

U.S. Department of Labor

Office of Administrative Law Judges
2 Executive Campus, Suite 450
Cherry Hill, NJ 08002

(856) 486-3800
(856) 486-3806 (FAX)



Issue Date: 03 February 2015

Case No.: 2015-SOX-00006

In the Matter of

CHARLES G. BAKER
Complainant

v.

**MRC GLOBAL, INC.,
MRC MANAGEMENT COMPANY and
McJUNKIN RED MAN**
Respondents

ORDER APPROVING SETTLEMENT

This matter arises under Section 806 (the employee protection provision) of the Sarbanes-Oxley Act of 2002, as amended (“SOX” or “the Act”), 18 U.S.C. §1514A, and its implementing regulations found at 29 C.F.R. Part 1980 and Part 18, Subpart A. Section 806 provides “whistleblower” protection to employees of publicly traded companies against discrimination by employers in the terms and conditions of employment because of certain “protected activity” by the employee. A hearing is scheduled for Thursday, May 21, 2015 at 10:00 a.m. in Dallas, Texas.

By separate motion filed on January 16, 2015, the parties submitted their Joint Motion for Approval of Confidential Settlement Agreement and for Dismissal with Prejudice, executed by both parties.

Having reviewed the parties’ Agreement with regard to the complaint and appeal under SOX, I make the following findings:

1. The Agreement appears to be fair and reasonable, and is the product of negotiations with each side represented by counsel and negotiations facilitated by a mediator.
2. The parties knowingly waive any further proceedings before the U.S. Department of Labor regarding matters which are the subject of the Agreement, including challenging or contesting any order entered approving the Agreement.

3. The parties agree and stipulate the order approving the Agreement shall have the same force and effect as one made after a hearing on the merits.
4. The Agreement is redacted as to confidential settlement terms to effectuate the parties' agreement to keep such terms confidential.

Based on the foregoing, and in accordance with the parties' Agreement, it is ORDERED that:

1. The Agreement is APPROVED.
2. The Agreement shall be designated and handled as confidential commercial and financial information pursuant to 29 C.F.R. § 70.26, the terms of the Agreement shall not be disclosed by any party or the Office of Administrative Law Judges, either specifically or generally, pursuant to 29 C.F.R. § 70.26, and the official record copy of the Agreement shall include redaction of settlement amounts.
3. The complaint and appeal in this matter are DISMISSED with prejudice.
4. The hearing scheduled for Thursday, May 21, 2015 in Dallas, Texas is hereby CANCELLED.

SO ORDERED.

THERESA C. TIMLIN
Administrative Law Judge

Cherry Hill, New Jersey