



Issue Date: 22 March 2018

Case No.: 2018-SOX-00012

In the Matter of

FATMIR GRDOC

Complainant

v.

SANTANDER BANK, N.A.

Respondent

**ORDER APPROVING SETTLEMENT
AND SEALING SETTLEMENT DOCUMENTS.**

In February 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, Fatmir Grdoc, filed a complaint with the Occupational Safety and Health Administration (“OSHA”) under the employee protection provisions of SOX in which he alleged that Respondent, Santander Bank, N.A., suspended and subsequently terminated his employment on March 24, 2017 in retaliation for his reporting account churning sales practices, New York State labor law violations and health and safety issues. Dissatisfied with OSHA’s determination to dismiss the complaint, Complainant filed his objection and request for hearing before the OALJ.

An Initial Prehearing Order and Notice Of Hearing was issued by the undersigned on February 09, 2018, setting hearing dates of August 9-10, 2018.

On March 20, 2018, the parties submitted a Settlement Application. Included with the Settlement Application is the Confidential Settlement Agreement And Release (“Agreement”) between Complainant and Respondent resolving this matter.

The parties' 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 Agreement freely, voluntarily, and with complete knowledge and understanding of its contents.

Based on these findings, the Agreement is approved.

The parties' Settlement Application includes a request that the Agreement be kept under seal in the files of the Office of Administrative Law Judges and the Administrative Review Board. The 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 given the opportunity to object to disclosure in accordance with C.F.R. § 70.26(e), before the Department of Labor takes action on any access request.

The Settlement Application's request that the Agreement be kept under seal is GRANTED.

SO ORDERED.

LYSTRA A. HARRIS
Administrative Law Judge

Cherry Hill, New Jersey