



Issue Date: 11 August 2016

Case No.: 2015-FRS-00048

In the Matter of:
DEAN MATUS,
Complainant,

v.

NORFOLK SOUTHERN RAILWAY CORP.,
Respondent.

**ORDER GRANTING COMPLAINANT'S MOTION TO WITHDRAW
OBJECTIONS TO THE ASSISTANT SECRETARY'S FINDINGS**

The above-captioned case, filed under the Federal Rail Safety Act ("FRSA"), is currently pending before the undersigned for hearing and decision. On July 21, 2016, counsel for the Complainant notified the undersigned that the parties have entered into an agreement to settle the Complainant's FELA claim, which is not pending before the undersigned, and withdraw the Complainant's FRSA complaint. Thereafter, on August 4, 2016, counsel for the Complainant filed a Motion to Withdraw Objections to the Secretary's Findings, requesting that the Claimant's previously filed objections to the Secretary's Findings be withdrawn.

The regulation at 29 C.F.R. § 1982.111(c) provides, "At any time before the Assistant Secretary's findings and/or order become final, a party may withdraw its objections to the Assistant Secretary's findings and/or order by filing a written withdrawal with the ALJ." The administrative law judge "will determine whether to approve the withdrawal of the objections or the petition for review." *Id.* If I approve the Complainant's request to withdraw and there are no other pending objections, the Assistant Secretary's findings and/or order will become the final order of the Secretary. *Id.*

Based on the foregoing, as there are no objections to the Complainant's request, I hereby **GRANT** the Complainant's motion to withdraw his objections to the Assistant Secretary's findings and order.

SO ORDERED.

JOHN P. SELLERS, III
Administrative Law Judge

