



Issue Date: 08 July 2010

CASE NO.: 2010 AIR 9

In the Matter of

PAUL F. RENNEISEN

Complainant

v.

AMERICAN AIRLINES, INC.

Respondent

Appearances: Mr. Mark R. Myers, Attorney
For the Complainant

Mr. Donn C. Meindertsma, Attorney
Ms. Rebecca D. Stanglein, Attorney
For the Respondent

Before: Richard T. Stansell-Gamm
Administrative Law Judge

**DECISION AND ORDER –
APPROVAL OF VOLUNTARY DISMISSAL OF COMPLAINT
(WITHDRAWAL OF OBJECTIONS)**

This case arises under Section 519 of the Aviation Investment and Reform Act for the 21st Century, (Public Law 106-181), Subsection 42121 (b) (2) (A), (“AIR 21”), as implemented by 29 C.F.R. Part 1979.

On October 19, 2009, Mr. Renneisen filed a complaint under the employee protection provisions of AIR 21 with the Area Director, U.S. Department of Labor, Occupational Safety and Health Administration (“OSHA”). On November 9, 2009, the Area Director dismissed Mr. Renneisen’s complaint. In response, having received the dismissal on November 17, 2009, Mr. Renneisen filed objections to the OSHA findings and dismissal on December 15, 2009. Pursuant to a Notice of Hearing, dated February 22, 2010, I set of hearing date of July 22, 2010 in Fort Lauderdale, Florida. On July 7, 2010, I received notice of Mr. Renneisen’s voluntary dismissal of his AIR 21 whistleblower complaint.

Under 29 C.F.R. § 1979.11(c), at any time before findings become final, a party may withdraw his objections to the OSHA findings by filing a written withdrawal with the administrative law judge. I construe Mr. Renneisen’s voluntary dismissal of his complaint as a request for withdrawal of his objections to the November 9, 2009 OSHA findings and dismissal of his AIR 21 complaint. Approval of the withdrawal request is appropriate.

ORDER

Accordingly, I approve withdrawal of Mr. Renneisen's December 15, 2009 objections to the November 9, 2009 OSHA findings and dismissal of his AIR 21 complaint. The hearing scheduled for July 22, 2010 is cancelled.

SO ORDERED:

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RICHARD T. STANSELL-GAMM
Administrative Law Judge

Date Signed: July 8, 2010
Washington, DC