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RALPLH FITZWTER V. METTIKI COAL  
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Federal Mine Safety and Health Review Commission  
Office of Administrative Law Judges

RALPH W. FITZWATER,  
COMPLAINANT

v.

METTIKI COAL CORPORATION,  
RESPONDENT

DISCRIMINATION PROCEEDING

Docket No. YORK 83-3-D

MSHA Case No. MORG CD 83-11

DECISION

Before: Judge Kennedy

This matter is before me on the parties' stipulation for settlement and motion to withdraw the captioned discrimination complaint. A review of the stipulation shows it is in accord with the purposes and policy of the Act and agreeable to the Complainant.

Accordingly, it is ORDERED that the settlement be, and hereby is, APPROVED and made a part of the record of this proceeding. It is FURTHER ORDERED that the operator forthwith pay the sum of \$22,000 to Ralph W. Fitzwater and that subject to payment the captioned matter be DISMISSED.

Joseph B. Kennedy  
Administrative Law Judge