

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 05 May 2015

CASE NO. 2015-FRS-00013

In the Matter of

ELONA KOONCE,
Complainant,

v.

**UNION PACIFIC RAILROAD
COMPANY,**
Respondent.

ORDER OF DISMISSAL WITHOUT PREJUDICE

On May 4, 2015, Complainant notified this Office that she intends to file this action in the United States District Court. *See* 49 U.S.C. § 20109(d)(3). As Complainant has met the statutory and regulatory requirements to bring his action *de novo* in the district court and has stated her intent to do so, this matter is DISMISSED without prejudice to Complainant's pursuing the matter in the district court. *See id.*; 29 C.F.R. §1982.114. The complainant shall file and serve a copy of the district court complaint with this Office and the others required by regulation as soon as possible after she files it with the district court. *See* 29 C.F.R. § 1982.114(b).

SO ORDERED.

STEVEN B. BERLIN
Administrative Law Judge