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JAMES ELDRIDGE V. SUNFIRE COAL
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FEDERAL MINE SAFETY & HEALTH REVIEW COMMISSION
WASHINGTON, D.C.
March 7, 1984
JAMES ELDRIDGE

v. Docket No. KENT 82-41-D

SUNFIRE COAL COMPANY

ORDER

This discrimination case arises under section 105(c) of the Federal Mine Safety and Health Act, 30 U.S.C. § 801 et seq. (1976 & Supp V 1981). The oral argument in this proceeding, originally scheduled for February 29, 1984, was postponed upon notification by the parties that they had agreed to settle the case and would file a motion to dismiss.

On February 24, 1984, the parties filed with the Commission a joint motion to withdraw their cross-petitions for discretionary review and to dismiss the case. In support of the motion, the parties attached a copy of their signed settlement agreement, dated February 21, 1984. The agreement, which is signed by the complaining miner, provides that Sunfire Coal Company will pay "as soon as possible" the sum of \$25,341 in back pay wages to the complaining miner and the sum of \$25,000 in attorneys' fees to the miner's attorneys.

In light of the parties' settlement agreement, we grant the parties' joint motion to withdraw their petitions for discretionary review. Payment of the sums specified in the settlement agreement shall be made within 30 days of issuance of this order. Accordingly, this case is dismissed. This is the final decision of the Commission in this proceeding.