

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

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March 15, 2002

PAMELA BRIDGE PERO,	:	DISCRIMINATION PROCEEDING
Complainant	:	
	:	Docket No. WEST 97-154-D
v.	:	DENV CD 96-21
	:	
CYPRUS PLATEAU MINING CORP.,	:	Star Point No. 2
Respondent	:	Mine ID 42-00171

REMAND DECISION APPROVING SETTLEMENT

Before: Judge Cetti

This proceeding was originally initiated by a complaint by Pamela Bridge Pero (hereinafter "Pero") under the provisions of Section 105(c)(3) of the Federal Mine Safety and Health Act of 1977, 30 U.S.C. § 802 *et seq.*, the "Act."

On December 22, 2000, the Commission remanded the Judge's decision of September 1998 for further consideration, consistent with the Commission decision of December 2000. Although Pero and Respondent Cyprus Plateau Mining Corporation had every opportunity to present additional evidence, they decided to settle the case without further litigation. The joint motion for settlement, signed by all parties and their respective attorneys, was filed on March 11, 2002. The parties agree that this settlement agreement constitutes a final disposition of all issues in this case.

The settlement agreement contains provisions concerning consideration, release of claims, and other matters that the parties also wish to remain confidential.

I reviewed the motion and settlement agreement and conclude that the proposed settlement is reasonable and in the public interest. The motion to approve settlement is **GRANTED**, and the parties are **ORDERED** to comply with the terms and conditions in the settlement agreement.

The terms of the settlement are to remain **CONFIDENTIAL**. Consequently, the envelope in the official file that contains confidential documents **PLACED UNDER SEAL**, is subject to review by the Commission only or other appellate bodies.

August F. Cetti
Administrative Law Judge

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