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SOL (MSHA) & UMWA V. JIM WALTER  
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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  
DAN NELSON,  
RONALD SONEFF,  
TOMMY BOYD,  
STANLEY ODOM,  
CARROLL JOHNSON,  
COMPLAINANTS

DISCRIMINATION PROCEEDING

Docket No. SE 89-63-D

Case No. OTC&I-CD-88-01

Mine No. 7

AND

UNITED MINE WORKERS OF AMERICA  
INTERVENOR

v.

JIM WALTER RESOURCES, INC.,  
RESPONDENT

DECISION AND ORDER OF DISMISSAL

Appearances: Colleen Geraghty, Esq., Office of the Solicitor,  
U.S. Department of Labor, Arlington, Virginia,  
for Complainants;  
Patrick K. Nakamura, Esq., Longshore, Nakamura,  
and Quinn; Birmingham, Alabama, for United Mine  
Worker of America;  
David M. Smith, Esq., Maynard, Cooper, Frierson  
and Gale; Birmingham, Alabama, for Petitioner.

Before: Judge Melick

Complainant requests approval to withdraw her Complaint in  
the captioned case on the grounds that the parties have reached a  
mutually agreeable settlement of the underlying issue. Under the  
circumstances herein, permission to withdraw is granted. 29  
C.F.R. 2700.11. This case is therefore dismissed.

Gary Melick  
Administrative Law Judge  
(703) 756-6261