

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

OFFICE OF THE CHIEF ADMINISTRATIVE LAW JUDGE
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July 21, 2023

In the Matter of

LEACHCO, INC.,

CPSC Docket No. 22-1

Respondent.

**ORDER DISMISSING AS MOOT LEACHCO, INC.'S MOTION FOR SANCTIONS AND
ORDER THAT CERTAIN REQUESTS FOR ADMISSION BE DEEMED ADMITTED**

**ORDER DIRECTING AGREED UPON AMENDMENT TO REQUESTS FOR
ADMISSION 147 AND 148**

Respondent moved for sanctions, requesting that several requests for admission ("RFA") be deemed admitted because of inadequate and non-responsive answers. Leachco, Inc.'s Mot. for Sanctions & Order that Certain Reqs. for Admission be Deemed Admitted, at 1 (June 6, 2023). Acknowledging the approaching hearing date, and the progress the parties had thus far made in discovery, this Court deferred ruling on the motion and ordered the parties to confer and stipulate to facts. *See* Order Deferring Ruling on Leachco, Inc.'s Mot. for Sanctions & Order that Certain Reqs. for Admission be Deemed Admitted & Order Requiring Parties to Confer and Stipulate Facts, at 1–2 (July 7, 2023).

The parties conferred and responded jointly, resolving all disputes associated with the motion. Complaint Counsel agreed to amend its responses to RFA Nos. 147 and 148 to "Denied." Joint Resp. to the Presiding Officer's July 7, 2023 Order (Dkt. No. 100), at 1 (July 18, 2023). Respondent agreed to withdraw its arguments regarding all other RFAs that were the subject of the motion. *Id.* at 1–2.

As there is no remaining controversy, Respondent's motion for sanctions is **DISMISSED** as moot. Complaint Counsel is **DIRECTED** to served amended responses to RFA Nos. 147 and 148.



Michael G. Young
Administrative Law Judge

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