



**Issue Date: 12 August 2015**

**Case Number: 2015-FRS-00060**

*In the Matter of*

**ASHLEY MICHIEL**  
**Complainant**

v.

**WISCONSIN CENTRAL RAILWAY CO.**  
**Respondent**

**ORDER APPROVING WITHDRAWAL OF REQUEST FOR HEARING**

This proceeding arises under the employee protection provisions of the Federal Rail Safety Act of 2007 (“FRSA”). It is not currently scheduled for hearing.<sup>1</sup> On August 6, 2015, Complainant’s counsel submitted a letter in which he states that Complainant voluntarily “withdraws her previously filed objections effectively causing OSHA’s Findings and Dismissal to become final.” No final decision has been issued in the matter. As such, upon review of the entire record, and for good cause shown, Complainant’s application to withdraw her request for a hearing before the Office of Administrative Law Judges is hereby GRANTED. Accordingly,

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

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<sup>1</sup> On August 12, 2014, Complainant filed a complaint with the Occupational Safety and Health Administration (OSHA) alleging retaliation for following the treatment plan of her treating physician, in violation of 49 U.S.C. 20109(c)(2). On June 22, 2015, OSHA dismissed the complaint and Complainant appealed, requesting a hearing before this office.