

Civil Action No. 83-245, HARRIOSN COMBS, v. BIG POUND COAL CO.

Prelim. Conf. 12 Dec 83, 9:30 AM

Plaintiffs (pension funds) allege that defendant ocal company has failed to fully disclose its records as to tonnage royalties due the Funds under th 1981 Wage agreemnet, and that over \$29,000 is owed by the company for 1983 operations.

Defendant alleges that it and the UMWA had an agreement that would exempt the company from the 1981 Wage Agreement for the first year of its operations, that is, 1983. The "agreement" has not been described as being in writing or oral, nor have the specific and relevant terms of the agreement been set out in the Answer or in defendant's menorandum.

(A swearing contest, sure as hell)

GLP