

U.S. Department of Labor

Office of Administrative Law Judges
36 E. 7th St., Suite 2525
Cincinnati, Ohio 45202

(513) 684-3252
(513) 684-6108 (FAX)



Issue Date: 03 February 2020

Case No.: 2019FRS00059

In the Matter of:

DAVID MANGOLD,
Claimant,

v.

NORFOLK SOUTHERN RAILWAY COMPANY,
Employer.

ORDER OF DISMISSAL

This case arises under the Federal Rail Safety Act. On January 13, 2020, Complainant notified me of his intention to litigate his claim in the United States District Court pursuant to the “kick out” provision in 49 U.S.C. 20109(d)(3). I then stayed the case until January 31, 2020.

On January 31, 2020, Complainant provided me with a time-stamped copy of the Complaint he filed on January 31, 2020, captioned *David H. Mangold v. Norfolk Southern Railway Company*, United States District Court, Northern District of Ohio Case 5:20-CV-214.

I hereby **LIFT** the stay I entered on January 13, 2020. This case is **DISMISSED**. The telephone conference scheduled for February 3, 2020 is **CANCELLED**.

Steven D. Bell
Administrative Law Judge