



BRB Nos. 20-0165 BLA
and 20-0166 BLA

NILIA FAUBER)
(o/b/o and Widow of JAMES H. FAUBER))

Claimant-Respondent)

v.)

EASTERN ASSOCIATED COAL)
COMPANY)

DATE ISSUED: 12/29/2021

and)

PEABODY ENERGY CORPORATION)

Employer/Carrier-)
Petitioners)

DIRECTOR, OFFICE OF WORKERS')
COMPENSATION PROGRAMS, UNITED)
STATES DEPARTMENT OF LABOR)

Party-in-Interest)

ORDER ON)
RECONSIDERATION)

Employer and its Carrier (Employer) filed a timely motion for reconsideration of the Benefits Review Board’s Order in this case, *Fauber v. Eastern Assoc. Coal Co.*, BRB Nos. 20-0165 BLA and 20-0166 BLA (May 25, 2021) (unpub.). 20 C.F.R. §802.407. Neither Claimant nor the Director, Office of Workers’ Compensation Programs, filed responses in opposition to Employer’s motion.

No member of the panel has voted to vacate or modify the Board's decision. Therefore, Employer's motion for reconsideration is denied. 33 U.S.C. §921(b)(5); 20 C.F.R. §§801.301(c); 802.409.

By Order of the Board:

Thomas O. Shepherd, Jr.
Clerk of the Appellate Boards