

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

No. 13-3994

NAVISTAR, INC.,
Petitioner,

v.

TERRY FORESTER; DIRECTOR, OFFICE
OF WORKERS' COMPENSATION PROGRAMS;
BENEFITS REVIEW BOARD; UNITED
STATES DEPARTMENT OF LABOR,
Respondents.**FILED**
Sep 12, 2014
DEBORAH S. HUNT, Clerk

Before: COOK and GRIFFIN, Circuit Judges; RICE, District Judge.

JUDGMENT

THIS MATTER came before the court upon the petition for review by Navistar, Inc. of an order of the Benefits Review Board.

UPON FULL REVIEW of the record and the briefs and arguments of counsel,

IT IS ORDERED that the award of Black Lung Benefits Act benefits is VACATED, and the case is REMANDED to the Administrative Law Judge for further proceedings consistent with the opinion of this court.

ENTERED BY ORDER OF THE COURT

Deborah S. Hunt, Clerk