

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION  
1331 PENNSYLVANIA AVENUE, NW, SUITE 520N  
WASHINGTON, D.C. 20004-1710

OCT 14 2014

SECRETARY OF LABOR,	:	Docket Nos.	LAKE 2008-378-R
MINE SAFETY AND HEALTH	:		LAKE 2008-379-R
ADMINISTRATION (MSHA)	:		LAKE 2008-380-R
	:		LAKE 2008-643
v.	:		LAKE 2009-72
	:		
BLACK BEAUTY COAL COMPANY	:		

ORDER

On March 12, 2012, Black Beauty Coal Company and the Secretary of Labor filed cross petitions for discretionary review on two distinct issues in the above-referenced cases. Both petitions were granted.

On June 21, 2012, the Commission received from counsel for Black Beauty a motion for oral argument in the above-referenced cases. The Commissioners have been polled and have decided to grant the motion.

Oral argument is hereby scheduled at the above address on Wednesday, October 29, 2014, at 10:00 a.m. Each side is allocated 15 minutes per issue for the presentation of argument on its appeal. Therefore, each party will have a total of 30 minutes to address both petitions. Black Beauty shall proceed first regarding its petition, and the Secretary of Labor shall proceed next. For the second petition, the Secretary of Labor shall proceed first, and Black Beauty shall proceed next. Each party may reserve up to five minutes of its designated time for rebuttal with regard to the specific issue it appealed.

The parties shall inform the Commission by October 22, 2014, of the names of counsel who will present argument.

For the Commission:



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Patrick K. Nakamura  
Acting Chairman

Distribution:

Melanie Garris  
Office of Civil Penalty Compliance  
MSHA  
U.S. Dept. Of Labor  
1100 Wilson Blvd., 25<sup>th</sup> Floor  
Arlington, VA 22209-3939

Lynne Bowman Dunbar, Esq.  
Office of the Solicitor  
U.S. Department of Labor  
1100 Wilson Blvd., 22<sup>nd</sup> Floor  
Arlington, VA 22209-2296

W. Christian Schumann, Esq.  
Office of the Solicitor  
U.S. Department of Labor  
1100 Wilson Blvd., Room 2220  
Arlington, VA 22209-2296

Arthur M. Wolfson, Esq.  
Jackson Kelly PLLC  
Three Gateway Center, Suite 1500  
401 Liberty Avenue  
Pittsburgh, PA 15222

Administrative Law Judge Jerold Feldman  
Federal Mine Safety & Health Review Commission  
Office of Administrative Law Judges  
1331 Pennsylvania Avenue, N.W., Suite 520N  
Washington, D.C. 20004