



Issue Date: 31 August 2020

CASE NO.: 2018-MAP-00001

In the Matter of:

DAVID R. PATON,
Complainant,

v.

CALLOS PERSONNEL SERVICES,
d/b/a **CALLOS & ASSOCIATES,**
Respondent.

ORDER OF DISMISSAL

On August 8, 2020, the undersigned issued an Order to Show Cause and Desist in this matter. It was noted that the Complainant, who is not represented in the matter, had stated, in a telephone conference call dated January 16, 2018, that he was going to file a motion to disqualify the Respondent's attorneys, alleging that they were involved in "criminal misconduct." (Tr. Call 1/16/18 at 15.) Such a motion was never filed. On May 9, 2018, the Respondent moved to dismiss this action for the Respondent's failure to prosecute, citing the Complainant's failure to follow through on his stated intent to file a motion to disqualify counsel. The matter did not move forward after that, and the Complainant did not ever provide evidence of the alleged criminal misconduct of the Respondent's attorneys or respond to the Respondent's Motion to Dismiss for Failure to Prosecute.

The Order to Show Cause and Desist ordered the Complainant to show cause, within 14 days of receipt of the Order, to state whether he was desirous of this matter moving forward and to otherwise respond to the Respondent's motion to dismiss for failure to prosecute. The Complainant was also Ordered to desist making any further unsupported allegations against the Respondent's counsel, or to make any further statement that lacked evidentiary support. The Complainant was also advised to submit his response to the following email address: OALJ-Cincinnati@dol.gov,

The Complainant has not responded to the undersigned's Order within the time frame allowed. At this time, therefore, it does not appear that the Complainant wishes to proceed with this case. At least, he has not made his intentions known, and has not responded to the Order to Show Cause and Desist. Having allowed him full opportunity to respond, I find that the

Respondent's motion to dismiss for failure to prosecute is warranted. The motion is granted. This matter is dismissed with prejudice against the Complainant.

SO ORDERED.

JOHN P. SELLERS, III
ADMINISTRATIVE LAW JUDGE