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SOL (MSHA) & UMWA V. JIM WALTER RESOURCES
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Federal Mine Safety and Health Review Commission (F.M.S.H.R.C.)
Office of Administrative Law Judges

SECRETARY OF LABOR,
MINE SAFETY AND HEALTH
ADMINISTRATION, (MSHA),
ON BEHALF OF
BRIAN BOSCH,
COMPLAINANT
AND

DISCRIMINATION PROCEEDING

Docket No. SE 88-18-D
BARB CD 87-4

No. 4 Mine

UNITED MINE WORKERS OF
AMERICA, (UMWA),
INTERVENOR

v.

JIM WALTER RESOURCES, INC.,
RESPONDENT

ORDER OF DISMISSAL

Before: Judge Melick

The respondent's unopposed Motion to Dismiss is granted. the parties agree that this case is controlled by the Commission decision in Secretary on behalf of Beavers etal. v. Kitt Energy Corporation WEVA 85Ä753ÄD and no appeal has been taken from that decision. This case is therefore dismissed.

Gary Melick
Administrative Law Judge
(703) 756Ä6261