

BEFORE THE NC OCCUPATIONAL
SAFETY & HEALTH REVIEW COMMISSION
RALEIGH, NORTH CAROLINA

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| COMMISSIONER OF LABOR OF THE |) | DOCKET NO.: OSHANC 2019-6123 |
| STATE OF NORTH CAROLINA |) | INSPECTION NUMBER: 318148392 |
| |) | CSHO ID: L1173 |
| COMPLAINANT, |) | JUL 17 2019 |
| |) | |
| v. |) | |
| |) | ORDER DISMISSING RESPONDENT'S |
| JS FIBER CO., INC. |) | |
| and its successors, |) | NOTICE OF CONTEST |
| |) | |
| RESPONDENT. |) | |

THIS CAUSE being heard by the undersigned Carroll D. Tuttle, Administrative Law Judge presiding upon Motion of Complainant to Dismiss Respondent's Notice of Contest and for Stay.

And it appearing to the Court that neither Complainant or Respondent requested oral argument; and

It further appearing to the Court after review of Complainant's Motion to Dismiss Respondent's Notice of Contest and Respondent's response to Complainant's Motion to Dismiss and Complainant's Reply to Respondent's response, and after review of the General Statutes and Rules cited, that Complainant's Motion to Dismiss Respondent's Notice of Contest should be allowed; and

It further appearing to the Court that Complainant's Motion for Stay is moot in light of the Court's granting the Motion to Dismiss.

NOW, THEREFORE, it is hereby ORDERED that Complainant's Motion to Dismiss Respondent's Notice of Contest be and the same is hereby ALLOWED, and further

ORDERED that the proposed penalty of \$165,660.00 plus interest and late payment penalties accrued since the Order became final on April 24, 2019, be paid within thirty (30) days of the entry of this Order.

Entered this 10th day of July, 2019.



Carroll D. Tuttle
Administrative Law Judge presiding