

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 11 August 2015

CASE NO.: 2015-SOX-00021
OSHA NO. 2-4173-15-172

In the Matter of:

ADETOLA OGUNBERU,
Complainant,

vs.

HUSKY ENERGY, INC.,
Respondent.

Order of Dismissal

This matter arises under Section 806 of the Corporate and Criminal Fraud Accountability Act of 2002 (the "Sarbanes-Oxley Act") and the regulations at 29 C.F.R. Part 1980. The Complainant filed a complaint with Occupational Safety and Health Administration ("OSHA") against the Respondents alleging the Respondents violated the Sarbanes-Oxley Act. The Secretary of Labor, acting through her agent, the Regional Administrator for OSHA, issued a determination letter dated May 28, 2015, finding OSHA did not have jurisdiction to investigate this case as the Complainant was not an employee covered under the Sarbanes-Oxley Act and further, adverse employment actions occurring outside of the United States are not covered by the Sarbanes-Oxley Act. The Complainant filed his objections to the determination and requested a hearing before an Administrative Law Judge.

On July 31, 2015, Complainant filed notice that he elected to pursue the matter in the federal district court.

Accordingly, this matter is DISMISSED in its entirety as to all parties and all claims without prejudice on account of Complainant's election to pursue the matter in the federal district court. 18 U.S.C. §1514A(b)(1)(B); 29 C.F.R. §1980.114 as amended requires the Complainant to file here a stamped copy of the complaint within seven days after filing the complaint in district court.

SO ORDERED.

William Dorsey
Administrative Law Judge