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SOL (MSHA) V. BARNES & TUCKER
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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
ANDREW J. DUBETSKY,
COMPLAINANT

DISCRIMINATION PROCEEDING

Docket No. PENN 86-227-D
PITT CD 86-6

Lancashire No. 20 Mine

v.

BARNES & TUCKER COMPANY,
RESPONDENT

ORDER OF DISMISSAL

Before: Judge Merlin

The miner-complainant has reached a settlement with the operator, has accepted a lump sum payment and has elected to withdraw his complaint. The Solicitor concurs with the settlement and supports the motion to withdraw. Upon independent review of the record, it is found that the settlement is fair and in accord with the Act.

Accordingly, the motion to withdraw is GRANTED and this case is DISMISSED.

Paul Merlin
Chief Administrative Law Judge