



**Issue Date: 22 August 2005**

Case No.: 2005-SOX-94

In the Matter of:

ELVERAGE ALLEN  
Complainant

v.

BET HOLDINGS, INC./VIACOM, INC.  
Respondent

**ORDER APPROVING SETTLEMENT**

This proceeding arises from a complaint filed by Elverage Allen against BET Holdings, Inc./Viacom, Inc., alleging violations of the employee protection provisions in Section 806 of the Sarbanes-Oxley Act of 2002, codified in 18 U.S.C. § 1514A (“the Act”).

On August 18, 2005, the parties submitted a Confidential Settlement Agreement and General Release (“Agreement”), which was fully executed by the Respondent on July 29, 2005 and by the Complainant on August 4, 2005. Counsel for the Complainant also submitted, by letter dated August 5, 2005, a request to withdraw his objections to the Secretary’s Findings and to dismiss his complaint with prejudice. The Settlement Agreement resolves the action and dispute under the Act.

I have reviewed the parties’ Settlement Agreement with regard to the complaint under the Act, and I make the following findings:

1. The Settlement Agreement appears to be fair and reasonable on its face and to effectuate the purposes and policies of the Act.
2. By their agreement, the parties are deemed to have waived any further proceedings before the United States Department of Labor for matters that are the subject of the Settlement Agreement.
3. This Order shall have the same force and effect as a Decision and Order issued after a full hearing on the merits.

Accordingly,

IT IS HEREBY ORDERED that the Settlement Agreement is APPROVED.

IT IS FURTHER ORDERED that the complaint under Section 806 of the Sarbanes-Oxley Act of 2002 is DISMISSED WITH PREJUDICE.

**A**

DANIEL L. LELAND  
Administrative Law Judge