

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-1860

INDIAN MOUNTAIN COAL COMPANY; OLD REPUBLIC INSURANCE
COMPANY,

Petitioners,

v.

DIRECTOR, OFFICE OF WORKERS' COMPENSATION PROGRAMS; EMILY
BOLLING,

Respondents.

On Petition for Review of an Order of the Benefits Review Board.
(09-0180-BLA)

Submitted: March 29, 2011

Decided: April 8, 2011

Before AGEE, DAVIS, and KEENAN, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Mark E. Solomons, Laura Metcoff Klaus, GREENBERG TRAURIG LLP,
Washington, D.C., for Petitioners. M. Patricia Smith, Solicitor
of Labor, Rae Ellen James, Associate Solicitor, Patricia M.
Nece, Counsel for Appellate Litigation, Barry H. Joyner, UNITED
STATES DEPARTMENT OF LABOR, Washington, D.C.; Joseph E. Wolfe,
Ryan C. Gilligan, WOLFE, WILLIAMS, RUTHERFORD & REYNOLDS,
Norton, Virginia, for Respondents.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Indian Mountain Coal Company and Old Republic Insurance Company seek review of the Benefits Review Board's decision and order affirming the administrative law judge's award of black lung benefits pursuant to 30 U.S.C. §§ 901-945 (2006). Our review of the record discloses that the Board's decision is based upon substantial evidence and is without reversible error. Accordingly, we deny the petition for review for the reasons stated by the Board. Indian Mountain Coal Co. v. Director, Office of Workers' Compensation Programs, No. 09-0180-BLA (BRB Sept. 23, 2009). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

PETITION DENIED