



BRB No. 21-0457 BLA
Case No. 2019-BLA-06088

LARRY BLACKBURN)

Claimant-Respondent)

v.)

CONSOL OF KENTUCKY,)
INCORPORATED)

and)

PEABODY ENERGY CORPORATION)

Employer/Carrier-)
Petitioners)

DIRECTOR, OFFICE OF WORKERS')
COMPENSATION PROGRAMS, UNITED)
STATES DEPARTMENT OF LABOR)

Party-in-Interest)

DATE ISSUED: 03/16/2023

ORDER on
RECONSIDERATION

Employer and its Carrier have filed a timely motion for reconsideration of the Benefits Review Board’s Decision and Order in *Blackburn v. Consol of Ky., Inc.*, BRB No. 21-0457 BLA (Jan. 11, 2023) (unpub.), affirming the award of benefits. 33 U.S.C. §921(b)(5); 20 C.F.R. §802.407(a). No response has been filed. After consideration of Employer’s contentions and review of the Board’s disposition of this case, no member of the panel voted to grant reconsideration. Therefore, Employer’s motion for reconsideration is denied. 20 C.F.R. §§801.301(c), 802.409.

By Order of the Board:

Thomas O. Shepherd, Jr.
Clerk of the Appellate Boards