



Issue Date: 22 September 2017

CASE NO.: 2017-FRS-00019

In the Matter of:

GARY FRITZ,
Complainant,

vs.

TRANSIT AMERICA SERVICES, INC.,
Respondent.

ORDER APPROVING SETTLEMENT

This is a claim under the employee-protection provisions of the Federal Rail Safety Act, 49 U.S.C. § 20109, as amended by Section 1521 of the Implementing Recommendations of the 9/11 Commission Act of 2007, Pub. L. No. 110-53 (Aug. 3, 2007).

The parties submit for court approval an amended “Confidential Settlement Agreement and General Release” (the “agreement”), executed by counsel for the parties and by the Complainant, Gary Fritz. Under the agreement, Respondent must make a payment to the Railroad Retirement Board of the United States of America in satisfaction of its lien claim in this matter, and must make a second payment to the Complainant and his attorneys. The terms of these payments are more specifically set forth in the agreement, and incorporated into this Order by this reference.

I accept the parties’ representation that they have considered the Medicare Secondary Payer Act, 42 U.S.C. §1395y(b)(2), and make no further determination in that regard.

Having reviewed the agreement, I find and conclude:

The agreed settlement is equitable and adequate, and not procured by duress.

The agreed settlement is approved.

SO ORDERED.

CHRISTOPHER LARSEN
Administrative Law Judge