



Issue Date: 01 May 2006

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In The Matter of:

PATRICK FITZSIMMONS,
Complainant,

Case No. 2006-SOX-33

v.

BAXTER INTERNATIONAL, INC.,
Respondent.
.....

**DECISION AND ORDER APPROVING SETTLEMENT,
PROTECTING CONFIDENTIALITY, AND DISMISSING CLAIM**

The parties to the above-captioned proceeding have submitted a Settlement and Release Agreement (“Agreement”).

It is determined that the Agreement is fair, reasonable, and in the public interest.

The parties jointly request that the terms and existence of the Agreement be treated as “confidential commercial information” and be treated as confidential in accordance with 20 C.F.R. § 70.26.

Accordingly, it is hereby ORDERED that the proposed Settlement and Release Agreement is approved, that the agreement be treated as confidential information pursuant to 29 C.F.R. § 70.26, and the claim be dismissed initially without prejudice with each party to bear its own costs, expenses, and attorney fees. It is further ORDERED that upon written notice from Complainant through his attorneys that all cash payments described in the Agreement have been received by Complainant, the claim shall hereby be dismissed with prejudice.

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THOMAS M. BURKE
Associate Chief Judge