

**U.S. Department of Labor**

Office of Administrative Law Judges  
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**Issue Date: 27 November 2006**

**CASE NO: 2002-WIA-00005**

**In the Matter of:**

**ROLE MODELS OF AMERICA, INC.  
Complainant,**

**v.**

**UNITED STATES DEPARTMENT OF LABOR,  
Respondent.**

**FINAL ORDER OF DISMISSAL**

The instant case has been brought under title I of the Workforce Investment Act, 29 USC § 2801 et seq., with implementing regulations appearing at 20 C.F.R Part 667. After lengthy prehearing proceedings, the hearing in this matter commenced on September 28, 2006, at which time opening statements were given. In view of advice from the parties that they were negotiating a settlement in this matter, the hearing was not completed the following week as scheduled.

Under cover letter of November 17, 2006, counsel for the Department of Labor, on behalf of both parties, submitted to the undersigned a "Joint Stipulation of Dismissal with Prejudice" executed by all the parties. In the Joint Stipulation, the parties advise that they entered into a Settlement Agreement dated November 16, 2006 which resolves the case and the parties agree to dismissal of this case with prejudice. *See generally* Rule 41(a) of the Federal Rules of Civil Procedure; 29 C.F.R. §18.1(a), 20 C.F.R. §667.810. The settlement agreement has not been submitted for review.

Although settlement agreements may be submitted to administrative law judges for approval in cases involving grants under the WIA or similar programs, there is no requirement that they be submitted. *See generally Indiana Dept. of Workforce Development v. U.S. Dept. of Labor*, 1997-JTP-15 (Admin. Review Bd. Dec. 8, 1998) (holding ALJ has no authority to require submission of settlement agreement in JTP case when parties have stipulated to dismissal under Rule 41(a)(1)(ii), FRCP, and contrasting ERA whistleblower cases, which require approval of settlements.) Accordingly,

**ORDER**

**IT IS HEREBY ORDERED**, that this case be, and hereby is, **DISMISSED WITH PREJUDICE**.

**A**  
PAMELA LAKES WOOD  
Administrative Law Judge

Washington, D.C.