



Issue Date: 26 October 2006

Case No: 2005-SOX-00086

In the Matter of:

CHRISTOPHER O'KEEFE,
Complainant,

v.

TEACHERS INSURANCE AND ANNUITY ASSOCIATION, COLLEGE RETIREMENT
EQUITIES FUND, TIAA-CREF, TIAA-CREF INVESTMENT MANAGEMENT, LLC, TIAA-
CREF INDIVIDUAL AND INSTITUTIONAL SERVICES, LLC (formerly TIAA-CREF
INDIVIDUAL AND INSTITUTIONAL SERVICES, INC.),
Respondents.

FINAL ORDER OF DISMISSAL

This case is before the Court upon the parties' Joint Motion for Withdrawal of Claim. Having reviewed the record in the above-captioned case, and being otherwise fully advised of the premises of the Joint Motion, it is hereby ORDERED that pursuant to 29 C.F.R. § 1980.111(c), Complainant's objections to the OSHA determination are withdrawn; all previously scheduled events and requirements relating to this case, including all pending motions and rulings eligible for appeal, are now moot; and this case is DISMISSED WITH PREJUDICE, each party to bear its own costs and fees. The parties' request to file the Joint Motion under seal pursuant to 29 C.F.R. § 70.26 is hereby is hereby GRANTED.

SO ORDERED.

A

Daniel A. Sarno, Jr.
Administrative Law Judge