

CCASE:

K.E. VOGT SR. V. BRADYS BEND CORP.

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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

KENNETH E. VOGT, SR., : DISCRIMINATION PROCEEDING  
Complainant :  
v. : Docket No. PENN 94-323-DM  
: MSHA Case No. NE MW 94-03  
BRADYS BEND CORPORATION, :  
Respondent : Kaylor Mine No. 3 36-00033

ORDER OF DISMISSAL

Before: Judge Melick

Complainant, Kenneth E. Vogt, Sr., requests approval to withdraw his complaint in the captioned case. Under the circumstances herein, permission to withdraw is granted. 29 C.F.R. 2700.11. This case is therefore DISMISSED and the hearing scheduled for October 18, 1994, is canceled.

Gary Melick  
Administrative Law Judge

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