

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

OFFICE OF ADMINISTRATIVE LAW JUDGES
2 SKYLINE, 10th FLOOR
5203 LEESBURG PIKE
FALLS CHURCH, VIRGINIA 22041

AUG 21 1981

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|-------------------------------|---|--------------------------|
| MARK SEGEDI, | : | Application for Review |
| | : | of Discrimination |
| On behalf of: | : | |
| | : | Docket No. PENN 80-273-D |
| S. J. EZARIK, <u>et al.</u> , | : | |
| Complainants | : | Somerset No. 60 Mine |
| | : | |
| v. | : | |
| | : | |
| BETHLEHEM MINES CORPORATION, | : | |
| Respondent | : | |

FINAL ORDER AS TO COSTS AND EXPENSES

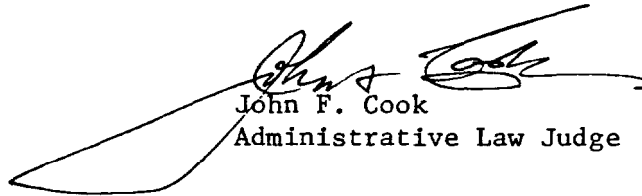
On March 31, 1981, a decision was issued in the above-captioned proceeding which contained an order which stated as follows in paragraph G:

G. IT IS FURTHER ORDERED that Respondent reimburse the Complainants identified in Part B of this order for all costs and expenses, including attorney's fees, reasonably incurred in connection with this proceeding. Counsel for the parties are directed to confer and attempt to agree as to the amount of such costs and expenses. If they are unable to agree, the Complainants identified in Part B of this order will, within 60 days from the date of this decision, file an itemized statement of costs and expenses. Thereafter the Administrative Law Judge will, after affording the parties an opportunity to be heard, determine the amount of reimbursable costs and expenses to be recovered by the Complainants identified in Part B of this order. For this purpose, I retain jurisdiction of this proceeding.

On July 10, 1981, a stipulation, signed by the Complainants' and the Respondent's attorneys, was filed which provides as follows:

In accordance with the order issued by Administrative Law Judge John F. Cook, dated June 3, 1981, and pursuant to Section G of Judge Cook's order dated March 31, 1981, counsel for Complainant and Respondent stipulate that Respondent has reimbursed the Complainants for all costs and expenses, including attorney's fees ordered by the Judge.

Accordingly, IT IS ORDERED that the above quoted action by Respondent in reimbursing the Complainants for all costs and expenses, including attorneys fees, constitutes fulfillment of paragraph G of the order and this order constitutes the final disposition of the issues pertaining to the assessment of costs and expenses in this case.


John F. Cook
Administrative Law Judge

Distribution:

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