

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

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

April 20, 2007

MICHAEL SONNEY,	:	DISCRIMINATION PROCEEDING
Complainant	:	
	:	Docket No. CENT 2007-1-DM
v.	:	SC MD 2006-08
	:	
	:	
ALAMO CEMENT CO., LTD.,	:	1604 Plant & Quarry
Respondent	:	Mine ID 41-03019

FINAL ORDER

Before: Judge Feldman

This case is before me based on a discrimination complaint filed with this Commission pursuant to section 105(c)(3) of the Federal Mine Safety and Health Act of 1977, as amended, 30 U.S.C. § 815(c)(3) (the Mine Act). The complaint was filed by Michael Sonney against the respondent, Alamo Cement Company, LTD (Alamo).

Sonney's discrimination complaint was dismissed as moot by Order dated April 4, 2007. The Order noted that dismissal of Sonney's complaint would become effective upon Alamo's timely filing of written assurances that it would provide neutral employment references to Sonney's prospective employers, and that all disciplinary references had been removed from Sonney's personnel record. 29 FMSHRC ___, slip op. at 7.

The required written representation was filed by Alamo's counsel on April 16, 2007.¹ Accordingly, Sonney's discrimination complaint **IS DISMISSED** with prejudice.

Jerold Feldman
Administrative Law Judge

¹ Alamo's April 16, 2007, submission was filed by facsimile. The facsimile was followed by an original letter sent by regular mail received on April 18, 2007.

Distribution: (Certified Mail)

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