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**Issue Date: 20 August 2009**

CASE NO. 2009-STA-23

In the Matter of:

JODIE K. COOGLER II,  
Complainant

v.

SCHNEIDER NATIONAL CARRIERS, INC.,  
Respondent

**RECOMMENDED ORDER GRANTING MOTION TO WITHDRAW OBJECTIONS**

Complainant moves that his objections and appeal from the Secretary's Findings of February 4, 2009, under the Surface Transportation Assistance Act of 1982, 49 U.S.C. § 31105, be withdrawn with prejudice. Complainant requests that his appeal be withdrawn in light of a resolution of a companion case before a Magistrate Judge.

29 C.F.R. § 1978.111(c) provides that at any time before the findings or order become final, a party may withdraw his objections to the findings or order by filing a written withdraw with the administrative law judge. See Nichols v. Roma of Dallas, ARB No. 06-113, ALJ No. 2006-STA-9 (ARB Oct, 21, 2007).

**ORDER**

In consideration of the aforesaid, it is hereby ORDERED that:

1. Complainant's Motion To Withdraw is granted;
2. The Secretary's Finding of February 4, 2009, now stands;
3. The docket is marked as closed and discontinued.

**A**  
THOMAS M. BURKE  
Administrative Law Judge

**NOTICE OF REVIEW:** The administrative law judge's Recommended Order Approving Withdrawal of Objections and Dismissing Claim, along with the Administrative File, will be automatically forwarded for review to the Administrative Review Board, U.S. Department of Labor, Suite S-5220, 200 Constitution Avenue, NW, Washington, DC 20210. *See* 29 C.F.R. § 1978.109(a); Secretary's Order 1-2002, ¶4.c.(35), 67 Fed. Reg. 64272 (2002).

Within thirty (30) days of the date of issuance of the administrative law judge's Recommended Order Approving Withdrawal of Objections and Dismissing Claim, the parties may file briefs with the Administrative Review Board ("Board") in support of, or in opposition to, the administrative law judge's order unless the Board, upon notice to the parties, establishes a different briefing schedule. *See* 29 C.F.R. § 1978.109(c)(2). All further inquiries and correspondence in this matter should be directed to the Board.