

**U.S. Department of Labor**

Office of Administrative Law Judges  
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**Issue Date: 07 March 2005**

In the Matter of:

Case No.: 2004-SOX-52

Randy Young,  
Complainant

v.

Clear Channel Communications,  
Respondent

**RECOMMENDED ORDER OF DISMISSAL**

This proceeding arises under the employee protection provisions of the Sarbanes-Oxley Act of 2002 and the procedural regulations found at 29 C.F.R. Part 18. The U.S. Department of Labor issued the Secretary's Findings on a complaint filed by Randall A. Young. A hearing was requested by the Complainant on the determination made by the Department of Labor.

Subsequently, a hearing date was scheduled on several occasions, but hearing was postponed at the request of the parties, who were engaging in settlement negotiations. By letter dated March 3, 2005, counsel for the Complainant advised the Court that, having reviewed the findings by the Department of Labor, and having had the opportunity to undertake discovery, the Claimant wished to withdraw, with prejudice, his appeal of the determination and findings by the Department of Labor on April 26, 2004. No objection has been lodged to this request.

Accordingly, for good cause shown, IT IS HEREBY ORDERED that the appeal by the Complainant, from the April 26, 2004 determination by the Department of Labor, is dismissed.

SO ORDERED.

**A**

LINDA S. CHAPMAN  
Administrative Law Judge

**NOTICE OF APPEAL RIGHTS:** This decision shall become the final order of the Secretary of Labor pursuant to 29 C.F.R. § 1980.110, unless a petition for review is timely filed with the

Administrative Review Board ("Board"), U.S. Department of Labor, Room S-4309, 200 Constitution Avenue, NW, Washington DC 20210, and within 30 days of the filing of the petition, the ARB issues an order notifying the parties that the case has been accepted for review. The petition for review must specifically identify the findings, conclusions or orders to which exception is taken. Any exception not specifically urged ordinarily will be deemed to have been waived by the parties. To be effective, a petition must be filed within ten business days of the date of the decision of the administrative law judge. The date of the postmark, facsimile transmittal, or e-mail communication will be considered to be the date of filing; if the petition is filed in person, by hand-delivery or other means, the petition is considered filed upon receipt. The petition must be served on all parties and on the Chief Administrative Law Judge at the time it is filed with the Board. Copies of the petition for review and all briefs must be served on the Assistant Secretary, Occupational Safety and Health Administration, and on the Associate Solicitor, Division of Fair Labor Standards, U.S. Department of Labor, Washington, DC 20210. *See* 29 C.F.R. §§ 1980.109(c) and 1980.110(a) and (b).