

**FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION**

OFFICE OF ADMINISTRATIVE LAW JUDGES  
601 New Jersey Avenue, N.W., Suite 9500  
Washington, D.C. 20001

August 5, 2003

SECRETARY OF LABOR,	:	DISCRIMINATION PROCEEDING
MINE SAFETY AND HEALTH	:	
ADMINISTRATION (MSHA), on behalf of	:	Docket No. KENT 2003-313-D
CHARLES SCOTT HOWARD,	:	BARB CD 2003-07
Complainant	:	
v.	:	Cave Spur No. 1
	:	Mine ID 15-18197
CAVE SPUR COAL, LLC, and PANTHER	:	
MINING, LLC, and BLACK MOUNTAIN	:	Cave Spur No. 1
RESOURCES, LLC.,	:	Mine ID 15-18198
Respondent	:	

**ORDER TO PROVIDE ADDITIONAL SERVICE**

Mr. J. Phillip Giannikas of the Nashville Office of the Solicitor has reported that he will be on extended vacation and otherwise engaged from August 11, 2003 through September 24, 2003, and asks that no proceedings be scheduled in this case for that period. It is unacceptable that Commission proceedings expedited under Section 105(c) of the Federal Mine Safety and Health Act of 1977, be delayed under such circumstances. Accordingly, during the period of Mr. Giannikas' absence all pleadings, notices and other matters in this case will be served upon Mr. Giannikas as well as to Theresa Ball, who is in charge of the Nashville Solicitor's Office, to assure that the Secretary is appropriately represented during Mr. Giannikas' absence.

Gary Melick  
Administrative Law Judge  
(202) 434-9977

Distribution: (Facsimile and First Class Mail)

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