

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 09 February 2015

Case No.: 2015-SOX-00002
4-5070-13-095

In the Matter of:

CHRISTINE POLLIEN,

Complainant,

v.

COCA-COLA COMPANY,

Respondent.

ORDER OF DISMISSAL WITH PREJUDICE

This case arises under Section 806 (the employee protection provision) of the Corporate and Criminal Fraud Accountability Act of 2002, Title VIII of the Sarbanes-Oxley Act of 2002 (Act), 18 U.S.C.A. § 1514A¹, and its implementing regulations found at 29 CFR Part 190. Section 806 provides “whistleblower” protection to employees of publicly traded companies against discrimination by employers in the terms and conditions of employment because of certain “protected activity” by the employee. The OSHA investigative report indicates that the Complainant filed this current complaint on August 5, 2013. The complaint was denied by the Regional Administrator of the Occupational Safety and Health Administration in Atlanta, Georgia on September 10, 2014. The Complainant filed her subsequent request for hearing before an Administrative Law Judge on October 8, 2014.

On February 5, 2014, the undersigned received a Notice of Withdrawal of Appeal from Complainant. No explanation was provided as to the reasons for Complainant’s withdrawal of her appeal.

¹ VIII of the SOX is designated the Corporate and Criminal Fraud Accountability Act of 2002. Section 806, the employee protection provision, protects employees who provide information to a covered employer or a Federal agency or Congress relating to alleged violations of 18 U.S.C.A. §§ 1341 (mail fraud), 1343 (wire, radio and television fraud), 1344 (bank fraud) or 1348 (securities fraud), or any rule or regulation of the Securities and Exchange Commission, or any provision of federal law relating to fraud against shareholders.

ORDER

In view of the foregoing, **IT IS HEREBY ORDERED** that:

The Complainant's request for the withdrawal of her appeal is **GRANTED** and this case is **DISMISSED WITH PREJUDICE**.

DANA ROSEN
Administrative Law Judge

DR/ard
Newport News, Virginia