

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 10 August 2004

CASE NO.: 2003 AIR 39
2003 AIR 40

In the Matter of

KELLY LEWIS
Complainant

v.

**JET-A-WAY CHARTERS LLC/
NORTHSTAR AVIATION**
Respondent
and
DENISTON ENTERPRISES
Respondent

Appearances: Mr. Steven Fanning, Attorney
For the Complainant

Mr. John P. Kalled, Attorney
For Jet-A-Way Charters

Mr. Michael P. Coyle, Attorney
For Deniston Enterprises (to October 16, 2003)

Mr. J. Craig Weller, Attorney
For Deniston Enterprises (as of October 16, 2003)

Before: Richard T. Stansell-Gamm
Administrative Law Judge

**CORRECTED: RECOMMENDED DECISION AND ORDER –
APPROVING SETTLEMENT AND DISMISSING COMPLAINTS**

On July 28, 2004, I approved the parties' settlement agreement and dismissed the complaints. Due to my physical absence, the Decision and Order approving the settlement and dismissing the complaints in these two cases was signed by Associate Chief Administrative Law Judge Thomas A. Burke, on my behalf, on July 30, 2004.

Although the caption and service sheet referenced both 2003 AIR 39 and 2003 AIR 40, the text of Judge Burke's dismissal order only mentioned 2003 AIR 40. Additionally, the order represents a final, rather than recommended, decision. As a result, I have changed the title to "DECISION AND ORDER – APPROVING SETTLEMENT AND DISMISSING COMPLAINTS" and substitute the following for the last sentence of the July 30, 2004 decision and order:

Accordingly, the complaints, captioned 2003 AIR 39 and 2003 AIR 40 is are **DISMISSED** with prejudice.

SO ORDERED:

A
RICHARD T. STANSELL-GAMM
Administrative Law Judge

Date Signed: August 9, 2004
Washington, D.C.