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RICK STEVENSON V. BEAVER CREEK COAL  
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Federal Mine Safety and Health Review Commission (F.M.S.H.R.C.)  
Office of Administrative Law Judges

RICK STEVENSON,  
COMPLAINANT

DISCRIMINATION PROCEEDING

Docket No. WEST 89-130-D

v.

DENV CD 89-02

BEAVER CREEK COAL COMPANY,  
RESPONDENT

Trail Mountain No. 9 Mine

DECISION

Appearances: Jonathan Wilderman, Esq., Wilderman & Linnet,  
Denver, Colorado,  
for Complainant;  
Thomas F. Linn, Esq., David M. Arnolds, Esq.  
Denver, Colorado,  
for Respondent.

Before: Judge Morris

This discrimination case, brought by complainant on his own behalf, arises under Section 105(c) of the Federal Mine Safety and Health Act, 30 U.S.C. 801 et seq. (the "Act").

After notice to the parties, a trial on the merits commenced in Price, Utah, on April 4, 1990.

On the second day of the hearing, the parties reached an amicable settlement. The consent of all parties to the agreement was expressed on the record and the parties have filed confirming documents.

The Judge, having heard the testimony for a full day, believes the proposed settlement is reasonable.

At the hearing, the parties further requested that the Judge place the terms of the settlement agreement, as well as the transcript of the April 5, 1990, under the seal of the Commission.

The joint motion to seal said documents is proper and was granted and formalized by an order dated July 5, 1990.

For the foregoing reasons, I enter the following:

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ORDER

1. The settlement agreement of the parties herein is APPROVED.

2. The case is DISMISSED.

John J. Morris  
Administrative Law Judge