

CCASE:
MARION L. ADAMS V. J.L. OWENS III
DDATE:
19850328
TTEXT:

Federal Mine Safety and Health Review Commission
Office of Administrative Law Judges

MARION L. ADAMS,
COMPLAINANT

DISCRIMINATION PROCEEDING

v.

Docket No. YORK 84-15-DM

J.L. OWENS III, CONTRACTING
A/K/A J.L. OWENS III,
A/K/A EASTERN AGGREGATES,
INC.,

MD 84-23

Eastern Aggregate Mine

RESPONDENT

FINAL ORDER

Before: Judge Merlin

The parties have reached settlement in the above-captioned matter under the following terms:

Respondent shall provide Complainant with --

1. A five (5) year annuity with a company of Complainant's choice payable to the Complainant or his heirs or assigns at the rate of Five Hundred Dollars (\$500.00) monthly certain.

2. A payment of the sum of Ten Thousand Dollars (\$10,000.00), out of which sum the Complainant shall pay all of the court costs together with an agreed upon attorney's fee in the amount of Seven Thousand Five Hundred Dollars (\$7,500.00).

The Complainant agrees --

1. To terminate his employment with Respondent and waive his right to re-instatement as of April 27, 1984.

2. To dismiss his complaint in these proceedings.

Both Complainant and Respondent agree to execute mutual releases, releasing the other from all torts, claims and monies due to the date of this Agreement; known and unknown.

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I conclude the foregoing settlement including the attorneys fee is proper and it is therefore Approved.

The foregoing settlement approval supersedes all prior orders regarding relief.

This case is hereby DISMISSED.

Paul Merlin
Chief Administrative Law Judge