

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION
1244 SPEER BOULEVARD #280
DENVER, CO 80204-3582
303-844-3577/FAX 303-844-5268

May 10, 1995

ROBBIE A. SMITH, : DISCRIMINATION PROCEEDING
Complainant :
 : Docket No. WEST 95-10-D
v. :
 :
CENTRALIA MINING CO., INC., : Centralia Coal Mine
Respondent : Mine I.D. 45-00416

DECISION APPROVING SETTLEMENT

Before: Judge Manning

This proceeding was brought by the Secretary of Labor on behalf of Robbie A. Smith under section 105(c)(2) of Federal Mine Safety and Health Act of 1977, 30 U.S.C. ' 815(c)(2). On April 5, 1995, the Secretary filed an unopposed motion to discontinue his representation of Mr. Smith. By order dated April 6, 1995, the motion was granted and Mr. Smith has represented himself in this proceeding since that date. On May 8, 1995, Mr. Smith and Centralia Mining Company filed a joint Settlement Agreement and General Release. The settlement agreement resolves all existing and potential disputes between the parties in this case arising out of the termination of Mr. Smith's employment by Centralia. I have reviewed the terms of the proposed settlement and find the settlement to be reasonable and in the public interest.

Accordingly, the terms of the settlement set forth in the Settlement Agreement and General Release are **APPROVED** and this discrimination proceeding is **DISMISSED**.

Richard W. Manning
Administrative Law Judge

Distribution:

Timothy M. Biddle, Esq., CROWELL & MORING, 1001 Pennsylvania Ave., NW Washington, DC 20004-2595

Mr. Robbie A. Smith, 943 E. Greenbrae Dr., Sparks, NV 89434
RWM

TIMOTHY M BIDDLE ESQ
CROWELL & MORING
1001 PENNSYLVANIA AVE NW
WASHINGTON DC 20004-2595

MR ROBBIE A SMITH
943 EAST GREENBRAE DRIVE
SPARKS NV 89434