

**U.S. Department of Labor**

Office of Administrative Law Judges  
800 K Street, NW, Suite 400-N  
Washington, DC 20001-8002

(202) 693-7300  
(202) 693-7365 (FAX)



**Issue Date: 13 January 2005**

CASE NO.: 2004 STA 57

In the Matter of

JOHN HOLLINGSHEAD  
Complainant

v.

CONWAY SOUTHERN EXPRESS  
Respondent

Appearances: Mr. Paul O. Taylor, Attorney  
For the Complainant

Mr. James F. Smith, Attorney  
Ms. Carla J. Gunnin, Attorney  
For the Respondent

Before: Richard T. Stansell-Gamm  
Administrative Law Judge

**ORDER -**  
**APPROVAL OF SETTLEMENT &**  
**DISMISSAL OF COMPLAINT**

This proceeding arises under the provisions of Section 405 of the Surface Transportation Assistance Act ("STAA"), 49 U.S.C. § 31105. Pursuant to a Second Notice of Hearing, dated September 30 2004, I set a hearing date of December 14, 2004 for this case in Tulsa, Oklahoma. On December 8, 2004, I received notice that the parties had settled their dispute and no longer required a hearing. On January 11, 2005, I received a signed copy of the settlement agreement.

As required by 29 C.F.R. § 1978.111, I have carefully reviewed the settlement agreement and note both parties were represented by counsel. I find the terms of the agreement are fair, adequate and reasonable. As part of the agreement, the Complainant, Mr. Hollingshead, requests the withdrawal of his complaint with prejudice.

## ORDER

Accordingly, the settlement agreement is **APPROVED**. The complaint of MR. JOHN HOLLINGSHEAD is **DISMISSED** with prejudice pursuant to 20 C.F.R. § 1978.111 (d) (2).

**SO ORDERED:**

**A**  
RICHARD T. STANSELL-GAMM  
Administrative Law Judge

Date Signed: January 12, 2005  
Washington, D.C.

**NOTICE:** This Decision and Order 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, NW, Washington DC 20210, for entry of a Final Order. *See* 29 C.F.R. §§ 1978.109(a), 1978.109(c), and 1978.111 (d) (2), and *Howick v. Experience Hendrix, LLC*, ARB No. 02-049, ALJ No. 2000-STA-32 (ARB Sept. 26, 2002).