



**Issue Date: 26 September 2016**

Case No.: 2016-FRS-00014

In the Matter of

**DOUGLAS LYONS**

Complainant

v.

**BNSF RAILWAY COMPANY**

Respondent

**ORDER DISMISSING CASE**

This matter arises under the employee protection provisions of the Federal Rail Safety Act of 2007 (“FRSA” or the “Act”), Title 49 U.S.C. § 20109, as amended, and as implemented by 29 C.F.R. § 1982. Jurisdiction for this case is vested in the Office of Administrative Law Judges (“OALJ”) by this statute, under § 20109(c)(2)(a), which applies the rules and procedures set forth in 49 U.S.C. § 42121(b), relating to whistleblower complaints under the Aviation Investment and Reform Act for the 21st Century (“AIR 21”).

On June 21, 2016, the parties electronically filed an Agreement and Release, which this Tribunal approved by Order the same day.<sup>1</sup> In that Order, I advised that this matter would be dismissed with prejudice upon notification that the parties had fulfilled all applicable terms of the Settlement Agreement.

By facsimile dated September 26, 2016, the parties informed this Tribunal that they have fulfilled all applicable terms of the Settlement Agreement and requested that this matter be dismissed with prejudice.

In light of the parties’ representation of compliance with the June 21, 2016 Order, this matter is hereby DISMISSED with prejudice.

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<sup>1</sup> Settlements under the Act require the approval of the administrative law judge. See 29 C.F.R. § 1982.111(d)(2).

SO ORDERED.

Cherry Hill, NJ

Scott R. Morris  
Administrative Law Judge