

UNITED STATES DEPARTMENT OF LABOR
OFFICE OF ADMINISTRATIVE LAW JUDGES
BOSTON, MASSACHUSETTS

ALJ NO.: 2011-STA-00041

In the Matter of:

BENJAMIN J. BISHOP
Complainant

v.

NATIONWIDE TRANSPORTATION, INC.
Respondent

**ORDER GRANTING COMPLAINANT'S UNOPPOSED MOTION TO APPROVE
SETTLEMENT AND DISMISS PROCEEDING**

This proceeding arises from a complaint of discrimination filed under employee protection provisions of Section 405 of the Surface Transportation Assistance Act ("STAA"), as amended, 49 U.S.C.A. § 31105 (West 2008) and the procedural regulations found at 29 C.F.R. Part 1978 (2010). On November 8, 2011, I commenced the formal hearing in Omaha, Nebraska. Prior to resuming the trial on November 9, 2011, the parties reported on the record that the matter was settled and the terms of the settlement were placed on the record. On November 23, 2011, I issued an order setting a deadline of November 30, 2011 for the parties to formally memorialize the terms of the settlement and file the appropriate settlement papers. On November 22, 2011, Complainant filed an Unopposed Motion to Approve Settlement and Dismiss Proceeding, along with a copy of the Settlement Agreement.

Based on the record as a whole and for the reasons stated on the record on November 9, 2011, which are adopted and incorporated herein by reference, I find that the terms of the settlement agreement are fair, adequate, and reasonable, and it is hereby APPROVED pursuant to 29 C.F.R. § 1978.111(d)(2).

Accordingly, it is **ORDERED** that:

- (1) The Motion is **GRANTED**;
- (2) The Settlement Agreement is **APPROVED**; and
- (3) The Complaint of Benjamin Bishop is **DISMISSED WITH PREJUDICE**.

SO ORDERED.

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JONATHAN C. CALIANOS
Administrative Law Judge

Boston, Massachusetts