



Issue Date: 26 February 2016

CASE NO.: 2015-ERA-00006

*In the Matter of:*

JESSICA TEN HAGEN,  
*Complainant,*

v.

ENTERGY AT PALISADES,  
*Respondent.*

**ORDER APPROVING SETTLEMENT, CANCELING HEARING, and  
DISMISSING COMPLAINT**

A hearing in this matter is scheduled to begin on March 14, 2016 in Grand Rapids, Michigan. By letter dated February 23, 2016, counsel for Respondent forwarded an executed settlement agreement for review. Upon review of the settlement agreement, I find that its terms are fair, adequate, and reasonable, and do not contravene the public interest. However, it appears to be a global settlement purporting to dispose of claims in addition to the claim brought under the Energy Reorganization Act. My authority to approve the settlement agreement is limited to matters that are before me – that is, to approve the settlement agreement only insofar as it resolves the complaint under the ERA. My approval should not be construed as approval of the resolution of any claims brought under any other federal statute or under state law.

Further, the parties agree that the settlement agreement should be confidential, and have requested that it be sealed and remain confidential. The Freedom of Information Act, 5 U.S.C. § 552, *et seq.* (1988) (FOIA), requires federal agencies to disclose requested documents unless they are exempt from disclosure. *Faust v. Chemical Leaman Tank Lines, Inc.*, Case Nos. 92-SWD-2 and 93-STA-15, ARB Final Order Approving Settlement and Dismissing Complaint, March 31, 1998. The records in this case are agency records which must be made available for public inspection and copying under the Freedom of Information Act. However, the employer will be provided a pre-disclosure notification giving the employer the opportunity to challenge any such potential disclosure. In the event the Agreement is disclosed, pursuant to 5 U.S.C. Section 552, *et seq.*, such disclosure is not a violation of the agreement and will not result in a violation of the agreement.

Based on the foregoing, IT IS ORDERED:

1. The settlement between Complainant Jessica Ten Hagen and Respondent Entergy is APPROVED;
2. The hearing scheduled to begin on March 14, 2016 is CANCELED; and
3. The complaint in this matter is DISMISSED.

**SO ORDERED.**

PAUL C. JOHNSON, JR.  
District Chief Administrative Law Judge