



Issue Date: 21 April 2020

OALJ Case Nos.: 2018-FRS-00041 (Hunsaid); 2018-FRS-00042 (Bell)
OSHA Case Nos. 5-4760-17-004 (Hunsaid); 5-4760-17-011 (Bell)

In the Matter of:

RYAN HUNSAID & BRADLEY BELL,
Complainants,

v.

UNION PACIFIC RAILROAD CO.,
Respondent.

**DECISION AND ORDER APPROVING SETTLEMENT
AGREEMENTS AND DISMISSING MATTERS WITH PREJUDICE**

These consolidated matters arise under the Federal Railroad Safety Act (“FRSA”), 49 U.S.C. § 20109, as amended by the Implementing Recommendations of the 9/11 Commission Act of 2007, Pub. L. No. 110-053, and the applicable regulations issued thereunder at 29 C.F.R. Part 1982. On March 26, 2020, I received from counsel for Complainants the parties’ Settlement Agreement and Release of All Claims and Stipulation of Dismissal with Prejudice in Case No. 2018-FRS-00041 and the parties’ Settlement Agreement and Release of All Claims and Stipulation of Dismissal with Prejudice in Case No. 2018-FRS-00042. The Stipulation of Dismissal with Prejudice in each case states that “the parties ... agree and stipulate to the ... [Tribunal] ... dismissing the above-captioned matter with prejudice, each party to bear its own costs, disbursements and attorneys’ fees.”

I have reviewed the parties’ Settlement Agreement and Release of All Claims in each case. I find their terms and conditions to be reasonable and appropriate, and that they were entered into voluntarily and not under duress. The terms and conditions of the Settlement Agreement and Release of All Claims in Case No. 2018-FRS-00041 and the terms and conditions of the Settlement Agreement and Release of All Claims in Case No. 2018-FRS-00042 are thus approved.

Accordingly, I find good cause to approve the parties’ Stipulation of Dismissal with Prejudice in Case No. 2018-FRS-00041 and the parties’ Stipulation of Dismissal with Prejudice in Case No. 2018-FRS-00042. Case No. 2018-FRS-00041 and Case No. 2018-FRS-00042 are

each hereby **DISMISSED WITH PREJUDICE**. All pending dates are vacated, and each party shall bear his or its own attorney's fees and costs.

I am requesting that this Decision and Order be served by email on: (1) Thomas W. Fuller, Esq., counsel for Complainants; and (2) Thomas A.P. Hayden, Esq., counsel for Respondent.

SO ORDERED.

PAUL R. ALMANZA
Associate Chief Administrative Law Judge