

CCASE:  
LLOYD A. PARTIN V. AMAX COAL  
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FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION  
1244 SPEER BOULEVARD #280  
DENVER, CO 80204-3582  
(303) 844-5266/FAX (303) 844-5268

August 9, 1993

LLOYD A. PARTIN, : DISCRIMINATION PROCEEDING  
Complainant :  
 :  
v. : Docket No. WEST 93-198-D  
 : DENV CD 92-14  
 :  
AMAX COAL COMPANY, :  
Respondent :

ORDER OF DISMISSAL

Before: Judge Lasher

By letter mistakenly dated April 16, 1993 (the date should be July 16, 1993), counsel for Complainant, in confirming a telephone conversation held among him, Respondent's counsel, and me on July 13, 1993, had reiterated that a settlement has been reached between the parties in this matter. Complainant's attorney indicates in the subject correspondence that such "constitutes Mr. Partin's official request that his claims be withdrawn."

Pursuant to the Commission Procedural Rule 11 (29 C.F.R. 2700.11) a party may withdraw such pleading at any stage of proceeding with the approval of the Commission or a Judge. Since it appears the withdrawal is voluntary and based on appropriate grounds, approval is here GRANTED. Accordingly, this proceeding is DISMISSED WITH PREJUDICE.

Michael A. Lasher, Jr.  
Administrative Law Judge

Distribution: Certified Mail

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