



Issue Date: 06 April 2016

OALJ No.: 2015-SOX-00023

OSHA No.: 2-2600-15-011

In the Matter of:

ADAM R. ROSENZWEIG
Complainant

v.

MORGAN STANLEY SMITH BARNEY, LLC
Respondent

ORDER APPROVING SETTLEMENT AGREEMENT

This matter has been docketed for a hearing before the United States Department of Labor, Office of Administrative Law Judges (“OALJ”) pursuant to Section 806 of the Corporate and Criminal Fraud Accountability Act of 2002, Title VIII of the Sarbanes-Oxley Act of 2002 (“SOX”), as amended, 18 U.S.C. § 1514A, and the implementing regulations at 29 C.F.R. Part 1980. A hearing is scheduled for April 13 and April 14, 2016 in New York, New York.

By letter dated April 4, 2016, Respondent writes jointly for approval of the parties executed Settlement Agreement and General Release attached, pursuant to 29 C.F.R. § 1980.111(d)(2).

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.
2. 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.

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

1. The Agreement is APPROVED.

2. The complaint and appeal in this matter are DISMISSED with prejudice.
3. The hearing scheduled for April 13 and April 14, 2016 in New York, New York is hereby CANCELLED.

SO ORDERED.

THERESA C. TIMLIN
Administrative Law Judge

Cherry Hill, New Jersey