

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

RONALD LESNIAK)
)
Employee/Claimant)
)
vs.) OJCC Case No. 09-017857-TWS
)
VALOR SECURITY SERVICES)
)
Employer) Accident Date: 01/10/2009
)
and)
)
GALLAGHER BASSETT)
)
Carrier/Servicing Agent)
)
_____/) **Judge: Thomas W. Sculco**

Final Abbreviated Order

After proper notice to all parties, a hearing was held and concluded on this claim in Orlando, Orange County, Florida on March 28, 2011. Present at the hearing was Attorney Daniel DeCiccio for the employee and Attorney Gina Jacobs for the employer/servicing agent, hereinafter referred to as the E/SA.

This Order addresses the Employee's Verified Motion For Attorney's Fees and Costs (amount only) filed with DOAH on 12/23/2010.

As provided in Chapter 440 of the Florida Statutes, an abbreviated final order may be entered when compensability is not disputed. Pursuant to DOAH Rule 60Q-6.119, **within 10 days** of this order any party may request that this abbreviated final order be vacated and that a final order containing separate findings of fact and conclusions of law be entered. Upon such proper request, this order will be vacated, and a new more detailed order with the requisite findings of fact and conclusion of law will be entered. If a request to vacate this abbreviated final order is not received by the court **within 10 days**, the order will become final and non-appealable.

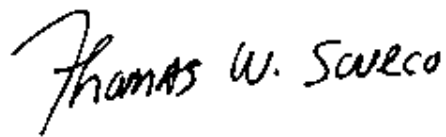
After hearing all of the testimony and evidence presented, and after having resolved any and all conflicts therein, the undersigned Judge of Compensation Claims makes the following findings of fact and conclusions of law: I find that attorney DeCiccio's firm, which includes paralegal tasks and tasks performed by Dan DeCiccio, Esq. and Wayne Johnson, Esq., reasonably spent 68 hours securing attendant care benefits in this case (55 hours for attorney DeCiccio, 3 hours for attorney Johnson, and 10 hours for paralegal tasks. Considering the factors discussed in *Lee Engineering & Construction Co. v. Fellows*, 209 So. 2d 454 (Fla. 1968), I find that a reasonable

attorneys' fee for work performed by Mr. DeCiccio is \$13,750, for Mr. Johnson is \$675.00, and for paralegal work is \$600.00. Thus, the total attorney's fee owed is \$15,025.00. In addition, I find that claimant reasonably incurred \$47.00 in costs in securing attendant care benefits in this case.

WHEREFORE it is hereby **ORDERED** and **ADJUDGED** that:

1. The E/C is ordered to pay \$15,025.00 in attorneys' fees to Dan DeCiccio, Esq..
2. The E/C is ordered to reimburse claimant costs in the amount of \$47.00.

DONE AND ORDERED in Chambers at Orlando, Orange County, Florida this 31st day of March, 2011.



Thomas W. Sculco
Judge of Compensation Claims
400 West Robinson Street, Suite 608N
Orlando, Florida 32801-1701

This is to certify that a true and correct copy of the foregoing Order has been furnished by electronic or U.S. Mail to the parties and counsel listed below.



Digitally signed by Marla Miller
Date: 2011.03.31 10:08:21
-04'00'

Assistant to Judge Sculco

Served by Electronic Mail:

Daniel DeCiccio, Esquire

Gina Jacobs, Esquire