

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 27 July 2004

Case No. 2002-STA-38

In the Matter of:
SELWYN T. LANE,
Complainant,

v.

ROADWAY EXPRESS, INC.,
Respondent.

Appearances:
Paul O. Taylor, Esq.
On behalf of Complainant

Sally J. Scott, esq.
On behalf of Respondent

Before: Thomas F. Phalen, Jr.
Administrative Law Judge

DECISION AND ORDER APPROVING SETTLEMENT AGREEMENT

This matter arises under the employee protection provisions of the Surface Transportation Assistance Act (STAA) of 1982, as amended and recodified, 49 U.S.C. § 31105 (West 1997).

Through an order dated April 9, 2004, a formal hearing was scheduled for June 2, 2004. However, the parties notified the undersigned on April 29, 2004 that they had reached a settlement agreement and they requested that the hearing be cancelled. On July 22, 2004, the parties submitted a Settlement Agreement and Release. A copy of the settlement agreement is attached. The parties requested approval of the settlement agreement and release with prejudice. Regarding the terms of the settlement agreement, the parties hereto understand and agree with the Settlement Agreement, having carefully read this Agreement, and acknowledge that he or it is freely and voluntarily signing this Settlement Agreement and intends to be fully bound hereby.

Having reviewed the settlement agreement, I find that it is a fair, adequate, and reasonable settlement of the complaint in this matter. Therefore,

ORDER

IT IS RECOMMENDED that:

- (1) the settlement agreement be, and hereby is APPROVED;
- (2) the complaint of Selwyn T. Lane, and hereby is DISMISSED WITH PREJUDICE.

A

THOMAS F. PHALEN, JR.
ADMINISTRATIVE LAW JUDGE

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, N.W., 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.