

No. 09-3983

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

FILED
Feb 17, 2010
LEONARD GREEN, Clerk

MIAMI VALLEY HOSPITAL,)
)
 Petitioner,)
)
 v.)
)
 RICHARD EVANS and UNITED STATES)
 DEPARTMENT OF LABOR, Administrative)
 Review Board,)
)
 Respondents.)
)

ORDER

Before: BATCHELDER, Chief Judge; CLAY and WHITE, Circuit Judges.

Miami Valley Hospital (“MVH”) filed this petition for review of a decision of the Administrative Review Board (“ARB”) in favor of Richard Evans on his complaint filed with the Department of Labor (“DOL”). Evans and MVH have since entered into a Confidential Settlement Agreement and Release of Administrative Claims (“the Settlement”). The DOL maintains that the ARB must review and approve the Settlement. The parties therefore jointly move to remand the case to the ARB for the limited purpose of reviewing and approving the Settlement. On remand, Evans and MVH will provide the ARB with a copy of the Settlement under seal and jointly move for approval of the Settlement and the dismissal of the underlying DOL complaint with prejudice.

In view of the parties’ agreement on this matter, this case is **REMANDED** to the ARB for the purpose stated herein.

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ENTERED BY ORDER OF THE COURT

A handwritten signature in black ink, appearing to read "Leonard Green". The signature is written in a cursive style with a large initial 'L' and 'G'.

Leonard Green
Clerk