

U.S. Department of Labor

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



BRB Nos. 15-0176 BLA  
and 15-0191 BLA

|                                      |   |                         |
|--------------------------------------|---|-------------------------|
| OTHELLO T. MASSEY                    | ) |                         |
| (Widow of and on behalf of ROBERT E. | ) |                         |
| MASSEY)                              | ) |                         |
|                                      | ) |                         |
| Claimant-Petitioner                  | ) |                         |
|                                      | ) |                         |
| v.                                   | ) |                         |
|                                      | ) |                         |
| PEABODY COAL COMPANY                 | ) |                         |
|                                      | ) |                         |
| and                                  | ) | DATE ISSUED: 11/30/2016 |
|                                      | ) |                         |
| OLD REPUBLIC INSURANCE COMPANY       | ) |                         |
|                                      | ) |                         |
| Employer/Carrier-                    | ) |                         |
| Respondents                          | ) |                         |
|                                      | ) |                         |
| DIRECTOR, OFFICE OF WORKERS'         | ) |                         |
| COMPENSATION PROGRAMS, UNITED        | ) |                         |
| STATES DEPARTMENT OF LABOR           | ) |                         |
|                                      | ) |                         |
| Party-in-Interest                    | ) | ORDER                   |

The Director, Office of Workers' Compensation Programs (the Director), filed a Motion to Remand for Payment of Benefits by the Black Lung Disability Trust Fund (the Trust Fund) on November 18, 2016. The Director states that the Trust Fund accepts liability for these claims and does not contest claimant's or the miner's entitlement to benefits. Accordingly, the Director requests that these cases be dismissed and 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 these appeals, and remands the cases 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), (e).

BETTY JEAN HALL, Chief  
Administrative Appeals Judge

JUDITH S. BOGGS  
Administrative Appeals Judge

RYAN GILLIGAN  
Administrative Appeals Judge