

**U.S. Department of Labor**

Office of Administrative Law Judges  
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**Issue Date: 22 December 2004**

Case No.: 2004-STA-00023

In the Matter of

CURT SIEKERT

Complainant

v.

TAYLOR MADE EXPRESS, INC.

Respondent

**APPEARANCES**

Curtis Siekert,  
Pro Se

Patrick H. Madden, Esquire  
For the Employer/Carrier

BEFORE: JOSEPH E. KANE  
Administrative Law Judge

**RECOMMENDED DECISION AND ORDER**

This action arises under the employee protective provisions of the Surface Transportation Assistance Act of 19821 (STAA), 49 U.S.C. § 31101, *et seq.*, and the implementing regulations of the Secretary of Labor published at 29 C.F.R. Part 1978, as a result of a complaint filed by Curtis B. Siekert.

After investigation of the complaint, George Voksar, Area Director, of the Occupational Safety and Health Administration, U.S. Department of Labor, on February 2, 2004, issued the Secretary's Findings which were adverse to the Complaint. The Complainant appealed the findings and the case was transferred to the Office of Administrative Law Judges for hearing. A hearing was scheduled in Cincinnati, and continued twice. On November 29, 2004, Complainant sent a letter indicating that the case was settled in principle. On December 17, 2004, the parties submitted a Settlement and Release Agreement. The original settlement agreement was received on December 20, 2004.

The Settlement and Release Agreement is complete and bears the signatures of the Complainant and an official of the Respondent. Respondent is represented by counsel; the Complainant is not represented. The Agreement appears fair and reasonable and will be approved. The Agreement is to remain confidential to the extent provided by law.

RECOMMENDED ORDER

It is, therefore, ORDERED that the Settlement and Release Agreement is hereby APPROVED, and it is further ORDERED that the complaint of Curtis B. Siekert is hereby DISMISSED WITH PREJUDICE.

**A**

JOSEPH E. KANE  
Administrative Law Judge

NOTICE: This Decision and Order Approving Settlement Agreement and the administrative file in this matter will be forwarded to the Administrative Review Board, U.S. Department of Labor, Room S-4309, 200 Constitution Avenue, N.W., Washington, D.C. 20210, for entry of a Final Order. See 29 C.F.R. LLC, ARB No. 02-049, ALJ No. 2000-STA-32 (ARB September 26, 2002).