

CCASE:
SOL (MSHA) V. YEANEY, SHIELDS, BRICK, PARTNERS
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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),
PETITIONER

CIVIL PENALTY PROCEEDING

Docket No. PENN 85-299
A.C. No. 36-06172-03501

v.

Blackhawk Mine

YEANEY, SHIELDS, BRICK,
PARTNERS,
RESPONDENT

ORDER OF DEFAULT

Before: Judge Broderick

On August 25, 1986, I issued an order to Respondent to show cause on or before September 5, 1986 why it should not be held in default for failure to comply with my prehearing order issued on May 12, 1986. At the request of Respondent made in a telephone conversation on September 5, 1986, I extended the time to respond to the order to show cause to September 15, 1986. Respondent has not responded to the order to show cause.

Therefore, I find that Respondent is in DEFAULT. IT IS ORDERED that the penalties proposed in the Assessment Order attached as Exhibit A to the Petition in the total amount of \$82 are imposed as the final order of the Commission. IT IS FURTHER ORDERED that Respondent shall pay such penalties in the amount of \$82 within 30 days of the date of this order.

James A. Broderick
Administrative Law Judge