



In the Matter of:

WIEB VAN DER MEER,

ARB CASE NO. 97-078

COMPLAINANT,

(ALJ CASE NO. 95-ERA-38)

v.

DATE: June 27, 1997

WESTERN KENTUCKY UNIVERSITY,

RESPONDENT.

BEFORE: THE ADMINISTRATIVE REVIEW BOARD

**NOTICE OF REVIEW
AND
ORDER ESTABLISHING BRIEFING SCHEDULE
AND
PRELIMINARY ORDER**

The Supplemental Recommended Decision and Order (R. D. and O.) issued on June 12, 1997 by the Administrative Law Judge (ALJ) has been transmitted to the Board for review. The following briefing schedule is established in this case. Respondent may file an initial brief, not to exceed 30 double spaced typed pages, on or before **July 28, 1997**. Complainant may file a reply brief, not to exceed 30 double spaced typed pages, on or before **August 27, 1997**. Respondent may file a rebuttal brief, exclusively responsive to the reply brief and not to exceed 10 double spaced typed pages, on or before **September 11, 1997**.

All pleadings are expected to conform to the page limitations and should be prepared in Courier 12 point, 10 character-per-inch type or larger, with minimum one inch left and right margins and minimum 1 1/4 inch top and bottom margins, printed on 8 1/2 by 11 inch paper.

An original and four copies of all pleadings and briefs shall be filed with the Administrative Review Board, U.S. Department of Labor, 200 Constitution Avenue, N.W., Room §4309, Washington, D.C., 20210 (Telephone Number, 202-2194728; Facsimile Number, 202-219-9315).

PRELIMINARY ORDER

As noted, on June 12, 1997, the ALJ issued the R. D. and O. in this case arising under the Energy Reorganization Act of 1974 (ERA), 42 U.S.C. § 5851 (Supp. IV 1992), as amended by the Comprehensive National Energy Policy Act of 1992 (CNEPA), Pub. L. No. 102-486, 106 Stat. 2776, 3123. The ALJ found in favor of the Complainant's petition for attorney's fees and costs and recommended that the Respondent, Western Kentucky University, pay \$16,000.00 directly to Complainant's Counsel.

The following preliminary order is hereby entered:

Respondent shall pay \$16,000.00 in attorney's fees and costs to Complainant's Counsel Zachary M. Kafoglis, Esq.

SO ORDERED.

DAVID A O'BRIEN
Chair

KARL J. SANDSTROM
Member

JOYCE D. MILLER
Alternate Member