



In the Matter of:

**OFFICE OF FEDERAL CONTRACT  
COMPLIANCE PROGRAMS, UNITED  
STATES DEPARTMENT OF LABOR,**

**ARB CASE NO. 98-003**

**ALJ CASE NO. 97-OFC-14**

**PLAINTIFF,**

**DATE: July 28, 1998**

**v.**

**TRINITY INDUSTRIES, INC.,**

**DEFENDANT.**

**BEFORE: THE ADMINISTRATIVE REVIEW BOARD**

### **SECOND ORDER GRANTING STAY**

On November 14, 1997, this Board issued a Final Decision and Order in the above-captioned case arising under Executive Order No. 11,246 (30 Fed. Reg. 12319), as amended by Executive Order No. 11,375 (32 Fed. Reg. 14303), and Executive Order No. 12,086 (43 Fed. Reg. 46501); and Section 503 of the Rehabilitation Act of 1973, as amended, 38 U.S.C. §4212. Thereafter, on February 19, 1998, the Board granted Defendant's unopposed motion to stay enforcement of the Final Decision and Order pending judicial review by the Western District Court of North Carolina.

Defendant has filed a Renewed Motion to Stay Enforcement of the Board's November 14, 1997 Final Decision and Order. Defendant states that on June 30, 1998, the Western District Court granted the Secretary's motion for summary judgment and ordered dismissal of the matter. Defendant now seeks to stay enforcement through its appeal of the Western District Court's decision. The motion states that Plaintiff, Office of Federal Contract Compliance Programs, consents to the stay pursuant to an agreement reached with Willie Alexander, Co-Counsel for Litigation, U.S. Department of Labor.

Defendant's unopposed Renewed Motion to Stay Enforcement of Final Decision and Order **IS GRANTED.**

**SO ORDERED.**

**KARL J. SANDSTROM**

Chair

**PAUL GREENBERG**

Member

**CYNTHIA L. ATTWOOD**

Acting Member