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R. THOMPSON & P. LUCE & UNIMIN CORP.  
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Federal Mine Safety and Health Review Commission (F.M.S.H.R.C.)  
Office of Administrative Law Judges

ROGER THOMPSON, UNION PRES.,  
ON BEHALF OF  
PAUL LUCE,  
COMPLAINANT

DISCRIMINATION PROCEEDING

Docket No. CENT 88-157-DM  
MD 87-60

v.

Silica Sand Plant

UNIMIN CORPORATION,  
RESPONDENT

DECISION

Before: Judge Lasher

By letter dated November 15, 1988, counsel for Complainant, Paul Luce, indicated that Mr. Luce "has decided not to pursue the above cause of action." Attached to the letter is a document entitled Discontinuance of Discrimination Complaint signed by Mr. Luce which is construed to be a withdrawal of the Complaint herein. Pursuant to Commission Rule 11 (29 C.F.R. 2700.11) a party may withdraw such pleading at any time with the approval of the Commission or the Judge. Such approval is here granted since it appears that the withdrawal is voluntary. Accordingly, this proceeding is dismissed with prejudice.

Michael A. Lasher, Jr.  
Administrative Law Judge