

CCASE:
SOL (MSHA) V. BILL BRANCH COAL
DDATE:
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TTEXT:

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
DONALD J. ROBINETTE,
COMPLAINANT

DISCRIMINATION PROCEEDING

Docket No. VA 87-21-D

NORT CD 87-5

Mine No. 8

v.

BILL BRANCH COAL COMPANY,
INC.,
RESPONDENT

SECRETARY OF LABOR,
MINE SAFETY AND HEALTH
ADMINISTRATION (MSHA),
ON BEHALF OF JOEY F. HALE,
COMPLAINANT

DISCRIMINATION PROCEEDING

Docket No. VA 87-22-D

NORT CD 87-7

Mine No. 8

v.

BILL BRANCH COAL COMPANY,
INC.,
RESPONDENT

STAY ORDER

In a Decision issued September 29, 1988, finding Respondent violated section 105(c) of the Act, the Complainants were directed to file statements indicating the specific relief requested, and Respondent was granted a right to reply. Respondent has subsequently filed in United States Bankruptcy Court for reorganization in bankruptcy pursuant to Title 11 of the United States Code, and thereby the proceedings herein in the above captioned cases are subject to an automatic stay (11 U.S.C. 362(a)(1)). The Solicitor, on behalf of Complainants, filed i United States Bankruptcy Court, a Motion For A Determination That Stay Does Not Apply.

Accordingly, it is ORDERED that proceedings in the above captioned cases be STAYED pending a determination by the United States Bankruptcy Court that the automatic stay does not apply.

Avram Weisberger
Administrative Law Judge
(703) 756-6210