

CCASE:  
MONUMENT MINING V. SOL (MSHA)  
DDATE:  
19850213  
TTEXT:

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

MONUMENT MINING CORPORATION,  
CONTESTANT

v.

SECRETARY OF LABOR,  
MINE SAFETY AND HEALTH  
ADMINISTRATION (MSHA),  
RESPONDENT

CONTEST PROCEEDINGS

Docket No. WEVA 84-353-R  
Order No. 2274263; 7/16/84

Docket No. WEVA 84-354-R  
Order No. 2274263-01; 7/17/84

Docket No. WEVA 84-355-R  
Order No. 2142667; 7/17/84

Docket No. WEVA 84-356-R  
Order No. 2142668; 7/17/84

Docket No. WEVA 84-374-R  
Order No. 2438645; 8/1/84

No. 1 Surface Mine

ORDER DISMISSING PROCEEDINGS

Before: Judge Koutras

The contestant has failed to respond to my previously issued orders and show cause orders directing it to furnish the name, address, and telephone number of its representative, and to advise me whether or not it wishes to pursue these contests further. In addition, the contestant has refused to accept service of said orders, and the postal service has returned the certified mailings as "unclaimed," "addressee unknown," or "postal box closed." Contestant's previously retained counsel has been dismissed on his own motion as the representative of the contestant on the ground that he is no longer authorized to represent the contestant in these proceedings.

In view of the foregoing, and in light of the contestant's failure to communicate further with this Commission with respect to the pursuit of the contests, these cases ARE DISMISSED, and the reasons for this action are (1) the contestant's failure to respond to the presiding Judge's orders,

~233

(2) the failure by the contestant to comply with Commission Rule 5, 29 C.F.R. 2700.5, which requires a party to inform the Commission of any changes of representation, and (3) the obvious failure by the contestant to pursue its claims, or to otherwise explain why it is avoiding service of all further communications in the proceedings.

George A. Koutras  
Administrative Law Judge