



Issue Date: 23 September 2020

Case No.: 2019-FRS-00077

In the Matter of:

PATRYK GIERALTOWSKI,
Complainant,

v.

CANADIAN NATIONAL /
ILLINOIS CENTRAL RAILWAY ("CN/IC"),
Respondent.

ORDER GRANTING COMPLAINANT'S MOTION TO WITHDRAW COMPLAINT

DECISION AND ORDER DISMISSING WITH PREJUDICE

This case arises under the employee protection provisions of the Federal Railroad Safety Act, U.S. Code, Title 49, §20109, as amended ("FRSA"), and its implementing regulations at 29 CFR, Part 1982. Per 29 CFR §1982.107, the proceeding will be held in a manner consistent with the procedural rules and evidentiary rules set forth in federal regulations at 29 CFR Part 18.

On September 23, 2020, Complainant filed a letter with the court advising that he was withdrawing the appeal of his complaint. He stated, "I cannot continue further with this case due to the withdrawal of my legal counsel."

In view of the foregoing and after review of the administrative file, this Administrative Law Judge finds that the interest of justice requires that the Complainant's motion to withdraw the complaint is GRANTED.

ORDER

It is hereby **ORDERED** that Complainant's complaint pending before this court is **DISMISSED with prejudice**.

The court requests that this Order be served on the following parties by email: (1) Complainant Patryk Gieraltowski, (2) Chloe G. Pedersen, Esq., counsel for the Respondent, (3) Regional Solicitor, Kansas City, MO, and (4) Regional Administrator, Kansas City, MO, (5) Director, OSHA Whistleblower.

DO NOT E-MAIL OR RESPOND TO THE SENDER'S E-MAIL ADDRESS.

E-MAILS SENT TO THE NEWPORT NEWS OFFICE OF ADMINISTRATIVE LAW JUDGES' E-MAIL ADDRESS (OALJ-NewportNews@DOL.GOV) WILL ONLY BE ACCEPTED DURING THE COVID-19 PANDEMIC.

SO ORDERED.

Dana Rosen
Administrative Law Judge

DR/mjw
Newport News, Virginia