



STATE OF WEST VIRGINIA HUMAN RIGHTS COMMISSION

215 PROFESSIONAL BUILDING
1036 QUARRIER STREET
CHARLESTON, WEST VIRGINIA 25301

ARCH A. MOORE, JR.
Governor

TELEPHONE: 304-348-2616

October 4, 1985

Cecil C. Varney
Attorney at Law
P. O. Box 468
Williamson, WV 25661

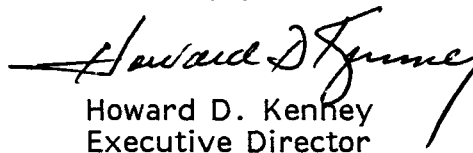
S. H. Johnson
Johnson & Johnson & Phillips
Attorneys at Law
P. O. Box 470
Paintsville, KY 41240

RE: Rhoda Marcum v. Northern Coal Company dba
Central Coal Company/ES-51-80

Dear Mr. Varney and Mr. Johnson:

Enclosed please find a copy of the Order of the WV Human Rights Commission in the above-styled and numbered case of Rhoda Marcum v. Northern Coal Company Docket No. ES-51-80, Pursuant to Article 5, Section 4 of the WV Administrative Procedures Act [WV Code, Chapter 29A, Article 5, Section 4] any party adversely affected by this final Order may file a petition for judicial review in either the Circuit Court of Kanawha County, WV, or the Circuit Court of the County wherein the petitioner resides or does business, or with the judge of either in vacation, within thirty (30) days of receipt of this Order. If no appeal is filed by any party within (30) days, the Order is deemed final.

Sincerely yours,


Howard D. Kenney
Executive Director

HDK/kpv

Enclosure

CERTIFIED MAIL/REGISTERED RECEIPT REQUESTED

CC: Roxanne Rogers, Attorney
Charlie Brown, Attorney General
Ted Dues, Jr., Hearing Examiner

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Charlie Brown, Attorney General
Ted Dues, Jr., Hearing Examiner

BEFORE THE WEST VIRGINIA HUMAN RIGHTS COMMISSION

Rhoda Marcum
Complainant,

v.

Docket No.: ES-51-80

Northern Coal Company dba
Central Coal Company.
Respondent.

ORDER

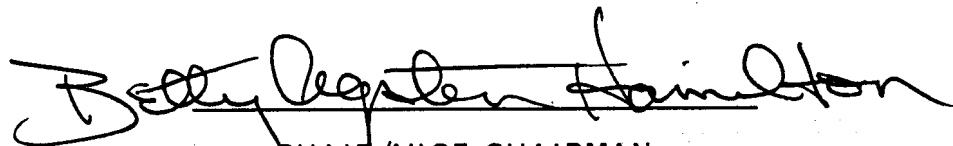
On the 19th day of September, 1985, the Commission reviewed Hearing Examiner, Juliet W. Rundle's, Findings of Fact and Conclusions of Law. After consideration of the aforementioned, the Commission does hereby adopt the Findings of Fact and Conclusions of Law as its own.

It is hereby ORDERED that the Hearing Examiner's Findings of Fact and Conclusions of Law be attached hereto and made a part of this Order.

By this Order, a copy of which to be sent by certified mail, the parties are hereby notified that THEY HAVE TEN DAYS TO REQUEST A RECONSIDERATION OF THIS ORDER AND THAT THEY HAVE THE RIGHT TO JUDICIAL REVIEW.

Entered this 4th day of October, 1985.

RESPECTFULLY SUBMITTED,



CHAIR/VICE CHAIRMAN
WEST VIRGINIA HUMAN
RIGHT COMMISSION

WEST VIRGINIA SUPREME COURT OF APPEALS
FOR THE
WEST VIRGINIA HUMAN RIGHTS COMMISSION

RHODA MARCUM

9/9/85
MRS
9/9/85

COMPLAINANT

VS.

CASE NO. ES-51-80

NORTHERN COAL COMPANY dba
CENTRAL COAL COMPANY

RESPONDENT

O R D E R

It is hereby recommended that this case be dismissed from the dockets of the Human Rights Commission for the State of West Virginia on the grounds that both counsel for the Complainant and counsel for the Respondent agree that a hearing would be futile and have signed motions in the record stating same.

ENTER:

Juliet W. Rundle

JULIET W. RUNDLE,
HEARING EXAMINER

RECEIVED

SEP 11 1985

W.V. HUMAN RIGHTS COMM.