

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 27 February 2006

CASE NO: 2006 SOX 22

In the Matter of :

THOMAS W. VAUGHN,
Complainant,

v.

INSITUFORM TECHNOLOGIES, INC.,
Respondent.

ORDER OF DISMISSAL

By order issued December 2, 2005, this tribunal granted Complainant's request for an indefinite continuance of the case, which Respondent did not oppose, in order to allow additional time for planning and preparation, and to permit filing of the complaint in the United States District Court if Complainant were so advised upon expiration of the 180 day administrative period as allowed by applicable statute. In response to the tribunal's inquiry Complainant has advised the Respondent and this tribunal that Complainant does not plan to file a complaint in the United States District Court relative to the issues in this case, and that there is no further reason to maintain this case in active status before this tribunal. Under the circumstances, therefore, an order to show cause why this case should not be dismissed for lack of prosecution is unnecessary, cause for such dismissal being established of record by Complainant's notice. Wherefore, the premises considered, it is

ORDERED that the complaint filed in this case be dismissed with prejudice for lack of prosecution.

A
Edward Terhune Miller
Administrative Law Judge