



**Issue Date: 19 October 2017**

CASE NO. 2017-FRS-00052

*In the Matter of*

**THEODORE MAYER,**  
Complainant,

v.

**BNSF RAILWAY COMPANY,**  
Respondent.

**ORDER APPROVING WITHDRAWAL  
OF OBJECTIONS TO OSHA FINDINGS  
AND DISMISSING CLAIM**

After investigation under the Federal Rail Safety Act, 49 U.S.C. § 20109, the Occupational Safety & Health Administration dismissed Complainant's complaint on the merits on March 16, 2017 ("Secretary's Findings"). Complainant requested a hearing *de novo* before an administrative law judge. This case followed.

Acting through counsel, on October 19, 2017, Complainant filed a request to withdraw his objections to the OSHA's Secretary's Findings. I have reviewed Complainant's request pursuant to 29 C.F.R. § 1982.111(c), and APPROVE the withdrawal of Complainant's objections. Accordingly, this matter is DISMISSED, and OSHA's Secretary's Finding's (April 28, 2017) are the final order of the Secretary.

SO ORDERED.

STEVEN B. BERLIN  
Administrative Law Judge