



Issue Date: 20 August 2015

CASE NO.: 2014-LCA-9

IN THE MATTER OF

KARLA V. GUTIÉRREZ ESTRADA

Prosecuting Party/Complainant

v.

**TIPPIT & MOO, LLC and
LOPEZ NEGRETE COMMUNICATIONS, INC.**

Respondents

**ORDER APPROVING WITHDRAWAL OF COMPLAINT
AND CANCELLING FORMAL HEARING**

On March 21, 2014, Complainant filed objections to the Secretary's findings of March 5, 2014, that Respondent failed to pay the required wages to Complainant and failed to provide arrangements for Complainant to return to her country as stated under the law.

On April 14, 2014, a Notice of Hearing and Pre-Hearing Order issued in this matter scheduling a formal hearing on July 31, 2014, which has been rescheduled numerous times thereafter.

A complainant may not withdraw the complaint after filing objections to the OSHA findings and/or preliminary order. 29 C.F.R. § 1985.111(a). While the matter is pending before the ALJ, however, a party may withdraw objections to the OSHA findings or order by filing a written withdrawal with the ALJ. 29 C.F.R. § 1985.111(c). The ALJ will determine whether to approve the withdrawal of the objections. If the ALJ approves a request to withdraw objections, and there are no other pending objections, the Assistant Secretary's findings and/or order will become the final order of the Secretary.

On August 17, 2015, by facsimile, Complainant filed with the undersigned a withdrawal of her complaint in the instant matter. I construe Complainant's "withdrawal" as a request to withdraw her objections to the Secretary's findings.

Having considered Complainant's withdrawal request, I hereby approve the withdrawal of Complainant's objections to the Secretary's findings which will become the final order of the Secretary.

In view of the foregoing, the formal hearing scheduled for August 25, 2015, is hereby cancelled.

ORDERED this 20th day of August, 2015, at Covington, Louisiana.

LEE J. ROMERO, JR.
Administrative Law Judge