

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: 22 March 2006In the Matter of

SHRIKANT KHANDEKAR
Complainant

v.

DEERE & CO.
Respondent

Case No. 2006-SOX-00025

ORDER APPROVING SETTLEMENT

On March 17, 2006, the parties filed a *Motion to Dismiss Pursuant to Settlement* in this case, which was brought under the employee protection provisions of the Sarbanes-Oxley Act. Under the regulations applicable to such claims, at 29 C.F.R. §1980.111(c),

At any time before [OSHA's] findings become final, a party may withdraw his or her objections to the findings or order by filing a written withdrawal with the administrative law judge The judge . . . will determine whether to approve the withdrawal. If the objections are withdrawn because of settlement, the settlement will be approved in accordance with paragraph (d) of this section.

Accordingly, I cannot just dismiss the case. Instead, I must determine whether to approve the settlement.

I have reviewed the settlement agreement, and see no reason why it should not be approved. The settlement appears to be in compliance with the law and not against public policy. Moreover, the complainant finally retained counsel, who signed off on the agreement, and therefore I presume it adequately protects his interests. Under these conditions,

IT IS ORDERED that the settlement agreement is approved, and the case is dismissed with prejudice.

Finally, the parties have designated the settlement agreement as confidential commercial information in accordance with 29 C.F.R. §70.26.

A

JEFFREY TURECK
Administrative Law Judge