

CCASE:

J.D. MOSLEY V. D.F.J. COAL

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Federal Mine Safety and Health Review Commission  
Office of Administrative Law Judges

J. D. MOSLEY,  
COMPLAINANT

DISCRIMINATION PROCEEDING

v.

Docket No. KENT 84-15-D

D. F. J. COAL COMPANY, INC.,  
AND JOHN LINDER,  
RESPONDENT

BARB CD 83-39

No. 4 Mine

ORDER OF DISMISSAL

Appearances: Tony Opegard, Esq., Appalachian Research and  
Defense Fund of Kentucky, Hazard, Kentucky,  
for Complainant S.H.Johnson, Esq., Johnson &  
Johnson, Paintsville, Kentucky, for Respondents

Before: Judge Melick

At expedited hearings, the Complainant requested approval to  
withdraw his complaint in the captioned case based on a  
satisfactory settlement agreement between the parties. Under the  
agreement, the Complainant receives certain promises from the  
operator as well as payment of \$10,000 for lost wages. Under the  
circumstances herein, permission to withdraw is granted. 29 CFR  
2700.11. The case is therefore dismissed

Gary Melick  
Assistant Chief Administrative Law Judge