

BRB No. 03-0564 BLA

|                               |   |                         |
|-------------------------------|---|-------------------------|
| REXFORD STAPLETON             | ) |                         |
|                               | ) |                         |
| Claimant-Respondent           | ) |                         |
|                               | ) |                         |
| v.                            | ) | DATE ISSUED: 02/18/2005 |
|                               | ) |                         |
| HADDIX MINING AND             | ) |                         |
| DEVELOPMENT CORPORATION       | ) |                         |
|                               | ) |                         |
| and                           | ) |                         |
|                               | ) |                         |
| AMERICAN BUSINESS AND         | ) |                         |
| MERCANTILE INSURANCE          | ) |                         |
| MUTUAL, INCORPORATED          | ) |                         |
|                               | ) |                         |
| Employer/Carrier              | ) |                         |
| Petitioners                   | ) |                         |
|                               | ) |                         |
| DIRECTOR, OFFICE OF WORKERS'  | ) |                         |
| COMPENSATION PROGRAMS, UNITED | ) |                         |
| STATES DEPARTMENT OF LABOR    | ) |                         |
|                               | ) |                         |
| Party-in-Interest             | ) | ORDER ON MOTION FOR     |
|                               | ) | RECONSIDERATION         |

As no member of the panel has affirmatively voted to vacate or modify the decision herein, the motion for reconsideration filed by employer, is DENIED. 33 U.S.C. §921(b)(5); 20 C.F.R. §§801.301(b), 802.407(a), 802.409.

By Order of the Board:

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Thomas O. Shepherd, Jr.  
Clerk of the Board

