

BEFORE THE RECLAMATION COMMISSION

LATHAM LIMESTONE, LLC., : Case No. RC-15-006
: :
Appellant, : :
: : Review of Chief's Order 2626-IM;
: : Permit IM-213
-vs- : :
: :
DIVISION OF MINERAL RESOURCES : :
MANAGEMENT, : :
: : **REPORT OF THE**
: : **HEARING OFFICER**
Appellee. : :

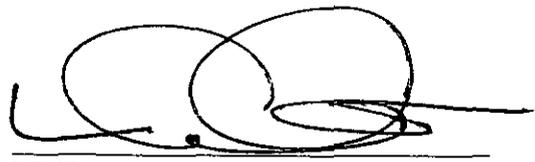
Appearances: Brian P. Barger, Kyle D. Tucker, Counsel for Appellant Latham Limestone, LLC; Jennifer Barrett, Brian Ball, Assistant Attorneys General, Counsel for Appellee Division of Mineral Resources Management.

FINDINGS, CONCLUSIONS

On August 14, 2015, Appellant Latham Limestone, LLC filed with the Reclamation Commission a notice of appeal from Chief's Order 2626-IM. This cause was assigned case number RC-15-006.

On September 11, 2015, Appellant filed a Notice of Withdrawal of Appeal with the Reclamation Commission. Pursuant to Ohio Administrative Code §1513-3-17, case number RC-15-006 is hereby **DISMISSED** without further action required by the Reclamation Commission.

9/14/2015
DATE


LINDA WILHELM OSTERMAN
Hearing Officer

DISTRIBUTION:

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RECLAMATION COMMISSION

BEFORE THE RECLAMATION COMMISSION
STATE OF OHIO

Latham Limestone, LLC)
11641 Mosteller Rd.)
Cincinnati, OH 45241)
(513) 326-6785)

Appellant,)

-vs-

Lanny E. Erdos, Chief)
Ohio Department of Natural Resources)
Division of Mineral Resources)
Management)
2045 Morse Road, Building H-2)
Columbus, Ohio 43229)

Appellee.)

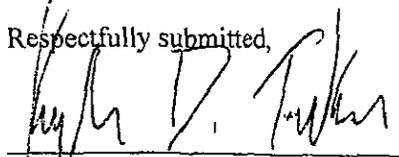
Case No. RC-15-006 (appeal of Chief's
Order 2626-IM)

NOTICE OF WITHDRAWAL OF
APPEAL

Brian P. Barger (0018908)
Kyle D. Tucker (0090764)
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Now comes the Appellant, Latham Limestone, LLC ("Latham"), by and through its undersigned attorneys, and hereby gives Notice to the Reclamation Commission of Ohio of its Withdrawal of its Appeal of the Order by the Chief No. 2626-IM dated July 21, 2015 as a Modified Order by the Chief was issued on August 13, 2015.

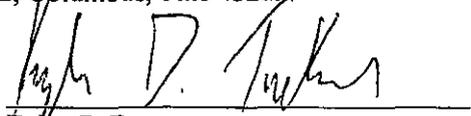
Respectfully submitted,



Brian P. Barger (0018908)
Kyle D. Tucker (0090764)
Attorneys for Appellant, Latham Limestone, LLC

CERTIFICATION

This is to certify that a copy of the foregoing **Notice of Withdrawal of Appeal** was sent via regular U.S. mail on this 8 day of September, 2015 to the Ohio Reclamation Commission, 2045 Morse Road, Building H-3, Columbus, OH 43229. A copy of this **Notice of Withdrawal of Appeal** was also sent via regular mail on this 8 day of September 2015, to Lanny E. Erdos, Chief of the Division of Mineral Resources Management, 2045 Morse Road, Building H-2, Columbus, Ohio 43229.



Brian P. Barger

Kyle D. Tucker