

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 23 July 2013

Case No.: 2012-SOX-24

In the Matter of:

Kirk Hayworth,
Complainant

v.

Volt Management Corp.,
Caterpillar, Inc.
Respondents

ORDER DISMISSING COMPLAINT

The hearing in this matter, which 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, is scheduled for August 14, 2013, in Washington, D.C. On July 16, 2013, counsel for the Complainant submitted by telefax the Complainant's Response to Respondent Caterpillar Inc.'s Motion to Dismiss the Complainant's Complaint for Failure to Comply With the Court's Orders Regarding Discovery. In addition, counsel submitted Complainant Hayworth's Motion to Voluntarily Withdraw Complaint. No objection has been lodged to this request.

Accordingly, the hearing scheduled for August 14, 2013 is cancelled, and the Complainant's appeal of the Secretary's findings in this claim is hereby dismissed with prejudice.

SO ORDERED.

LINDA S. CHAPMAN
Administrative Law Judge