



Issue Date: 27 October 2004

CASE NO. 2003-STA-00051

In the Matter of:

JAMES "TK" WONG,
Complainant,

vs.

COACH U.S.A.,
Respondent.

ORDER APPROVING SETTLEMENT AGREEMENT

On November 16, 2002, Complainant James "TK" Wong filed a complaint against Coach USA in which he alleged a violation of § 405 of the Surface Transportation Assistance Act ("the Act"). 31 U.S.C. 31105. On August 2, 2004, the parties advised that they had reached a settlement, and on September 30, 2004, they submitted the settlement agreement for approval, with a request that the terms of the agreement be treated as confidential commercial information pursuant to Exemption Four of the Freedom of Information Act ("FOIA"). 5 U.S.C. § 552(b)(4).

Having reviewed the parties' agreement with regard to the complaint under the STAA, I find that it appears to be fair and reasonable on its face and to effectuate the purposes and policies of the Act. The provision that requires the Complainant to maintain the confidentiality of the agreement does not violate the Act because it allows disclosure if otherwise required by law. *Tankersley v. Triple Crown Services, Inc.*, 92- STA-8 (Sec'y Feb. 1, 1995).

Accordingly, it is hereby ORDERED that the Agreement is APPROVED. The instant Order shall have the same force and effect as one made after a full hearing on the merits.

A

ALEXANDER KARST
Administrative Law Judge

AK:jb

NOTICE: This Decision and Order Approving Settlement and the administrative file in this matter will be forwarded to the Administrative Review Board, U.S. Department of Labor, Room S-4309, 200 Constitution Avenue, NW, Washington, D.C. 20210, for entry of a Final Order. *See* 29 C.F.R. § 1978.109(a) and 1978.109(c); *Howick v. Experience Hendrix, LLC*, ARB No. 02-