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Civil 84-75

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August 23, 1984

Mr. Michael H. Sanders
U. S. DEPARTMENT OF THE INTERIOR
P.O. Box 15006
Knoxville, TN 37901

Re: U. S. v. Childers Brothers Mining Co., Inc.
Our File: 2668

Dear Mr. Sanders:

I have reviewed your correspondence of August 15, 1984, along with the motion to amend the complaint with regard to the above-captioned matter. In representing Childers Brothers Mining Co., Inc., it was our hope that we could negotiate a fair settlement and get this case resolved. However, in my discussions with Anthony Welch and after having reviewed the matter entirely and discussed it with my client, I don't see how that is possible at this point. My client is out of business with no assets and no prospect of returning to business as a result of these violations. Accordingly, we have no assets with which to mount any defense to the claims as charged. Therefore, we have no choice but to concede to your complaint.

It would seem appropriate for you to prepare an Agreed Order to this effect and forward it to me for execution. As a result of this turn of events, I see no reason for us making an appearance at the preliminary conference or any other proceedings unless so directed by the Court. I trust this will be satisfactory.

Very truly yours,
FRANCIS, KAZEE & FRANCIS

*assigned for P. C.
on 9-7-84*

DKS
D. B. KAZEE

DBK/ejo

copy: U. S. District Court Clerk
CA No. 84-75