



**Issue Date: 14 November 2017**

Case No.: 2016-CPS-00001  
OSHA No.: 6-2320-16-032

*In the Matter of:*

**JENNIFER GERRARD,**  
*Claimant,*

v.

**OAKLEY,**  
*Respondent.*

**DECISION AND ORDER APPROVING SETTLEMENT**

This matter arises under the Consumer Product Safety Improvement Act (“CPSIA”), 15 U.S.C. § 2087, and the applicable regulations at 29 C.F.R. Part 1983. On May 6, 2016, I was informed that the parties had reached a settlement. I issued an order cancelling the hearing scheduled in this matter on June 6, 2016. On June 7, 2016, I received the parties “Final Settlement Agreement and Release of All Claims” (“Agreement”).<sup>1</sup>

Under 29 C.F.R. § 1983.111(d)(2), if a matter is before an administrative law judge, a settlement must be approved by that administrative law judge. I have reviewed the Agreement and find that it was entered into voluntarily and not under duress, that it constitutes a fair, adequate, and reasonable settlement of Complainant’s allegations that Respondents violated the CPSIA, and that it is in the public interest. Accordingly, the Agreement is **APPROVED** and this proceeding, OALJ Case No. 2016-CPS-00001, is **DISMISSED WITH PREJUDICE**.

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<sup>1</sup> Since that time, my law clerks on at least two occasions have reached out to counsel in this matter to determine if the parties intend that the Agreement be sealed. Counsel has informed my law clerks that they desired that it be sealed, and my law clerks have informed counsel times that a motion must be filed making such a request. As of November 13, 2017, I have received no such motion. Under the circumstances, I find it appropriate to review the Agreement without further delay. Should the parties wish that I retain jurisdiction over this matter for the limited purpose of considering a motion to seal the Agreement in this matter, they should so inform me within 15 days of the date of this decision and order. Otherwise, I will assume that they do not wish me to do so.

**SO ORDERED.**

**PAUL R. ALMANZA**  
Associate Chief Administrative Law Judge