

**UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT**

Deborah S. Hunt  
Clerk

100 EAST FIFTH STREET, ROOM 540  
POTTER STEWART U.S. COURTHOUSE  
CINCINNATI, OHIO 45202-3988

Tel. (513) 564-7000  
[www.ca6.uscourts.gov](http://www.ca6.uscourts.gov)

Filed: November 28, 2012

Ms. Michelle Seyman Gerdano  
Mr. Gary K. Stearman  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
N2117  
Washington, DC 20210

Mr. Ryan Christopher Gilligan  
Mr. Joseph E. Wolfe  
Wolfe, Williams, Rutherford & Reynolds  
P.O. Box 625  
Norton, VA 24273

Arlis Hensley  
P.O. Box 383  
Wallins, KY 40873

Ms. Laura Metcoff Klaus  
Mr. Mark Ellioitt Solomons  
Greenberg Traurig  
2101 L Street, N.W.  
Suite 1000  
Washington, DC 20037

Re: Case No. 11-4298, *Dixie Fuel Company, LLC, et al. v.*  
*Director, Office of Workers' Comp., et al.*  
Originating Case No. : 10-0363 BLA

Dear Counsel,

The court today announced its decision in the above-styled case.

Enclosed is a copy of the court's opinion together with the judgment which has been entered in conformity with Rule 36, Federal Rules of Appellate Procedure.

Yours very truly,

Deborah S. Hunt, Clerk

Dixie Aerni  
Deputy Clerk

Enclosures

Mandate to issue.