

**U.S. Department of Labor**

Office of Administrative Law Judges  
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**Issue Date: 08 August 2012**

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**CASE NO.: 2012 STA 00017**  
**OSHA CASE NO.: 4-1510-12-007**

*In the Matter of:*

EDWARD STOGDEN,  
*Complainant,*

v.

ATLANTIC TRUCK LINES, INC.,  
*Respondent.*

.....

**Order Approving Settlement  
and Dismissing Claim**

This proceeding involves a complaint filed under the “whistleblower” employee protection provisions of Section 405 of the Surface Transportation Assistance Act of 1982 (STA), as amended, 49 U. S. C. Section 31105 (formerly 49 U. S. C. § 2305), and its implementing regulations promulgated and published by the Department of Labor at 29 C. F. R. Part 1978, as amended July 27, 2012. Section 405 of the Act provides protection from discrimination to employees who report violations of commercial motor vehicle safety rules or who refuse to operate a vehicle when the operation would be a violation of these rules. By motion filed July 24, 2012, the Complainant requested approval of a settlement agreement and dismissal of the complaint with prejudice.

The parties have agreed to keep the specific terms of the settlement confidential; however, the agreement specifically recognizes that it binds only the parties to it, and does not bind anyone acting for or on behalf of the Department of Labor. I have reviewed the settlement agreement and find it to be fair, adequate, and reasonable. Accordingly, it will be approved; however, it must be noted that the agreement also provides for a global settlement of all claims, complaints, and causes of action Complainant may have against Respondents, and this approval applies only to the STA complaint over which the Office of Administrative Law Judges has jurisdiction. Accordingly;

ORDER

IT IS ORDERED that settlement agreement be, and it hereby is, approved, and;

IT IS FURTHER ORDERED that this matter be, and it hereby is, dismissed, with prejudice.

**A**

Stuart A. Levin  
Administrative Law Judge