

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 03 August 2005

CASE NO: 2005 SOX 54

In the Matter of:

PATRICIA SCHUMAN,
Complainant,

v.

INSITUFORM TECHNOLOGIES, INC.,
Respondent.

**DECISION AND ORDER DISMISSING CLAIM
AND CANCELING HEARING**

Upon consideration of Claimant's notice of her intention to file an action with the United States District Court for the Eastern District of Missouri seeking a *de novo* hearing on her complaint; Claimant's notice that such complaint was filed on August 1, 2005, which divests this tribunal of jurisdiction in this case; Claimant's notice that Respondent has agreed to waive formal service of summons of the Federal Complaint; and notice that the telephone conference scheduled at 3 p.m., E.D.T., is unnecessary; and this tribunal being satisfied that such notice is sufficient to require and justify dismissal of this claim for lack of jurisdiction, it is

ORDERED that the telephone conference scheduled for 3:00 p.m., E.D.T., August 3, 2005, be canceled; that the hearing of this claim scheduled for September 12, 2005, in St. Louis, Missouri, be canceled; and that this claim be dismissed for lack of jurisdiction.

A

Edward Terhune Miller
Administrative Law Judge