

**U.S. Department of Labor**

Office of Administrative Law Judges  
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**Issue Date: 18 September 2006**

CASE NO. 2005-STA-0043

*In the Matter of:*

JAMES BOSANKO,  
*Complainant,*

vs.

SOUTHERN REFRIGERATED TRANSPORT, INC.,  
*Respondent.*

**RECOMMENDED DECISION AND ORDER  
APPROVING SETTLEMENT AGREEMENT**

This claim arises under the employee protection provisions of the Surface Transportation Act of 1982 (STAA), 49 U.S.C. § 31105, and the implementing regulations of the Secretary of Labor published at 29 C.F.R. Part 1978, as a result of a complaint filed by James Bosanko.

Complainant's counsel, Paul Taylor submitted an Unopposed Motion to Approve Settlement and Dismiss Proceeding attached with an original Settlement Agreement and Full and Final Release of All Claims on September 30, 2005, and received on October 6, 2005. The Settlement Agreement is complete and bears the signatures of the Complainant and an official of the Respondent. In addition, an addendum to the settlement agreement entitled "Memorandum of Understanding" was submitted on August 31, 2006, and received on September 8, 2006. Upon review of the terms of the agreement, the addendum, and the case record, I find that the agreement is fair, adequate, and reasonable.

It is therefore ordered that the Settlement Agreement and Full and Final Release of All Claims is hereby **APPROVED**, and it is further ordered that the complaint be **DISMISSED** with prejudice pursuant to 29 C.F.R. § 1978.1119(d)(2).

**A**

ALEXANDER KARST  
Administrative Law Judge

AK:vc

**NOTICE OF REVIEW:** The administrative law judge's Recommended Order Approving Settlement, along with the Administrative File, will be automatically forwarded for review to the Administrative Review Board, U.S. Department of Labor, 200 Constitution Avenue, NW, Washington, DC 20210. *See* 29 C.F.R. § 1978.109(a); Secretary's Order 1-2002, ¶4.c.(35), 67 Fed. Reg. 64272 (2002).

Within thirty (30) days of the date of issuance of the administrative law judge's Recommended Order Approving Settlement, the parties may file briefs with the Administrative Review Board ("Board") in support of, or in opposition to, the administrative law judge's order unless the Board, upon notice to the parties, establishes a different briefing schedule. *See* 29 C.F.R. § 1978.109(c)(2). All further inquiries and correspondence in this matter should be directed to the Board.