



In the Matter of:

**ZHAO-CHONG ZENG, M.D.,**

**ARB CASE NO. 96-106**

**COMPLAINANT,**

**(ALJ CASE NO. 96-ERA-3)**

**v.**

**DATE: October 31, 1996**

**COOPER HOSPITAL/MEDICAL  
CENTER,**

**RESPONDENT.**

BEFORE: THE ADMINISTRATIVE REVIEW BOARD<sup>1/</sup>

### **ORDER OF DISMISSAL**

This proceeding arises under the employee protection provision of the Energy Reorganization Act of 1974, as amended, (ERA), 42 U.S.C. § 5851. The Administrative Law Judge (ALJ) issued a Recommended Decision and Order (R. D. and O.) recommending that this

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<sup>1/</sup> This matter was filed before the Secretary of Labor pursuant to the Energy reorganization Act of 1974 (ERA), 42 U.S.C. § 5851 (1988). On April 17, 1996, a Secretary's Order was signed delegating jurisdiction to issue final agency decisions under this statute and the implementing regulations (29 C.F.R. Part 24) to the newly created Administrative Review Board. Secretary's Order 2-96 (Apr. 17, 1996), 61 Fed. Reg. 19978 (May 3, 1996). Secretary's Order 2-96 contains a comprehensive list of the statutes, executive order, and regulations under which the Administrative Review Board now issues final agency decisions.

complaint be dismissed as untimely. We affirm the recommendation of the ALJ. Accordingly, this case is **DISMISSED**.

**SO ORDERED.**

**DAVID A. O'BRIEN**  
Chair

**KARL J. SANDSTROM**  
Member

**JOYCE D. MILLER**  
Alternate Member