

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 05 April 2017

Case No.: 2017-SOX-00012

In the Matter of:

SHAWN BAKER,

Complainant,

v.

MEGGITT (ROCKMART) INCORPORATED,

Respondent.

ORDER DISMISSING COMPLAINT

This matter arises under the employee protection provisions of the Sarbanes-Oxley Act of 2002, (The Act or SOX) 18 U. S. C. Section 1514A, et.seq. The proceeding will be held in a manner consistent with the procedural rules set forth in federal regulations at 29 CFR Part 18, Subpart A (29 CFR §18.10 to §18.95).

By Motion received on March 28, 2017, Complainant filed a Notice of Intent to Remove to Federal District Court. He stated that "Mr. Baker filed his administrative charge on September 23, 2016. Mr. Baker simultaneously filed an administrative charge with the Equal Employment Opportunity Commission for discrimination and retaliation. Mr. Baker's EEOC complaint arises out of the same transaction or occurrence as the above styled claim. Because 180 days have passed since Mr. Baker filed his charges, Mr. Baker tenders this notice ...that he intends to remove this action and consolidate his claims in one suit."

Inasmuch as Complainant is consolidating and removing this claim to U. S. Federal Court, there are no remaining issues requiring resolution before the U. S. Department of Labor, Office of Administrative Law Judges. Accordingly, after review of this administrative file, this matter is dismissed.

ORDER

It is hereby **ORDERED** that the complaint filed under the provisions of SOX is **DISMISSED**.

SO ORDERED.

DANA ROSEN
Administrative Law Judge

DR/mjw
Newport News, VA