

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 19 July 2012

Case No.: 2011-CAA-00001
In the Matter of:

CHARLES YORK,
Complainant,
v.

CMM REALTY, INC.,
Respondent.

**ORDER GRANTING COMPLAINANT'S REQUEST TO WITHDRAW HEARING
REQUEST AND DISMISSING COMPLAINT**

This case arises under the employee protection provisions of Section 322(a) of the Clean Air Act ("CAA"), 42 U.S.C. § 7622. A companion case was brought in the U.S. District Court for the District of South Carolina alleging violation of the whistleblower protection provisions of the Occupational Safety and Health Act of 1970, 29 U.S.C. § 651 *et seq.*

The parties entered into a settlement agreement in the District Court action in which they agreed, among other things, that their agreement resolved the current claim. The Complainant agreed to withdraw the administrative complaint upon the Court's entry of the approved Consent Order.

The Court entered a Consent Judgment and Order on June 29, 2012. The Complainant forwarded his request to withdraw the present complaint on July 6, 2012.

ORDER

In accordance with the settlement agreement between the parties and the Consent Judgment and Order entered in U.S. District Court, the Complainant's request to withdraw his request for a hearing before the OALJ is **GRANTED**. This matter is **DISMISSED WITH PREJUDICE**.

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KENNETH A. KRANTZ
Administrative Law Judge

KAK/mrc