



Issue Date: 26 May 2020

CASE NO.: 2020-SOX-00015

IN THE MATTER OF

PHILLIP SMILEY

Complainant

v.

GARTNER, INC.

Respondent

**ORDER GRANTING UNOPPOSED REQUEST TO
WITHDRAW/DISMISS COMPLAINT**

This proceeding arises under the Sarbanes-Oxley Act of 2002 (the Corporate and Criminal Fraud Accountability Act), P.L. 107-204 at 18 U.S.C. § 1414A *et seq.*, and the regulations promulgated thereunder at 29 C.F.R. Part 1980. Some of the claims arise under the Consumer Financial Protection Act of 2010, Section 1057 of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010. *See* 12 U.S.C. § 5567, 29 C.F.R. Part 1985.

Complainant requested a hearing based upon the Secretary's findings dated January 3, 2020. Complainant thereafter filed a request on May 8, 2020, for withdrawal and/or dismissal with prejudice of his complaint. The request is not opposed by Respondent. Pursuant to 29 C.F.R. §§ 1980.111(c) and 1985.111(c), a party may withdraw objections to the Secretary's findings and/or file a written withdrawal with the ALJ at any time before the findings of the Secretary become final. The request complies with the applicable regulations and is, therefore, GRANTED. Accordingly, the complaint is hereby DISMISSED with prejudice, and the hearing scheduled for August 27, 2020, is CANCELLED.

ORDERED this 26th day of May, 2020, at Covington, Louisiana.

ANGELA F. DONALDSON
Administrative Law Judge