

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

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

March 6, 1995

PEABODY COAL COMPANY,	:	CONTEST PROCEEDING
Contestant	:	
v.	:	Docket No. KENT 94-524-R
	:	Citation No. 3863265; 3/21/94
SECRETARY OF LABOR,	:	
MINE SAFETY AND HEALTH	:	Martwick Underground Mine
ADMINISTRATION (MSHA),	:	I.D. No. 15-14074
Respondent	:	

ORDER OF DISMISSAL

Appearances: Carl B. Boyd, Jr., Esq., Peabody Coal Company,
Donna E. Sonner, Esq., Office of the Solicitor,

Before: Judge Melick

At hearing on January 31, 1995, this Contest Proceeding was rendered moot by the settlement between the parties of the associated penalty proposed for the underlying section 104(a) citation (See Docket No. KENT 94-1321). Under the circumstances this case is dismissed.

Gary Melick
Administrative Law Judge

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