

**U.S. Department of Labor**

Office of Administrative Law Judges  
11870 Merchants Walk - Suite 204  
Newport News, VA 23606

(757) 591-5140  
(757) 591-5150 (FAX)



**Issue Date: 28 February 2020**

CASE NO.: 2020-FRS-00016

*In the Matter of:*

NICHOLAS A. JUBA,  
*Complainant,*

v.

NORFOLK SOUTHERN RAILWAY COMPANY,  
*Respondent.*

**ORDER OF DISMISSAL**

Complainant filed a complaint with the Occupational Safety and Health Administration (“OSHA”), alleging, in part, that Respondent retaliated against him in violation of the employee protection provisions of the Federal Railroad Safety Act (“FRSA”), 49 U.S.C. § 20109, as amended, and implementing regulations found at 29 C.F.R. Part 1982. On or about December 13, 2019, the complaint was dismissed by the Department of Labor. On December 31, 2019, Complainant requested a hearing. The matter was docketed at the Office of Administrative Law Judges (“OALJ”) and assigned to the undersigned on January 16, 2020. It is not yet scheduled for hearing.

By letter received on February 19, 2020, Complainant submitted a Motion to Withdraw, advising that the Respondent and Complainant were able to resolve the current matter. Complainant requested for his complaint to be withdrawn.

Accordingly, it is hereby **ORDERED** that the above captioned matter before the OALJ is **DISMISSED**.

**SO ORDERED.**

LARRY W. PRICE  
Administrative Law Judge

LWP/AME/ksw  
Newport News, Virginia