

U.S. Department of Labor

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Issue Date: 14 November 2013

Case No.: 2013-AIR-00013

In the Matter of

VALERIE A. WELLS
Complainant

v.

US AIRWAYS, INC.
Respondent

FINAL ORDER APPROVING UNOPPOSED MOTION
FOR WITHDRAWAL OF COMPLAINT;
DISMISSING MATTER WITH PREJUDICE;
AND CANCELLING HEARING

This proceeding involves a complaint filed under the employee protection provisions of Section 519 of the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century, (AIR21), 49 U.S.C. § 42121, and its implementing regulations, 29 C.F.R., Part 1979. The Complainant and Respondent are represented by counsel.

By Motion dated October 30, 2013, submitted by Complainant's counsel, Complainant withdrew and dismissed, with prejudice, the Objection to Preliminary Order, Objections to Findings in Preliminary Order, and Request for Hearing. I will construe the Motion as a Motion to withdraw the Complainant's request for hearing. See 29 C.F.R. § 1979.106. No response to the Motion has been filed, and the time for submitting a response has passed. See 29 C.F.R. § 18.6(b). Accordingly, I conclude that the Complainant's Motion is not opposed.

I GRANT the unopposed Motion that the Complainant's complaint be withdrawn. As the complaint is withdrawn, this matter is dismissed WITH PREJUDICE.

The hearing, scheduled to commence on February 4, 2014, is CANCELLED.

SO ORDERED.

Adele H. Odegard
Administrative Law Judge

Cherry Hill, New Jersey