



BRB No. 15-0080 BLA  
Case No. 12-BLA-5202

WILLIAM O. RODGERS	)	
	)	
Claimant-Respondent	)	
	)	
v.	)	
	)	
HERITAGE COAL COMPANY (a	)	DATE ISSUED: 12/17/2015
subsidiary of PATRIOT COAL) formerly	)	
known as PEABODY COAL COMPANY	)	
	)	
Employer/Carrier-	)	
Petitioners	)	
	)	
DIRECTOR, OFFICE OF WORKERS'	)	
COMPENSATION PROGRAMS, UNITED	)	
STATES DEPARTMENT OF LABOR	)	
	)	
Party-in-Interest	)	ORDER

Counsel for employer, Fogle Keller Purdy, PLLC, has filed a Notice of Withdrawal of representation. Counsel states that employer has filed for bankruptcy protection and that all of its federal black lung claims have been referred to the Department of Labor for administration.

The Director, Office of Workers' Compensation Programs (the Director), has filed Motion to Remand for Payment of Benefits by the Black Lung Disability Trust Fund (Trust Fund). The Director states that the Trust Fund accepts liability for this claim and does not contest claimant's entitlement to benefits. The Director requests that this case be dismissed and remanded to the district director for payment of benefits by the Trust Fund. 20 C.F.R. §§725.497(c),(d).



In view of the above, the Board grants the Director's motion, dismisses this appeal, and remands this case to the district director for payment of benefits by the Black Lung Disability Trust Fund.

BETTY JEAN HALL, Chief  
Administrative Appeals Judge

JUDITH S. BOGGS  
Administrative Appeals Judge

RYAN GILLIGAN  
Administrative Appeals Judge