fact that while there were many benefits claimed, only one resulted in a positive award.

It seems improper to reward the Claimant's attorney for a very limited success in this extensive litigation at a high rate. While I found that the discovery was appropriate for the \$594.00 in obtained benefits, much of this discovery pertained to the other issues involved in this case. In view of this analysis, I find that a rate of \$250.00 per hour is applicable, and thus award a fee of \$16,875.00 is awarded.

The costs for the deposition of Dr. Suarez are not awarded, nor is the travel expense. The balance of the costs is found properly taxable. Thus \$1590.41 is awarded.

**WHEREFORE, IT IS ORDERED AND ADJUDGED THAT:**

1. The E/C shall pay the Claimant's attorney \$16,875.00 in fees and \$1590.41 in costs.

**DONE AND SERVED** this 7th day of June, 2017, in Miami, Dade County, Florida.

*Edward R. Almeyda*

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Edward Almeyda  
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# Time Sheet

04/21/2017

TIME SLIPS ONLY - WORLDS, Willie

Date Range: 1/1/1980 - 4/21/2017

Status: Pending/Released/Transferred/Exception

Date	Attorney	Hrs	Amount
10/24/2015	KRG	.70	\$0.00
			Telephone conference with claimant regarding claim facts, options, potential for securing additional benefits, and issues related to workers comp law
10/25/2015	KRG	.40	\$0.00
			Research claim information, department of financial services, claims database, DOAH, Division of Corporations, insurance compliance, and claimant background check
10/26/2015	KRG	.30	\$0.00
			Prepare legal representation contract, addendum, alternate claim contract, hipaa compliance forms, intake sheet, medical history acknowledgement, costs acknowledgement, power of attorney, and mapquest claimant's home address in preparation for initial consultation
10/27/2015	KRG	3.20	\$0.00
			attend initial client consultation and sign up at claimant's residence, explain case/process, obtain background information, and execute representation documents.
10/27/2015	KRG	<del>1.80</del>	\$0.00
			initial review, analysis, initial memorandum to file, determine medical/indemnity status, litigation and discovery plan, and instructions on same.
			<i>alloyed 1.8</i>
			<i>NR DUF</i>
10/28/2015	KRG	<del>1.80</del>	\$0.00
			review file to determine any outstanding benefits due and owing, documentation to support same, and strategy/plan for obtaining medical treatment, and in preparation of correspondence to adjuster requesting agreement to same
			<i>NR DUF</i>
			<i>sustain</i>
10/28/2015	KRG	.20	\$0.00
			instruction regarding sending good faith request for benefits
10/29/2015	KRG	.50	\$0.00
			review file to determine claims to be filed, documentation to support same, and in preparation of petition for benefits
11/02/2015	KRG	.30	\$0.00
			telephone conference with Clement regarding status of mileage payment
11/03/2015	KRG	.20	\$0.00
			Receipt, review, and analysis of order assigning case and advising of mediation/trial deadlines, and determine impact on litigation plan
11/18/2015	KRG	.20	\$0.00
			telephone conference with CI regarding status of mileage payment
11/25/2015	KRG	<del>1.20</del>	\$0.00
			Receipt, review, and analysis of e/o's notice of deposition of claimant, determine entitlement to same, and claimant's position/response to same.
			<i>E 1.2</i>
11/28/2015	KRG	<del>1.40</del>	\$0.00
			Review file to determine any documents that may be in possession of e/c which may provide relevant and necessary information, and prepare request for production directed to E/C.
			<i>FP 1.4</i>
11/30/2015	KRG	<del>1.80</del>	\$0.00
			Receipt, review, and analysis of e/o's request for production, and determine status, strategy and time requirements for same.
			<i>E 1.8</i>

6.40

67.5

# Time Sheet

04/21/2017

TIME SLIPS ONLY - WORLDS, Willie

Date Range: 1/1/1980 - 4/21/2017

Status: Pending/Released/Transferred/Exception

Date	Attorney	Hrs	Amount
12/02/2015	KRG	.30	\$0.00
			receipt and review of response to petition for benefits, review file to determine all dates of pfb service, receipts, response, postmarks, and analysis of timeliness of response to petition for benefits and validity of carrier's positions/defense
12/04/2015	KRG	E .10 <sup>20</sup>	\$0.00
			Receipt and review of notice of pretrial and final hearing, and determine appropriate discovery time limits related to same
12/13/2015	KRG	E .10 <sup>20</sup>	\$0.00
			Receipt and review of notice of Mediation, and determine impact of same on litigation/discovery plan
12/23/2015	DLG	.30	\$0.00
			emails to/from OC regarding issue resolution
01/04/2016	DLG	.20	\$0.00
			review email from OC advising of mileage benefit status
01/05/2016	DLG	.20	\$0.00
			email to OC regarding payouts
01/15/2016	KRG	.60	\$0.00
			Review file to determine status of all pending claims, manner of resolution for each, and confirm that ec's agreement to provide each has been sufficiently documented in preparation of a Notice of Resolution of Issues.
01/20/2016	KRG	NR MFE <sup>20</sup>	\$0.00
			Receipt and review of ec's motion for sanctions, and determine legal basis for said request, as well as need to respond and time constraints regarding said motion
01/28/2016	KRG	NR MFE <sup>1.20</sup>	\$0.00
			Review of file in preparation of response to ec's motion for sanctions
02/01/2016	KRG	NR MFE <sup>20</sup>	\$0.00
			Receipt, review, and analysis of order on EC motion for sanctions, determine any action needed to comply with same, and determine impact on litigation/discovery plan
02/27/2016	KRG	1.10	\$0.00
			Review file in preparation for deposition of claimant, determine issues for same and anticipated line of questioning, and prepare for conference with claimant regarding same
02/28/2016	KRG	.40	\$0.00
			Telephone conference with claimant regarding scheduled deposition, including procedural format/rights/scope, and substantive issues and anticipated testimony regarding same
02/29/2016	GV	1.20	\$0.00
			Appear for and attend deposition of claimant
04/17/2016	KRG	<del>1.60</del> .6	\$0.00
			Review medical records from -Dr Edward Suarez, summarize, analyze, determine impact of same on claim and need for additional discovery/action needed.
05/09/2016	KRG	NR MFE <sup>1.60</sup>	\$0.00
			Review file to determine issues related to and need for filing of a motion to compel depositions of adjuster and payroll rep
05/10/2016	GV	NR MFE <sup>20</sup>	\$0.00
			email to Oc regarding proposed motions

6.50

PR 20% Compensable,

80% NON-Compensable  
04/21/2017

Time Sheet

TIME SLIPS ONLY - WORLDS, Willie

Date Range: 1/1/1980 - 4/21/2017

Status: Pending/Released/Transferred/Exception

Date	Attorney	Hrs	Amount
05/12/2016	CV	PR 20 2	\$0.00
		emails to/from OC regarding depositions of adjuster, payroll	
05/13/2016	KRG	PR 30 3	\$0.00
		review EC RRP	
05/16/2016	KRG	PR 30 8	\$0.00
		Review file in preparation for deposition of adjuster, determine issues for same and anticipated responses	
05/17/2016	KRG	PR 30 3	\$0.00
		review updated payouts from OC	
05/18/2016	KRG	PR 1.00 duplicate	\$0.00
		Review file, determine issues relevant to, plan strategy for questioning, and prepare for deposition of Doctor.	
05/19/2016	KRG	PR 1.00 1.0	\$0.00
		Appear for and attend deposition of Doctor	
05/19/2016	KRG	PR 1.10 notated	\$0.00
		review file to determine any outstanding benefits due and owing, documentation to support same, and strategy/plan for obtaining medical treatment, and in preparation of correspondence to adjuster requesting agreement to same	
06/01/2016	KRG	PR 40 4	\$0.00
		review file to determine claims to be filed, documentation to support same, and in preparation of petition for benefits	
06/03/2016	KRG	PR 20 2	\$0.00
		Receipt and review of notice of pretrial and final hearing, and determine appropriate discovery time limits related to same	
06/10/2016	KRG	PR 1.00 allowed 15	\$0.00
		detailed analysis of indemnity entitlement based upon available documentation	
06/12/2016	KRG	PR 1.00 allowed 5	\$0.00
		Review file, determine claims, witnesses, exhibits to be used at trial, determine discovery needed prior to trial, and preparation of pretrial stipulation to be submitted to employer/carrier for execution	
06/13/2016	KRG	PR 20 duplicate	\$0.00
		review file in preparation of email to o/c regarding pretrial stipulation issues	
06/14/2016	KRG	PR 30 8	\$0.00
		review deposition transcript of Dr. Susan Nelson, prepare summary	
06/19/2016	KRG	PR 50 5	\$0.00
		receipt and review of response to petition for benefits, review file to determine all dates of pfb service, receipts, response, postmarks, and analysis of timeliness of response to petition for benefits and validity of carrier's positions/defense	
06/22/2016	KRG	PR 70 70	\$0.00
		Review pretrial stipulation executed by e/c, determine objections/responses to answers, amend claimant's answers, execute, and prepare for submission to JCC for approval.	
06/23/2016	KRG	PR 20 notated	\$0.00
		Receipt, review, and analysis of order on uniform pretrial stipulation, determine any action needed to comply with same, and determine impact on litigation/discovery plan	

10.20 2.04 CPR; minus 80% Page 3

PL 5.7



# Time Sheet

04/21/2017

TIME SLIPS ONLY - WORLDS, Willie

Date Range: 1/1/1980 - 4/21/2017

Status: Pending/Released/Transferred/Exception

Date	Attorney	Hrs	Amount
06/29/2016	KRG	<del>PR 20</del> .2	\$0.00
		telephone conference with OC regarding need and basis for payroll representative deposition	
06/29/2016	KRG	<del>PR 20</del> .2	\$0.00
		email from OC regarding payroll rep depo	
07/15/2016	KRG	<del>PR 20</del> .2	\$0.00
		Receipt and review of notice of pretrial and final hearing, and determine appropriate discovery time limits related to same	
07/16/2016	KRG	<del>PR 40</del> <i>sustained</i>	\$0.00
		Review file to determine any documents that may be in possession of e/c which may provide relevant and necessary information, and prepare request for production directed to E/C.	
07/20/2016	KRG	<del>PR 40</del> .4	\$0.00
		Receipt and review of ec's response to our request for production, determine sufficiency of responses, and impact of documentation on claim	
07/20/2016	KRG	<del>PR 20</del> .2	\$0.00
		review and analysis of email from oc regarding payroll supervisor depo	
07/23/2016	KRG	<del>PR 1.50</del> <i>of course</i> .5	\$0.00
		Review file, determine issues relevant to, plan strategy for questioning, and prepare for deposition of cl supervisor	
07/25/2016	KRG	<del>PR 80</del> .5	\$0.00
		attend our depo of Roberto Sevilla	
07/27/2016	KRG	<del>PR 40</del> .4	\$0.00
		receipt, review, analysis of docs from e/c, personnel recs	
08/04/2016	KRG	<del>PR 1.00</del> <i>of course</i> .5	\$0.00
		prepare for depo of Christie Whobrey	
08/05/2016	KRG	<del>PR 40</del> .4	\$0.00
		attend our depo of Christie Whobrey	
08/05/2016	KRG	<del>PR 1.70</del> <i>of course</i> 1.70	\$0.00
		detailed work status analysis PHC medical records	
08/06/2016	KRG	<del>PR 70</del> <i>sustained</i> <i>disputed</i>	\$0.00
		detailed analysis of indemnity issues/ benefits need it preparation for and strategy regarding 9/2/16 final hearing	
08/11/2016	KRG	<del>PR 70</del> .70	\$0.00
		Review adjuster deposition notes, determine impact of testimony on claim/issues, and additional discovery/strategy and instructions needed as a result of same	
08/12/2016	KRG	<del>PR 1.40</del> .4	\$0.00
		Appear for and attend deposition of adjuster	
08/12/2016	KRG	<del>PR 30</del> .2	\$0.00
		receipt and review of wage statement and payroll records from OC	
08/14/2016	KRG	<del>PR 30</del> .3	\$0.00
		determine need for an entitlement to additional documentation from E/C, and instruction to prepare supplemental request to produce	
08/21/2016	AEF	<del>PR 80</del> <i>of course</i> .5	\$0.00
		Review and analysis of file to formulate arguments and in preparation of motion	
08/22/2016	AEF	<del>PR 30</del> .3	\$0.00
		email to / from OC regarding continuance a final hearing	

11.90

2.38 (PR, Minus 80%) Page 4

4.5

# Time Sheet

04/21/2017

TIME SLIPS ONLY - WORLDS, Willie

Date Range: 1/1/1980 - 4/21/2017

Status: Pending/Released/Transferred/Exception

Date	Attorney	Hrs	Amount
08/23/2016	KRG	<del>30</del> 3	\$0.00
		3	telephone conference with CI regarding status of employee earnings reports, and content to be included on same
08/23/2016	KRG	<del>80</del> 40-5	\$0.00
		40-5	review, analyze, and summarize deposition of Ms Beltran
08/24/2016	KRG	<del>40</del> 14	\$0.00
		14	review, analyze, and summarize deposition of Christine Whobrey
08/24/2016	KRG	<del>30</del> 2	\$0.00
		2	receipt and review EC response to motion to continue final hearing
08/24/2016	KRG	<del>20</del> 2-10	\$0.00
		2-10	comprehensive file review, determine legal arguments and evidence for pending issues in re 9/2/16 final hearing, and impact of witness testimony on our burden re vol limitation of income
08/25/2016	KRG	<del>20</del> 1	\$0.00
		1	receipt and review notice hearing Motion for continuance
08/26/2016	KRG	<del>40</del> 14	\$0.00
		14	telephone conference with CI regarding issues and his responsibilities for 9/2/16 final hearing
08/30/2016	KRG	<del>30</del> 1	\$0.00
		1	review and analyze EC notice filing Depo Daniela Beltran
08/30/2016	KRG	<del>30</del> 1	\$0.00
		1	review and analyze EC notice filing Depo of dr Susan Nelson
08/30/2016	KRG	<del>50</del> 5	\$0.00
		5	review file in preparation for hearing on our motion to continue final hearing. Determine strategy for proceeding on partial claims
08/31/2016	AEF	<del>30</del> 3	\$0.00
		3	attend hearing Claimant motion for continuance
08/31/2016	KRG	<del>20</del> 1	\$0.00
		1	receipt and review order granting motion for continuance
08/31/2016	KRG	<del>30</del> 3	\$0.00
		3	telephone conference with Claimant regarding cancellation a final hearing, current litigation/discovery plan, and status of EERs
09/02/2016	KRG	<del>50</del> 5	\$0.00
		5	review file, and determine modified strategy/litigation plan
09/19/2016	KRG	<del>80</del> 15	\$0.00
		15	Review file, determine issues for, and prepare for mediation conference
09/19/2016	KRG	<del>20</del> 2	\$0.00
		2	Telephone conference with claimant regarding issues for mediation, settlement, procedure, and preparation of claimant for same
09/20/2016	CV	<del>3-10</del> 3-1	\$0.00
		3-1	Attend mediation conference
09/28/2016	KRG	<del>20</del> 2	\$0.00
		2	to with Claimant regarding status of EER's
10/12/2016	KRG	<del>20</del> 2	\$0.00
		2	telephone conference with claimant and explain the necessity to execute the EER that Claimant forwarded
11/15/2016	AEF	<del>40</del> 5	\$0.00
		5	Review file in preparation of amendment to pretrial stipulation

13/10

2.62 (PR, Minus 80%)

11.6

# Time Sheet

04/21/2017

TIME SLIPS ONLY - WORLDS, Willie

Date Range: 1/1/1980 - 4/21/2017

Status: Pending/Released/Transferred/Exception

Date	Attorney	Hrs	Amount
11/15/2016	AEF	<del>1.70</del> E 1.5	\$0.00
		Review and analysis of file to determine entitlement and legal authority in regard to claimant's proposed motion to admit medical records	
11/15/2016	AEF	<del>.20</del> 1.2	\$0.00
		emails to/from oc regarding motion to admit medical records	
11/15/2016	AEF	<del>.30</del> 1.3	\$0.00
		emails to/from oc regarding motion to admit medical records	
11/15/2016	RMM	<del>.40</del> 1.4	\$0.00
		emails to/from OC re resolution of issues	
11/16/2016	AEF	<del>.40</del> 1.4	\$0.00
		emails to/from OC regarding medical records to be submitted for motion to admit medical records	
11/17/2016	AEF	<del>.50</del> 1.3	\$0.00
		Receipt and review of E/C's amendment to probrial stipulation and determine response to same	
11/17/2016	AEF	<del>.50</del> 1.3	\$0.00
		emails to/from OC regarding EC propose an amendment to include voluntary limitation of income	
11/17/2016	AEF	<del>.70</del> 1.5	\$0.00
		prepare response objecting to EC motion to amend PTS	
11/17/2016	AEF	<del>.20</del> 1.1	\$0.00
		receipt and review order admitting medical records (PHC)	
11/17/2016	AEF	<del>1.00</del> 1.0	\$0.00
		Receipt and review of e/c's motion for leave of court to amend pretrial and raise voluntary limitation of income, and determine legal basis for said request, as well as need to respond and time constraints regarding said motion	
11/18/2016	KRG	<del>.20</del> 1.1	\$0.00
		receipt and review notice of motion hearing EC motion for leave of court to amend pretrial	
11/20/2016	KRG	<del>1.00</del> 1.5	\$0.00
		Review file, determine issues relevant to, plan strategy for questioning, and prepare for deposition of Doctor	
11/21/2016	KRG	<del>.40</del> 1.4	\$0.00
		attend hearing on EC motion for leave of court to amend pretrial	
11/21/2016	KRG	<del>.20</del> 1.2	\$0.00
		Receipt, review, and analysis of order on motion for leave of court to amend pre-trial, determine any action needed to comply with same, and determine impact on litigation/discovery plan	
11/21/2016	KRG	<del>.20</del> 1.2	\$0.00
		Not allowed email to OC regarding Dr. Suarez records	
11/21/2016	KRG	<del>.20</del> 1.2	\$0.00
		Not allowed Appear for and attend deposition of Doctor	
12/09/2016	KRG	<del>.70</del> 1.4	\$0.00
		review file and determine need for additional documentation from E/C, and instruction regarding supplemental request to produce regarding same	
12/11/2016	KRG	<del>2.50</del> 2.5	\$0.00
		review deposition transcripts, case law, determine arguments and prepare outline of same in preparation for 12/16/16 Final hearing	

~~12.30~~

2.46 (PR, Minus 80%) Page 6

8.1

# Time Sheet

04/21/2017

TIME SLIPS ONLY - WORLDS, Willie

Date Range: 1/1/1980 - 4/21/2017

Status: Pending/Released/Transferred/Exception

Date	Attorney	Hrs	Amount
12/13/2016	KRG	<del>PR 3.0</del> 1	\$0.00
		receipt review EC notice of filing depo Christine whobrey	
12/13/2016	KRG	<del>PR 3.0</del> .1	\$0.00
		receipt review EC notice of filing depo Claimant taken 2/29/16	
12/13/2016	KRG	<del>PR 4.0</del> .1	\$0.00
		receipt review EC notice of filing depo attachments to Dr. Susan Nelson depo	
12/13/2016	KRG	<del>PR 2.20</del> <i>duplets</i>	\$0.00
		continued preparation for final hearing, review statutory and case law on voluntary limitation of income, determine status of eers, and determine our position in re evidentiary burdens	
12/14/2016	KRG	<del>PR 1.80</del> 1.8	\$0.00
		Review and analysis of ec's trial summary, note brief responses to each argument in outline form	
12/14/2016	AEF	<del>PR .70</del>	\$0.00
		review file in preparation of notice of filing depositions of Dr. Suarez and Roberto Sevilla	
12/14/2016	AEF	<del>PR 2.80</del> 2.0	\$0.00
		review draft trial summary, instructions and comments, and prepare final claimant's trial summary to be filed	
12/14/2016	AEF	<del>PR 3.30</del> 3.30	\$0.00
		research case law, obtain additional case law authority to submit to JCC, and prepare notice of filing in regard to same.	
12/15/2016	KRG	<del>PR .30</del> .3	\$0.00
		emails to/from OC going resolution of issues	
12/16/2016	KRG	<del>PR 5.20</del> 5.20	\$0.00
		attend final hearing	
12/28/2016	KRG	<del>PR 1.20</del> 1.2	\$0.00
		review and analysis of final order, determine benefits secured, ec's potential challenges to order, issues subject to appeal/re hearing	
01/03/2017	KRG	.20	\$0.00
		email from OC regarding basis for rehearing	
01/04/2017	KRG	.20	\$0.00
		email to OC regarding basis for rehearing	
01/04/2017	KRG	1.90	\$0.00
		review file, prepare a detailed indemnity chart to determine what indemnity is due per JCC order	
01/06/2017	KRG	.80	\$0.00
		review and analyze EC motion for rehearing	
01/06/2017	KRG	1.40	\$0.00
		receipt review transcript of 12/16/16 final hearing (motion for rehearing)	
01/09/2017	KRG	1.20	\$0.00
		Review of file in preparation of response to ec's motion for rehearing	
01/17/2017	KRG	.20	\$0.00
		receipt review order denying motion for rehearing	

Total hours: ~~91.80~~

Total Amount: \$0.00

32.96

10.56

21.0

**STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS  
OFFICE OF THE JUDGE OF COMPENSATION CLAIMS  
DISTRICT MIAMI**

Willie Worlds,

OJCC: 15-025523ERA

Employee/Claimant,

D/Accident: 9/4/2015

v.

Progressive Employer Management/Finish Line Feed  
and AmTrust North America,

Employer/Carrier.

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**AFFIDAVIT OF COSTS**

STATE OF FLORIDA        )  
                                  )SS:  
COUNTY OF BROWARD    )


BEFORE ME, personally appeared, KEVIN R. GALLAGHER, Esq., who, after being duly sworn states the following:

1. This Affidavit is filed in support of Claimant's Verified Petition for Attorney's Fees and Costs.
2. The costs as listed on the attached Cost Ledger were reasonably incurred for the purpose of prosecuting and defending claims as specified in paragraph 4 of the Verified Petition for Attorney's Fees and Costs attached hereto. The attached costs are accurate and were actually incurred.

**SEE ATTACHED COST LEDGER**

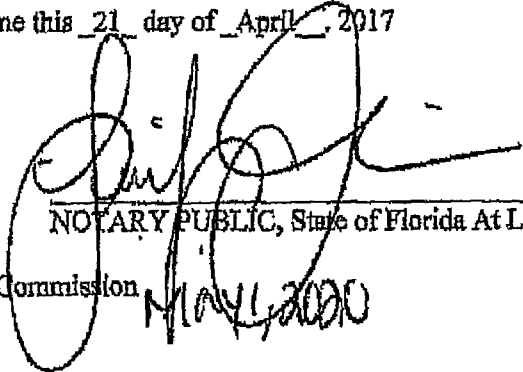
TOTAL COSTS:    \$ 2,319.48

FURTHER AFFIANT SAYETH NAUGHT.



Kevin R. Gallagher, Esq.  
FL Bar# 0149195

Sworn to and subscribed before me this 21 day of April, 2017



NOTARY PUBLIC, State of Florida At Large

My

Commission

MAY 1, 2020

Expires:



## Cost Itemization

12/21/15: Travel to initial client consultation, 35.3 miles	<del>\$15.71</del>	NA
5/17/16: Court Reporter attendance fee, adjuster deposition	\$95.00	
5/24/16: Travel to State mediation, 46.4 miles	<del>\$20.64</del>	
Tolls	\$1.70	
Parking	<del>\$9.00</del>	NA
5/19/16: Depo transcript fee, Dr. Susan Nelson	\$371.00	
7/25/16: Court Reporter attendance fee, ER Roberto Sevilla deposition	\$85.00	
7/25/16: Depo transcript fee, ER Roberto Sevilla deposition	\$233.45	
7/25/16: Interpreter fee, ER Roberto Sevilla deposition	\$115.00	
7/29/16: Court Reporter attendance fee, ER Payroll (cancelled, react 8/5/16)	\$95.00	
8/5/16: Depo Transcript fee, ER Payroll	\$185.34	
8/12/16: Depo Transcript fee, adjuster	\$330.70	
9/20/16: Travel to State mediation, 46.4 miles	\$20.64	NA
Parking	<del>\$1.50</del>	
11/21/16: Court Reporter attendance fee, Dr. Suarez deposition	\$95.00	100
11/21/16: Dr. Depo fee, Dr. Suarez Deposition	<del>\$200.00</del>	110
11/21/16: Depo transcript fee, Dr. Suarez	<del>\$265.80</del>	110
4/3/17: Court Reporter attendance fee, adjuster deposition	\$80.00	
Total:	<del>\$2,319.48</del>	

~~\$~~ 2,251.29  
 1590.49 allowed.