

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

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

DN 21 1985

SECRETARY OF LABOR,	:	DISCRIMINATION PROCEEDING
MINE SAFETY AND HEALTH	:	
ADMINISTRATION (MSHA),	:	Docket No. WEVA 84-33-D
ON BEHALF OF	:	MSHA Case No. MORG CD 83-18
ROBERT RIBEL,	:	
Complainant	:	Federal No. 2 Mine
v.	:	
	:	
EASTERN ASSOCIATED COAL	:	
CORPORATION,	:	
Respondent	:	

SUPPLEMENTAL DECISION AND ORDER

Before: Judge Koutras

On December 18, 1985, the Commission issued its decision in this matter affirming my decision of September 24, 1984, 7 FMSHRC 2203, and my supplemental decision on remand of July 10, 1985, 7 FMSHRC 1059, that the respondent discriminated against the complainant in violation of section 105(c)(1) of the Federal Mine Safety and Health Act of 1977, 30 U.S.C. § 815(c)(1). With regard to the issue of attorneys' fees for the complainant's private counsel, the Commission ruled that Mr. **Ribel's** counsel **is entitled** to a limited attorney's fees award, and it remanded the matter to me for further limited adjudication of this issue.

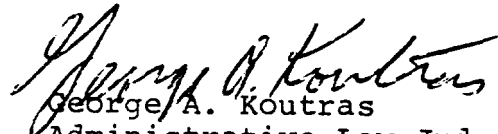
In response to my order of December 31, 1985, the parties have submitted a stipulation with respect to the amount of attorneys' fees due to Mr. Ribel, and it states **as** follows:

That the amount of attorneys' fees due to Mr. Ribel in connection with the participation of his private attorney in obtaining an award of costs in the amount of six hundred and five dollars (\$605) is seven hundred and twenty one dollars and fifty cents (\$721.50);

That this Stipulation is without prejudice and shall not constitute a waiver of the right of either party to petition for review of the aforementioned decisions of Judge Koutras and the Commission, including specifically the disposition by Judge **Koutras** and the Commission of Mr. Ribel's motion for an award of attorneys' fees and costs.

ORDER

The respondent IS ORDERED to pay to Mr. Ribel's private attorney the agreed upon amount of \$721.50, and payment is to be made within thirty (30) days of the date of this supplemental decision and order.


George A. Koutras
Administrative Law Judge

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