

CCASE:

DAVID THOMAS v. AMPAK MINING

GEORGE ISAACS v. AMPAK MINING

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Federal Mine Safety and Health Review Commission  
Office of Administrative Law Judges  
The Federal Building  
Room 280, 1244 Speer Boulevard  
Denver, CO 80204

DAVID THOMAS,  
COMPLAINANT

v.

AMPAK MINING, INC.,  
GEARY BURNS AND  
PEGGY A. KRETZER,  
RESPONDENTS

DISCRIMINATION PROCEEDING

Docket No. KENT 89-13-D

BARB CD 88-16

Mine No. 1

GEORGE ISAACS,  
COMPLAINANT

v.

AMPAK MINING, INC.,  
GEARY BURNS AND  
PEGGY A. KRETZER,  
RESPONDENTS

DISCRIMINATION PROCEEDING

Docket No. KENT 89-14-D

BARB CD 88-34

Mine No. 1

DECISION AND ORDER AWARDING COSTS AND DAMAGES

Before: Judge Melick

Pursuant to the Default Decision and Order issued February 7, 1991, and the unopposed Supplemental Statement of Attorney Fees and Expenses filed herein, it is hereby ORDERED that within 30 days of the date of this decision Respondents' Geary Burns and Peggy A. Kretzer (who are jointly and severally liable) pay to Tony Oppeward, the attorney for Complainants' David Thomas and George Isaacs, attorney fees and expenses of \$7,802.39, in addition to previously awarded damages and costs (ordered to be paid by Ampak Mining, Inc. on March 9, 1990) plus interest in accordance with the Commission's decision in UMWA v. Clinchfield Coal Co., 10 FMSHRC 1493 (1988). This decision represents the final disposition of these proceedings before this judge.

Gary Melick  
Administrative Law Judge  
(703) 756-6261