

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: 10 August 2018

Case No.: 2018-SOX-00015

In the Matter of

KAREN ATESOGLU

Complainant

v.

AMERICAN INTERNATIONAL GROUP, INC.

Respondent

**ORDER APPROVING SETTLEMENT
AND SEALING SETTLEMENT DOCUMENTS**

In March 2018, this matter was 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. Complainant, Karen Atesoglu, filed a complaint with the Occupational Safety and Health Administration (“OSHA”) under the employee protection provisions of SOX in which she alleged that Respondent, American International Group, Inc., terminated her employment on November 17, 2015 in retaliation for her voicing her concerns about improprieties in derivatives reporting. Dissatisfied with OSHA’s determination to dismiss the complaint, Complainant filed her objection and request for hearing before the OALJ.

A Notice Of Hearing And Prehearing Conference was issued by the undersigned on April 12, 2018, setting hearing dates of December 12-14, 2018.

On July 26, 2018, the parties submitted a Joint Motion For Approval Of Confidential Settlement Agreement (“Joint Motion”). The Joint Motion included a redacted Confidential Settlement Agreement (“Settlement Agreement”) between Complainant and Respondent resolving this matter. My legal assistant, Barbara Emmons, called and spoke with Respondent’s counsel, Mr. Gage, advising him this office requires an un-redacted Settlement Agreement for review prior to any approval.

On August 1, 2018, the parties submitted a Joint Motion For Approval Of Confidential Settlement Agreement. Included with the Joint Motion is an executed Confidential Settlement Agreement without redaction.

The parties' Settlement Agreement is incorporated into this Order by reference herein and the following findings are made:

1. Its provisions are fair, adequate, and not contrary to law or public policy;
2. The parties entered into the Settlement Agreement freely, voluntarily, and with complete knowledge and understanding of its contents.

Based on these findings, the Settlement Agreement is approved.

The parties' Joint Motion and Settlement Agreement request that the Settlement Agreement be kept under seal in the files of the Office of Administrative Law Judges and the Administrative Review Board. The Settlement Agreement will be sealed and designated as subject to restricted access, in accordance with 29 C.F.R. § 18.85. The parties are entitled to pre-notification disclosure rights as "submitters" of business information under 29 C.F.R. § 70.26.

In the event of a request for access to the sealed materials, it is directed that the parties be notified, in accordance with 29 C.F.R. § 70.26(c), and be given the opportunity to object to disclosure in accordance with 29 C.F.R. § 70.26(e), before the Department of Labor takes action on any access request.

The parties' request (as outlined in the Joint Motion) that the Settlement Agreement be kept under seal is GRANTED.

SO ORDERED.

LYSTRA A. HARRIS
Administrative Law Judge

Cherry Hill, New Jersey