



In the Matter of:

ROBERT C. PAUL,

ARB CASE NO. 03-089

COMPLAINANT,

ALJ CASE NO. 02-STA-016

v.

DATE: October 31, 2003

USF GLEN MOORE TRANSPORT,

RESPONDENT.

BEFORE: THE ADMINISTRATIVE REVIEW BOARD

Appearances:

For the Complainant:

John B. Kelly, II, Esq., Kievit, Kelly & Odom, Pensacola, Florida

For the Respondent:

J. Jay Cooper, Esq., Goldberg, Katzman & Shipman, Harrisburg, Pennsylvania

**FINAL ORDER APPROVING SETTLEMENT AGREEMENT
AND DISMISSING COMPLAINT WITH PREJUDICE**

This case arises under Section 405, the employee protection provision, of the Surface Transportation Assistance Act of 1982, 49 U.S.C.A. § 31105 (West 1997), and implementing regulations at 29 C.F.R. Part 1978 (2003). The Administrative Law Judge (ALJ) below issued a Recommended Decision and Order recommending approval of the parties' settlement agreement and dismissal of the complaint with prejudice. *Paul v. USF Glen Moore Transp.*, ALJ No. 02-STA-016 (Apr. 18, 2003).

Pursuant to 29 C.F.R. § 1978.109(c), the Administrative Review Board "shall issue the final decision and order based on the record and the decision and order of the administrative law judge." On May 7, 2003, counsel for Respondent advised the Board that Respondent has no objections to the Recommended Decision and Order. On October 31, 2003, the Complainant, Robert Paul, advised the Board that he has no objections to the Recommended Decision and Order.

We concur with the ALJ's determination that the parties' settlement agreement is fair, adequate and reasonable. We adopt as our own the ALJ's Recommended Decision and Order Approving Settlement and Dismissing with Prejudice and attach it herewith.

CONCLUSION

The parties have agreed to settle the Complainant's STAA claim. Accordingly, we **APPROVE** the agreement and **DISMISS** the complaint.

SO ORDERED.

JUDITH S. BOGGS
Administrative Appeals Judge

M. CYNHIA DOUGLASS
Chief Administrative Appeals Judge