

SERVED: July 10, 2025

NTSB Order No. EA-6009

UNITED STATES OF AMERICA
NATIONAL TRANSPORTATION SAFETY BOARD
WASHINGTON, D.C.

Issued under delegated authority (49 C.F.R. § 800.24)
on the 10th day of July, 2025

In the Matter of the Application of)
MATT BURROWS) Docket No. 1028-EAJA-SE-31425
for an award of attorney fees and)
other expenses pursuant to the)
Equal Access to Justice Act.)

)

ORDER GRANTING STAY

On June 12, 2025, the Administrative Law Judge issued an Order Partially Granting EAJA Fees and Expenses in the above-captioned matter. On June 16, 2025, the Acting Administrator filed a Notice of Appeal of the law judge's order. On the same day, the Applicant filed a Motion for Partial Reconsideration. On June 27, 2025, the Acting Administrator filed an Unopposed Motion to Stay the Appeal Brief Deadline, and counsel for the Applicant submitted a notice indicating that they do not oppose the motion.

In accordance with the Board's Rules of Practice, when a timely request for reconsideration is filed, before an appeal to the Board is taken, the deadline for filing an appeal is stayed until 10 days after the date on which the law judge serves their decision on the reconsideration request.¹ Additionally, if a request for reconsideration and a notice of appeal are submitted on the same day, the request for reconsideration will be considered as having been filed first.²

In this case, both the request for reconsideration and the notice of appeal were timely filed on the same day. Pursuant to the applicable rules, the request for reconsideration is deemed

¹ 49 C.F.R. § 821.47(b).

² *Id.*

to have been filed first, rendering the notice of appeal moot at this time.³ The deadline to refile a notice of appeal will be extended to 10 days following the law judge's decision on the reconsideration request. Thus, good cause exists for granting the stay.

ACCORDINGLY, IT IS ORDERED THAT:

The stay is granted to refile the notice of appeal. The deadline to file a notice of appeal is extended until 10 days after the law judge issues a decision on the motion for reconsideration in this case.

WILLIAM
MCMURRY 
William T. McMurry, Jr.
General Counsel

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MCMURRY
Date: 2025.07.10 12:28:23
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³ Given that the Acting Administrator's notice of appeal is considered moot, the requirement to file an appeal brief is no longer applicable.

CERTIFICATE OF SERVICE

The NTSB certifies that it has served this Order Granting Stay on the following parties both electronically and via USPS certified mail on July 10, 2025.

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07/10/2025

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