

BEFORE THE RECLAMATION COMMISSION

AMERICAN ENERGY CORPORATION, : Case No. RC-06-002
: :
Appellant, : :
: :
-vs- : :
: :
DIVISION OF MINERAL RESOURCES :
MANAGEMENT, :
: :
Appellee. : REPORT OF THE
HEARING OFFICER

Appearances: Michael B. Gardner, Mark S. Stemm, Counsel for Appellant American Energy Corporation; Mark G. Bonaventura, Assistant Attorney General, Counsel for Appellee Division of Mineral Resources Management.

FINDINGS, CONCLUSIONS

On January 31, 2006, Appellant American Energy Corporation filed with the Reclamation Commission a notice of appeal from Civil Penalty Assessment 12367. Accompanying Appellant's appeal was a draft in the amount of \$36,080, as required by Ohio Revised Code §1513.02(E)(3). This cause was assigned case number RC-06-002.

On June 15, 2006, Appellant and Appellee jointly filed a Notice of Withdrawal of this appeal. Pursuant to Ohio Administrative Code §1513-3-17, case number RC-06-002 is hereby **DISMISSED** without further action required by the Reclamation Commission. Additionally, in accordance with the parties' agreement, \$14,080 of Appellant's payment to the Reclamation Commission shall be released to Appellant, and \$22,000, plus any interest accrued on the entire escrowed amount, shall be transferred to the Division of Mineral Resources Management.

6/19/06
DATE


LINDA WILHELM OSTERMAN
Hearing Officer

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