

**FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION**

OFFICE OF ADMINISTRATIVE LAW JUDGES  
2 SKYLINE, 10th FLOOR  
5203 LEESBURG PIKE  
FALLS CHURCH, VIRGINIA 22041

April 12, 1996

SECRETARY OF LABOR,	:	DISCRIMINATION PROCEEDING
MINE SAFETY AND HEALTH	:	
ADMINISTRATION (MSHA),	:	Docket No. Kent 96-53-D
On Behalf of Frank Scott,	:	MSHA Case No. BARB CD 95-21
Complainant	:	
v.	:	No. 68 Mine
	:	
LEECO, INCORPORATED,	:	
Respondent	:	

**ORDER IMPOSING RULE OF CONFIDENTIALITY**

On April 9, 1996, and subsequent to the commencement of a hearing on the merits of this discrimination proceeding, the parties agreed to settle the matter. The terms and conditions of the settlement were placed on the record. Counsels orally affirmed their agreement to the terms and conditions, as did Frank Scott, the person upon whose behalf the complaint was brought. I orally approved the settlement and upon receipt of the transcript I will affirm that approval in a written decision. The parties requested that the terms of the settlement with respect to Scott be sealed. I agreed and stated that I would include that condition in the written decision. The terms and conditions of the settlement will be subject to review only by the Commission or another appellate body.

The parties are advise that until a written decision is issued, the terms and conditions of the settlement are to remain CONFIDENTIAL. Counsel are ORDERED not to discuss the terms and conditions with any persons other than counsels of record and Scott. Further, when copies of the transcript are received, counsels are ORDERED not to give copies of the transcript to any persons, excepting each other or Scott, or to otherwise divulge the contents of the transcript as it relates to the terms and conditions of the settlement.

David F. Barbour  
Administrative Law Judge

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