



Issue Date: 08 December 2006

Case No.: 2006-SOX-46

In the Matter of:

Xin Jiang,
Complainant

v.

W. R. Grace Company/Alltech
Associates Inc.,
Respondent.

**RECOMMENDED ORDER APPROVING
REQUEST FOR DISMISSAL**

This proceeding arises under the employee protection provisions of the Sarbanes-Oxley Act of 2002 and the procedural regulations found at 29 C.F.R. Part 18. The U.S. Department of Labor issued the Secretary's Findings on a complaint filed by Xin Jiang, who requested a hearing on these findings.

By letter dated December 6, 2006, counsel for the Respondent submitted "Stipulation of Withdrawal and Dismissal." This pleading stated that the parties had reached a settlement, and that they stipulated to the withdrawal of the case and the dismissal of any and all claims. The pleading was signed by the Complainant and counsel for the Respondent. The Complainant also signed a statement that "I hereby request that my complaint be withdrawn and dismissed pursuant to this stipulation."

Accordingly, as it is clear that the Complainant no longer wishes to proceed with this matter in this forum, it is recommended that the Complainant's request for voluntary dismissal be granted and this case be dismissed.

SO ORDERED.

A

LINDA S. CHAPMAN

Administrative Law Judge

NOTICE OF APPEAL RIGHTS: To appeal, you must file a Petition for Review (“Petition”) with the Administrative Review Board (“Board”) within ten (10) business days of the date of the administrative law judge’s decision. See 29 C.F.R. § 1980.110(a). The Board’s address is: Administrative Review Board, U.S. Department of Labor, Room S-4309, 200 Constitution Avenue, NW, Washington, DC 20210. Your Petition is considered filed on the date of its postmark, facsimile transmittal, or e-mail communication; but if you file it in person, by hand-delivery or other means, it is filed when the Board receives it. See 29 C.F.R. § 1980.110(c). Your Petition must specifically identify the findings, conclusions or orders to which you object. Generally, you waive any objections you do not raise specifically. See 29 C.F.R. § 1980.110(a).

At the time you file the Petition with the Board, you must serve it on all parties as well as the Chief Administrative Law Judge, U.S. Department of Labor, Office of Administrative Law Judges, 800 K Street, NW, Suite 400-North, Washington, DC 20001-8002. The Petition must also be served on the Assistant Secretary, Occupational Safety and Health Administration and the Associate Solicitor, Division of Fair Labor Standards, U.S. Department of Labor, Washington, DC 20210.

If no Petition is timely filed, the administrative law judge’s decision becomes the final order of the Secretary of Labor pursuant to 29 C.F.R. § 1980.109(c). Even if you do file a Petition, the administrative law judge’s decision becomes the final order of the Secretary of Labor unless the Board issues an order within thirty (30) days after the Petition is filed notifying the parties that it has accepted the case for review. See 29 C.F.R. §§ 1980.109(c) and 1980.110(a) and (b).