

CCASE:
NORTHCUTT, MYERS, AND EBERLE, v. IDEAL BASIC
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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

DONALD NORTHCUTT, GENE MYERS, AND TED EBERLE,	DISCRIMINATION PROCEEDING
COMPLAINANTS	Docket No. CENT 89-162-DM
v.	
IDEAL BASIC INDUSTRIES, INC., RESPONDENT	Ada Quarry & Plant

ORDER OF DISMISSAL

Before: Judge Morris

HAVING CONSIDERED the Joint Motion to Withdraw Complaint and Dismiss Action with Prejudice submitted by Complainants Donald Northcutt, Gene Myers, and Ted Eberle, and

WHEREAS the Secretary of Labor, in Docket No. CENT 88-142-D, withdrew from prosecution of these Complainants' claim of discriminatory discharge, thereby allowing these Complainants to pursue this claim individually under 30 U.S.C. 815(c), and

SEEING THAT, with respect to these three Complainants, this matter has been settled by the parties,

IT IS HEREBY ORDERED that Complainants Donald Northcuttt, Gene Myers, and Ted Eberle may withdraw their Complaint and their action is hereby DISMISSED WITH PREJUDICE, each party to bear his own attorneys' fees and costs.

John J. Morris
Administrative Law Judge