

UNITED STATES DEPARTMENT OF LABOR  
OFFICE OF ADMINISTRATIVE LAW JUDGES  
BOSTON, MASSACHUSETTS

**Issue Date: 26 April 2018**

CASE NO.: 2017-FRS-00012

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*In the Matter of:*

ANDREW BARATI,  
*Complainant,*

v.

METRO NORTH COMMUTER RAILROAD CO., INC.,  
*Respondent.*

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**DECISION AND ORDER APPROVING SETTLEMENT  
AND CANCELLING HEARING**

This proceeding arises from a complaint of discrimination filed under the Federal Rail Safety Act (“the FRSA”), 49 U.S.C. § 20109, as amended by Section 1521 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (the “9/11 Act”), Pub. L. 110-53, 121 Stat 266 (Aug. 3, 2007). The hearing on this matter was scheduled for April 25, 2018 in New Haven, Connecticut.

On April 17, 2018, the Court received the parties’ signed settlement agreement and release of claims. Having been advised of the settlement amount and conditions, and having personally reviewed the settlement agreement, I find the provisions fair, adequate, reasonable and not contrary to public interest. Further, the settlement supports a finding that the complaint be dismissed with prejudice.

Accordingly, it is hereby **ORDERED**:

1. The Settlement Agreement is **APPROVED**;
2. The complaint is **DISMISSED WITH PREJUDICE**;
4. The hearing scheduled for April 25, 2018 is **CANCELLED**; and

5. This constitutes the final order of the Secretary of Labor under 29 C.F.R. 1982.111(e).

**SO ORDERED.**

**TIMOTHY J. McGRATH**  
Administrative Law Judge

Boston, Massachusetts