



**Issue Date: 17 December 2013**

Case No.: 2012-RIS-00086

*In the Matter of:*

UNITED STATES DEPARTMENT OF LABOR,  
EMPLOYEE BENEFITS SECURITY  
ADMINISTRATION,

Complainant

v.

PLAN ADMINISTRATOR  
HUDSON BAYLOR CORP.401(K) PROFIT  
SHARING PLAN & TRUST, HUDSON BAYLOR,  
(Case No. 12-1280D),

Respondent.

### **ORDER OF DISMISSAL ON STIPULATIONS**

This matter was filed pursuant to the Employee Retirement Income Security Act of 1974, as amended (Act), 29 U.S. Code, §§ 1001 et seq., and is governed by the implementing Regulations found at the Code of Federal Regulations, Title 29, Parts 2560 and 2570.

By cover letter and joint stipulation filed November 26, 2013, the Parties notified this office that the penalty assessed against the Respondent had been resolved through compromise and that the Respondent had tendered the compromised penalty amount.

.Additionally, the Parties agreed and stipulated that:

1. This Order shall have the same force and effect as an Order made after a full hearing;
2. The entire record on which this Order is based shall consist of the Court's file in this matter and the Stipulation and Order;
3. The Parties waive any further procedural steps before this Court;
4. The Parties waive any rights to challenge or contest the validity of this Order and decision entered in accordance with this Stipulation and Order;

5. Each Party shall bear all its own costs, expenses, and legal and accounting fees incurred in connection with this action; and,
6. This Order and Decision of this Court shall be the final agency action.

After review of the record, this Administrative Law Judge finds that the matter is in substantial compliance with the requirements of Regulations at 29 CFR § 2570.65 and that the action of dismissal with prejudice, as requested by the Parties, is appropriate.

### **ORDER**

It is hereby **ORDERED** that the cause of action in this matter is **DISMISSED WITH PREJUDICE**.

KENNETH A. KRANTZ  
Administrative Law Judge

KAK/mrc