



Issue Date: 14 May 2012

CASE NO.: 2012-SOX-00015

In the Matter of:

ALAN VINSON, JR.,
Complainant,

vs.

BARNES GROUP, INC.,
Respondent.

**ORDER VACATING HEARING, APPROVING SETTLEMENT,
AND DISMISSING CASE**

This proceeding arises from a complaint filed by Alan Vinson, Jr., Complainant, against the Respondent, Barnes Group, Inc., alleging a violation of Section 806 of the Corporate And Criminal Fraud Accountability Act of 2002, Title VIII of the Sarbanes-Oxley Act of 2002, 18 U.S.C. § 1514A (“SOX”). The Secretary issued a decision on February 6, 2012, through the Regional Administrator for the Occupational Safety and Health Administration finding that there was no reasonable cause to believe that Respondent had violated SOX. The Complainant filed objections to the Secretary’s Findings on March 5, 2012, which initiated the current proceeding before the Office of Administrative Law Judges (“OALJ”).

On April 26, 2012, Respondent’s counsel submitted a Settlement Agreement signed by both parties which resolves this case. Respondent continues to deny any liability under SOX, but the Complainant agrees to withdraw his objections to the Secretary’s Findings in exchange for an agreed upon consideration. The Settlement Agreement provides that the Complainant withdraws his objections to the Secretary’s Findings with regard to his complaint that there was a violation of SOX. The Settlement Agreement also provides that the Complainant agrees that the terms of the Agreement and negotiations that led to the Settlement Agreement are to remain confidential. I note, however, that the parties did not state that the Settlement Agreement comprises and includes confidential information which may be exempt from disclosure under the Freedom of Information Act (“FOIA”). Thus, this Settlement Agreement will not be accorded any special treatment by the OALJ in the event of a FOIA request.

After carefully considering the terms of the Settlement Agreement, I find that the terms and conditions appear to be fair, adequate, and reasonable. I further find that it is not contrary to the public interest. Accordingly, the Settlement Agreement, which is incorporated by reference into this Order, is APPROVED.

In view of my approval of the Settlement Agreement, Decision it is also ORDERED that the hearing scheduled for September 6-7, 2012, in Seattle, Washington, be VACATED.

It is further ORDERED that this matter be DISMISSED WITH PREJUDICE.

A

JENNIFER GEE
Administrative Law Judge