

CCASE:  
CLARK WILLIAMSON V. ELKEY MINING COMPANY  
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FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

OFFICE OF ADMINISTRATIVE LAW JUDGES  
2 SKYLINE, 10th FLOOR  
5203 LEESBURG PIKE  
FALLS CHURCH, VIRGINIA 22041

June 17, 1994

CLARK WILLIAMSON, : DISCRIMINATION PROCEEDING  
Complainant :  
v. : Docket No. WEVA 93-406-D  
: HOPE CD 93-15  
ELKAY MINING COMPANY, :  
Respondent : Tower Mountain Mine

ORDER OF DISMISSAL

Before: Judge Hodgdon

This case is scheduled for hearing on June 21, 1994, in Logan, West Virginia. On June 6, 1994, the Complainant submitted a letter stating that he desired to withdraw the case "without prejudice." The Respondent opposed dismissing the matter "without prejudice."

In a telephone conference call on this date, I advised Mr. Williamson that the only way that the case would be dismissed would be "with prejudice." Knowing that, he stated that he still desired to have the case dismissed. The Respondent had no objection to the case being dismissed "with prejudice."

Accordingly, it is ORDERED that the hearing set for June 21, 1994, is CANCELED and that this case is DISMISSED with prejudice.

T. Todd Hodgdon  
Administrative Law Judge

Distribution:

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