



Issue Date: 31 January 2019

CASE NO.: 2017-FRS-00086

In the Matter of:

CURTIS SMITH,
Complainant

v.

UNION PACIFIC RAILROAD CO.,
Respondent

DECISION AND ORDER APPROVING SETTLEMENT AND DISMISSING CASE

The above-captioned matter arises under the employee protection provisions of the Federal Rail Safety Act of 2007, 49 U.S.C. § 20109, and its implementing regulations. The parties have submitted their settlement agreement for approval and requested dismissal of this action.

Both parties were ably represented by counsel. The parties' respective signatures on the settlement agreement represents their mutual understanding of the agreement's provisions and their associated rights and obligations. With these factors in mind and after having reviewed the settlement agreement, I find the provisions are fair, adequate, and not contrary to public interest. The agreement resolves the pending differences between the parties. Accordingly, I conclude that approval of the settlement agreement is appropriate and that dismissal is proper.

Accordingly, it is hereby **ORDERED** that the settlement agreement is approved. The parties shall comply with the terms of the settlement agreement as set forth therein. This matter is hereby **DISMISSED WITH PREJUDICE**.

SO ORDERED this 31st day of January, 2019, at Covington, Louisiana.

CLEMENT J. KENNINGTON
Administrative Law Judge

