

CCASE:  
LARRY HATTON V. ADENA FUELS  
DDATE:  
19941229  
TTEXT:

~2562

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

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

LARRY E. HATTON, : DISCRIMINATION PROCEEDING  
Complainant :  
v. : Docket No. KENT 94-57-D  
 : MSHA Case No. BARB CD 93-10  
ADENA FUELS, INCORPORATED, :  
Respondent : Diamond No. 1 Mine

ORDER OF DISMISSAL

Appearances: Tony Oppeward, Esq., Mine Safety Project of the  
Appalachian Research and Defense Fund of Kentucky,  
Inc., Lexington, Kentucky, for the Complainant;  
Jerry Wayne Slone, Esq., Weinberg, Campbell and  
Slone, Hindman, Kentucky, for the Respondent.

Before: Judge Melick

Following initial commencement and postponement of hearings,  
Complainant Larry E. Hatton, in effect, requested approval to  
withdraw on the grounds that the parties had reached an agreeable  
settlement of the underlying matter. Under the circumstances  
herein, permission to withdraw is granted. 29 C.F.R. 2700.11.  
This case is therefore dismissed and the continuation of hearings

scheduled for January 24, 1995, is cancelled.

Gary Melick  
Administrative Law Judge

Distribution:

Tony Oppeward, Mine Safety Project of the Appalachian Research  
and Defense Fund of Kentucky, Inc., 630 Maxwellton Court,  
Lexington, KY 40508 (Certified Mail)

Jerry Wayne Slone, Esq., Weinberg, Campbell and Slone, P.O.  
Box 727, Main St., Hindman, KY 41822 (Certified Mail)

/lt