

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

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

October 30, 1996

SECRETARY OF LABOR, : DISCRIMINATION PROCEEDING
MINE SAFETY AND HEALTH :
ADMINISTRATION (MSHA), : Docket No. KENT 96-390-D
on behalf of DOUGLAS MARTIN, :
Complainant : PIKE CD 96-09
v. :
 : Mine No. 1
LOST CREEK MINING INC., :
Respondent : Mine ID 15-17583
:

NOTICE OF HEARING

The parties are advised that a hearing will be conducted in the captioned case, at 8:30 a.m., on Thursday, October 10, 1996, in Prestonsburg, Kentucky. The specific hearing site will be determined at a later date.

This matter concern an application for temporary reinstatement and a complaint of discrimination filed by the Complainant against the Respondent pursuant to Section 105(c) of the Federal Mine Safety and Health Act of 1977. The Complainant alleges that Douglas Martin was illegally discriminated against on July 2, 1996, he was laid off for allegedly engaging in a protected work refusal.

In preparation for the hearing, the parties are directed to stipulate as to those matters which are not in dispute and to mark and exchange copies of hearing exhibits in advance of the hearing. Exhibits offered by the Complainant shall be prefixed with the letter "C" and marked consecutively. Exhibits offered by the Respondent shall be prefixed with the letter "R" and marked consecutively.

David Barbour
Administrative Law Judge
(703) 756-5232

Distribution:

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