



Issue Date: 16 August 2018

OALJ Case No.: 2017-MAP-00001
OSHA Case No. 6-3550-17-026

In the Matter of:

DARIN LARSON,
Complainant,

v.

JAMES HODGE AUTO GROUP,
Respondent.

**DECISION AND ORDER APPROVING SETTLEMENT
AND ORDER OF DISMISSAL**

This matter arises under the Sarbanes-Oxley Act of 2002, as amended, (“SOX”), the Moving Ahead for Progress in the 21st Century Act (“MAP-21”), and the regulations issued thereunder at 29 C.F.R. Part 1980 and Part 1988, respectively. On July 23, 2018, I received Complainant’s Withdrawal of Objection (“Withdrawal”); a Joint Motion for Cancellation of Hearing Pending Settlement (“Joint Motion”); and a Joint Motion for Approval of Settlement Agreement and Joint Motion to Seal Settlement Agreement (“Motion to Seal”), attached to which, as Exhibit 1, is the Settlement and Confidentiality Agreement and Release of Claims (“Settlement Agreement”).¹

Complainant’s Withdrawal states that the parties “have reached a settlement regarding Larson’s claims.” Withdrawal at 1. Further, Complainant seeks to withdraw his objection to the Secretary’s findings in this matter, “[c]ontingent upon the Tribunal’s approval of the [Settlement Agreement]. . . .” *Id.*

Having reviewed the parties’ Settlement Agreement, I find its terms and conditions to be reasonable and appropriate, and that such agreement was entered into voluntarily and not under duress. The terms and conditions of the Settlement Agreement are thus **APPROVED**.

¹ Due to a temporary disruption in mail service to the OALJ, the parties also submitted these filings to my law clerk by email on July 19, 2018. The temporary disruption was resolved and I received the paper filings on July 23, 2018. On July 24, 2018, I granted the parties’ Joint Motion and issued an Order Cancelling Hearing Pending Settlement. By means of a separate order, I grant the parties’ Motion to Seal.

Accordingly, I find good cause to grant Complainant's Withdrawal of Objection. The matter of *Darin Larson v. James Hodge Auto Group*, OALJ case number 2017-MAP-00001, is hereby **DISMISSED WITH PREJUDICE**. Any pending dates or deadlines remaining in this matter are vacated. Attorney's fees and costs shall be paid in accordance with the terms of the Settlement Agreement.

SO ORDERED.

PAUL R. ALMANZA
Associate Chief Administrative Law Judge