



Issue Date: 19 October 2006

CASE NO.: 2005-STA-00010

In the Matter of:

HOWARD VINCENT KAROL Y,
Complainant,

vs.

BRINK'S INCORPORATION,
Respondent.

ORDER DISMISSING CASE

This matter is before me on a request by Howard Vincent Karoly, the Complainant, for a hearing before the Office of Administrative Law Judges ("OALJ") under the employee protection provision of the Surface Transportation Assistance Act of 1982 ("Act" or "STAA"), 49 U.S.C. § 31105. The Complainant objects to findings issued by the Deputy Regional Administrator of the Department of Labor's Occupational Safety and Health Administration ("OSHA") on November 17, 2004, which dismissed a complaint filed on September 16, 2004, alleging that the Respondent, Brink's Incorporated, violated § 405 of the STAA by terminating him. Section 405 of the STAA provides protection from discrimination to employees who engage in activity protected under the Act. The OALJ has jurisdiction over this matter pursuant to 49 U.S.C. § 31105 and 29 C.F.R. § 1978.105.

This matter was scheduled for a hearing on October 12 and 13, 2006, in Fresno, California. I vacated the hearing in an October 6, 2006, order after my legal assistant was notified on October 4, 2006, by the Complainant's counsel informed my legal assistant that the parties had settled the issues in this case. I have now received a Notice of Voluntary Dismissal signed by counsel for both parties which stipulates that this case should be dismissed with prejudice.

The parties' request is GRANTED. It is hereby ORDERED that this case be DISMISSED WITH PREJUDICE.

A handwritten signature in cursive script, appearing to read "Jennifer G. G.", written in black ink.

JENNIFER GEE
Administrative Law Judge