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SOL (MSHA) V. GILBERT CORPORATION
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Federal Mine Safety and Health Review Commission
Office of Administrative Law Judges

SECRETARY OF LABOR,
MINE SAFETY AND HEALTH
ADMINISTRATION (MSHA),
PETITIONER
V.

CIVIL PENALTY PROCEEDING

Docket No. WEST 84-95-M
A.C. No. 45-02961-05503
Cannon Mine

GILILBERT CORPORATION OF
DELAWARE,
RESPONDENT

ORDER OF DEFAULT

Before: Judge Broderick

On August 24, 1984, I issued a Prehearing Order directing the parties inter alia to confer, and to exchange and send me by October 30, 1984, lists of witnesses and exhibits and stipulations for a potential hearing. Respondent did not reply to the order.

On December 7, 1984, I issued an Order to Show Cause directing Respondent to show within 15 days why it should not be held in default. Respondent did not reply.

Therefore, Respondent is found to be IN DEFAULT. IT IS ORDERED that the penalties proposed in the Assessment order attached as Exhibit A to the proposal in the total amount of \$336 are imposed as the final order of the Commission. IT IS FURTHER ORDERED that Respondent shall pay such penalties in the amount of \$336 within 30 days of the date of this order.

James A. Broderick
Administrative Law Judge