



Issue Date: 05 May 2017

CASE NO.: 2017-FRS-00005

In the Matter of:

EVERETT GREEN,
Complainant,

vs.

UNION PACIFIC RAILROAD COMPANY,
Respondent.

**ORDER GRANTING COMPLAINANT'S MOTION TO WITHDRAW
OBJECTIONS TO OSHA'S FINDINGS AND DISMISSING CASE**

This matter is before me on Complainant's objections to OSHA's findings in his complaint under the Federal Rail Safety Act ("FRSA")¹, and its implementing regulations². It is scheduled for hearing on May 23, 2017 in Denver, Colorado. On May 4, 2017, Complainant through counsel filed his Motion to Withdraw his Objections to OSHA Findings.

In light of the above and pursuant to 29 C.F.R. 1982.111(c) it is hereby ORDERED THAT:

- Complainant's Motion to Withdraw his Objections to OSHA's Findings in this matter is GRANTED;
- The hearing scheduled for May 23, 2017 in Denver, Colorado is vacated;
- The Secretary's findings dated September 26, 2016 will now be the final order of the Secretary. The case is dismissed with prejudice.

WILLIAM J. KING
Administrative Law Judge

¹ 49 U.S.C. § 20109, as amended by Section 1521 of the Implementing Recommendations of the 9/11 Commission Act of 2007 ("9/11 Act"), Pub. L. No. 110-53. (Aug. 3, 2007).

² 29 C.F.R. Part 1982.