

CCASE:  
SOL (MSHA) v. CONSOLIDATION COAL  
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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),  
ON BEHALF OF  
PAUL Z. SWIGER,  
COMPLAINANT  
v.

DISCRIMINATION PROCEEDING  
Docket No. WEVA 85-18-D  
MORG CD-84-5  
O'Donnell No. 20 Mine

CONSOLIDATION COAL COMPANY,  
RESPONDENT

ORDER OF DISMISSAL  
DECISION APPROVING SETTLEMENT

Before: Judge Merlin

The Solicitor has filed a detailed motion explaining that pursuant to agreement between the parties, the complainant now has received all the relief sought in this case.

The Solicitor further has moved for approval of a civil penalty in the amount of \$900 for the violation of section 105(c) of the Act. The Solicitor further has discussed the proposed settlement in light of the six statutory criteria set forth in section 110 of the Act. Based upon my review of the Solicitor's motion I am satisfied that the proposed settlement is consistent with the purposes and spirit of the statute.

In light of the foregoing the proposed settlement is APPROVED and the operator is ORDERED TO PAY \$900 within 30 days from the date of this decision. This matter is hereby DISMISSED.

Paul Merlin  
Chief Administrative Law Judge