

U.S. Department of Labor

Benefits Review Board
P.O. Box 37601
Washington, DC 20013-7601



BRB No. 16-0178 BLA

THOMAS L. SCOTT)	
)	
Claimant-Respondent)	
)	
v.)	
)	
ISLAND FORK CONSTRUCTION, LIMITED)	DATE ISSUED: 01/30/2017
)	
and)	
)	
FRONTIER INSURANCE COMPANY)	
)	
Employer/Carrier- Petitioners)	
)	
DIRECTOR, OFFICE OF WORKERS' COMPENSATION PROGRAMS, UNITED STATES DEPARTMENT OF LABOR)	
)	
Party-in-Interest)	DECISION and ORDER

The Director, Office of Workers' Compensation Programs (the Director), filed a Motion to Dismiss Employer and Remand for Payment of Benefits by the Black Lung Disability Trust Fund (the Trust Fund) on December 22, 2016. The Director states that the Trust Fund accepts liability for this claim and does not contest claimant's entitlement to benefits. Accordingly, the Director requests that employer be dismissed as a party,

that this appeal be dismissed, and that the case be remanded to the district director for payment of benefits by the Trust Fund.

In view of the above, the Board grants the Director's motion, dismisses employer as a party, dismisses this appeal, and remands this case to the district director for payment of benefits by the Trust Fund. *See* 26 U.S.C. §9501(d)(1)(B); 20 C.F.R. §725.1(c).

BETTY JEAN HALL, Chief
Administrative Appeals Judge

JUDITH S. BOGGS
Administrative Appeals Judge

GREG J. BUZZARD
Administrative Appeals Judge