



Issue Date: 06 February 2013

CASE NO: 2012-AIR-00012

In the Matter of:

TIMOTHY SINCLAIR,
Complainant,

v.

CAPITAL CARGO INTERNATIONAL AIRLINES, INC.
Respondent.

DECISION AND ORDER
GRANTING APPROVAL OF SETTLEMENT

This case involves a complaint under the Whistleblower Protection Provisions of the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (“Air 21”), 42 U.S.C. § 42121, brought by Complainant, Timothy Sinclair, against Respondent, Capital Cargo International Airlines, Inc.

On July 26, 2012, I issued a Notice of Hearing and Pre-Hearing Order setting the hearing for February 5, 2013. In a telephone conference on February 1, 2013, the parties informed me that they had reached an agreement on the issues. On February 4, 2013, the parties filed a Joint Motion for Approval of Settlement and Dismissal of Proceedings. Accompanying the Joint Motion was the fully executed settlement agreement.

I have reviewed the settlement agreement. I find the settlement agreement appears to be fair, reasonable and consistent with public policy. To the extent the settlement agreement contains releases and waivers that may relate to actions under any other statute, this Decision and Order makes no determination regarding the propriety of such provisions. It is ordered that the settlement agreement is **APPROVED**, and that this case is **DISMISSED WITH PREJUDICE**.

Finally, the parties have designated the settlement agreement to be confidential business information in accordance with 29 C.F.R. § 70.26 and the settlement agreement shall be afforded the protections thereunder.

Within the settlement agreement, the parties have addresses the question of costs and attorney’s fees. I specifically approve those fees and costs because I find that the negotiated fees

are reasonably commensurate with the necessary work done, taking into account the quality of representation, the complexity of the legal issues involved and the amount of benefits obtained.

SO ORDERED.

STEPHEN M. REILLY
Administrative Law Judge