



Issue Date: 03 December 2014

Case No.: 2014-FRS-30

*In the Matter of:*

CURTIS J. WAGER,  
Complainant

v.

CSX TRANSPORTATION,  
Respondent

**ORDER GRANTING THE COMPLAINANT'S MOTION FOR RECONSIDERATION,  
EXTENDING THE SCHEDULE FOR BRIEFING SUMMARY DECISION**

This claim is before me on the Complainant's Motion for Reconsideration of Dismissal. I issued a decision granting the Respondent's motion for summary decision on November 25, 2014, because I believed that the Complainant had neither filed a response to the motion, nor sought an extension to do so. But it now appears that the Complainant attempted to file a request for an extension of time on November 11, 2014, which I never received. The Respondent did not oppose the request for an extension of time, and does not oppose the motion for reconsideration, either. But it does seek an extension of the schedule for replying to the response because it is now close to the holidays. Being duly advised, I find that the motion for reconsideration should be granted, and the schedule extended.

**IT IS THEREFORE ORDERED** that the Complainant's motion for reconsideration is **GRANTED**. The Decision and Order issued on November 25, 2014, is **VACATED**. The Complainant's request for an extension to respond to the motion for summary decision, and the Respondent's request for an extension to reply, are also **GRANTED**. The Complainant's response to the motion shall be filed by December 18, 2014, and the Respondent's reply, by January 20, 2015.

Alice M. Craft  
Administrative Law Judge