

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

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

Deborah S. Hunt  
Clerk

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Filed: May 15, 2013

Mr. Ronald Eugene Gilbertson

Mr. John Hunt Morgan

Ms. Rita Ann Roppolo

Mr. Gary K. Stearman

Re: Case No. 12-3872, *Whitaker Coal Corp v. James Osborne*  
Originating Case No. : 11-0256 BLA

Dear Sir or Madam,

The Court issued the enclosed Opinion today in this case.

Sincerely yours,

s/Louise Schwarber  
Case Manager  
Direct Dial No. 513-564-7015

Enclosure

Mandate to issue