

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 02 February 2005

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In the Matter of

CHRISTINE PALMER
Complainant

Case No. 2005 ERA 00004

v.
MOHAWK INDUSTRIES
Respondent
.....

Order Dismissing

This proceeding arises under the provisions of the Energy Reorganization Act of 1974 (ERA), as amended, 42 U.S.C. §5851. On January 4, 2005, Complainant in the above-captioned matter filed a Notice of Dismissal in which she abandoned her request for a hearing. In light of Complainant's motion, the hearing then-scheduled for January 11, 2005, was canceled and a show cause order issued in compliance with Rule 41 of the Federal Rules of Civil Procedure and the procedures set forth by the Secretary in *Rainey v. Wayne State University*, 90-ERA-40 (Sec'y Jan. 7, 1991) (order to show cause), slip op. at 3, *dismissed*, (Sec'y Feb. 27, 1991) and *Haymes v. D.P. Associates, Inc.*, 94-SDW-1 (Sec'y Aug. 16, 1994). No response to the show cause order has been filed. Accordingly, Complainant's motion will be granted. Therefore;

ORDER

IT IS ORDERED that Complainant's motion to voluntarily dismiss this matter before the Office of Administrative Law Judges be, and it hereby is granted, and;

IT IS FURTHER ORDERED that this matter be, and it hereby is, referred to the Administrative Review Board for further appropriate action.

A
Stuart A. Levin
Administrative Law Judge