

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 25 March 2009

CASE NO. 2009-WPC-2

In the Matter of:

ROBERT MORROW,
Complainant

v.

ALTERNATIVE FEEDS LLC,
Respondent

ORDER GRANTING UNOPPOSED MOTION TO DISMISS

Complainant, Robert Morrow, through his attorney, moves for a dismissal of his complainant and this proceeding under the employee protection provisions of the Safe Drinking Water Act, 42 U.S.C. § 300j-9(i); the Solid Waste Disposal Act (SWDA), 42 U.S.C. § 6971; the Federal Water Pollution Control Act (Clean Water Act), 33 U.S.C. § 1367; and the Toxic Substances Control Act (TSCA), 15 U.S.C. § 2622.

The complaint was filed on August 20, 2008 before the Regional Administrator of the Occupational Safety and Health Administrator. The Regional Administrator dismissed the complaint by Order and Findings dated January 5, 2009.

A telephonic conference was held with counsel for the parties on January 26, 2009. Counsel for the parties jointly requested that the matter be held in abeyance for sixty days. Consequently, an Order was issued holding the matter in abeyance and requiring a status report on or before March 1, 2009.

Complainant's motion to dismiss without prejudice was received on March 18, 2009. Complainant proffers that Respondent has no objection to the motion.

ORDER

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

1. Complainant's Unopposed Motion to Dismiss Without Prejudice is granted; and

2. Complainant's August 20, 2008 complaint is dismissed without prejudice.

A
THOMAS M. BURKE
Administrative Law Judge