

**U.S. Department of Labor**

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**Issue Date: 15 June 2005**

In the Matter of

Case No.: 2005-STA-00030

JAMES HOLMES  
Complainant

v.

ROADWAY EXPRESS, INC.  
Respondent

**ORDER OF WITHDRAWAL**

A hearing in this case arising under §31105 of the Surface Transportation Assistance Act, 49 U.S.C. §31105, and the applicable regulations at 29 C.F.R. Part 1978, is scheduled to be held on June 29, 2005 in Milwaukee, Wisconsin. The complainant has moved to withdraw his objections to OSHA's findings, and represents that the respondent has no objection to the withdrawal. Under 29 C.F.R. §1978.111(c), a party may withdraw its objections to OSHA's findings prior to their becoming final by filing a written withdrawal with the administrative law judge. Accordingly, the June 29<sup>th</sup> hearing is cancelled, and

**It Is Ordered** that the complainant's objections to OSHA's findings are withdrawn, and this case is dismissed.

**A**

JEFFREY TURECK  
Administrative Law Judge