



BRB No. 19-0483  
Case No. 2016-BLA-05344

BONITA GAY CLARK )  
(Widow of GEORGE NICK CLARK) )

Claimant-Respondent )

v. )

MILLER BROTHERS COAL, LLC )

and )

NATIONAL UNION FIRE/CHARTIS )

Employer/Carrier- )  
Petitioners )

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

Party-in-Interest )

DATE ISSUED: 06/25/2020

ORDER on MOTION  
for RECONSIDERATION

Employer has filed a timely motion for reconsideration of the Board's Order in this case, *Clark v. Miller Brothers Coal, LLC*, BRB 19-0483 BLA (Oct. 17, 2019). 33 U.S.C. §921(b)(5); 20 C.F.R. §802.407(a). The Director, Office of Workers' Compensation Programs, responds, urging the Board to deny the motion. After consideration of its contentions, the Board denies employer's motion for reconsideration as the disposition of this case is consistent with the rationale set forth in *Powell v. Service Employees Int'l, Inc.*, 53 BRBS 13 (2019), and *Kiyuna v. Matson Terminals, Inc.*, 53 BRBS 9 (2019). 20 C.F.R. §§801.301(c), 802.409.

By Order of the Board:

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