



Issue Date: 03 July 2008

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In the Matter of

MIKE VANACORE
Complainant

Case No. 2007 AIR 00013

v.
SPIRIT AIRLINES, INC./
VANACORE
Respondent

.....
Order Approving Settlement and Dismissing

This proceeding arises pursuant to a complaint filed by Mike Vanacore against Spirit Airlines, Inc. alleging violations of the employee protection provisions of the Wendall H. Ford Aviation Investment and Reform Act for the 21st Century. (Air 21). 49 U.S.C. §42121. Prior to the scheduled commencement of the hearing on April 30, 2008, the parties advised that they had reached a settlement of all issues in dispute. On June 12, 2008, they filed their agreement for review and approval pursuant to 29 C.F.R. 1979.111(d)(2).

I have reviewed the agreement, and it appears to be fair, adequate, and reasonable. In addition, I have reviewed the parties' request that the settlement be designated confidential commercial information and that it be accorded confidential treatment. The rules governing confidential treatment to such information are set forth at 29 C.F.R. § 70.26, and the parties' request will be granted pursuant to the rule. Therefore;

ORDER

IT IS ORDERED that the Settlement Agreement and Full and Final Release be, and it hereby is, approved, and;

IT IS FURTHER ORDERED that the complaint filed in this matter, be, and it hereby is, dismissed with prejudice, and;

IT IS FURTHER ORDERED that the Settlement Agreement be accorded confidential treatment under 29 C.F.R. § 70.26.

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Stuart A. Levin
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 issuance of the administrative law judge’s decision. The Board’s address is: Administrative Review Board, U.S. Department of Labor, Suite S-5220, 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. § 1979.110(a). Your Petition must specifically identify the findings, conclusions or orders to which you object. You waive any objections you do not raise specifically. *See* 29 C.F.R. § 1979.110(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. You must also serve 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. *See* 29 C.F.R. § 1979.110(a).

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. § 1979.110. Even if a Petition is timely filed, 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 of the date the Petition is filed notifying the parties that it has accepted the case for review. *See* 29 C.F.R. §§ 1979.109(c) and 1979.110(a) and (b).