

**U.S. Department of Labor**

Office of Administrative Law Judges  
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**Issue Date: 15 November 2018**

Case No.: 2018-AIR-00038

In the Matter of

**AASIR AZZARMI**

Complainant

v.

**DELTA AIRLINES**

Respondents

**ORDER OF DISMISSAL**

This case arose under the employee protection provisions of the Wendell H. Ford Aviation Investment and Reform Act for the 21<sup>st</sup> Century ("AIR 21") and is scheduled for hearing on December 17, 2018 in New York, New York. On July 13, 2018, I issued a Notice of Hearing and Prehearing Order setting the time, date and place for the hearing and directing the parties to comply with certain deadlines regarding discovery, motions, and other pre-hearing matters. In the Pre-Hearing Order I also scheduled a Prehearing Conference for Friday August 24, 2018 at 3:00 p.m.

Complainant, who is proceeding *pro se*, failed to call in for the Prehearing Conference. Counsel for Employer was present, but I did not hold the conference, as Complainant did not appear. Complainant has failed to advise this Office, either before or after the date for the Prehearing Conference, of any reason for his failure to appear. I also note that the Post Office returned the certified letter enclosing the Notice of Hearing and Prehearing Order as undeliverable, however, the same Notice of Hearing and Prehearing Order sent via regular mail has not been returned. The Office of Administrative Law Judges sent these letters to the address which Complainant used in filing his notice of appeal. This office also attempted to contact Complainant by telephone at the number he listed as a contact number, but those attempts have been unsuccessful.

On September 5, 2018, an Order to Show Cause Why Complaint Should Not Be Dismissed was issued and directed *pro se* Complainant to respond within twenty-one (21) days of the Order. The Order also noted that failure to respond would result in an Order of Dismissal as abandonment.

*Pro se* Complainant did not respond to the Order to Show Cause nor did he make any attempts to reach this office via first-class mail, facsimile, or telephone.

Accordingly, it is hereby **ORDERED** that the hearing scheduled for December 17, 2018 at 10:00 a.m. in New York, New York is **CANCELLED** and the case is **DISMISSED** as **ABANDONED**.

SO ORDERED:

THERESA C. TIMLIN  
Administrative Law Judge

Cherry Hill, New Jersey