



Issue Date: 12 March 2015

Case Number: 2014-FRS-00100

In the Matter of

WILLIAM A. PRATT
Complainant

v.

NORFOLK SOUTHERN RAILWAY CO.
Respondent

**ORDER CANCELLING HEARING, APPROVING WITHDRAWAL
OF COMPLAINT AND DISMISSING CASE**

This proceeding arises under the employee protection provisions of the Federal Rail Safety Act of 2007 (“FRSA”) and is currently scheduled for hearing on July 7-8, 2015 in South Bend, Indiana.¹ On March 6, 2015, Complainant’s counsel submitted an Uncontested Withdrawal of Objections and Request for Hearing in which he states that Complainant has “voluntarily and knowingly elected to withdraw his objections and request for hearing, and thereby dismisses his FRSA case, with prejudice.” No final decision has been issued in the matter. As such, upon review of the entire record, and for good cause shown, Complainant’s request to withdraw his November 6, 2013 complaint, currently pending before the Office of Administrative Law Judges, is hereby GRANTED. Accordingly,

IT IS HEREBY ORDERED that the hearing in the instant case scheduled for July 7-8, 2015 in South Bend, Indiana be, and is hereby, CANCELLED; and

Consistent with the regulations, the above captioned matter is hereby DISMISSED with prejudice without costs awarded to either party.

SO ORDERED:

STEPHEN R. HENLEY
Administrative Law Judge

¹ On November 6, 2013, Complainant filed a complaint with OSHA alleging retaliation for reporting a workplace injury. On April 24, 2014, OSHA dismissed the complaint and Complainant appealed, requesting a hearing before this office.