

U.S. Department of Labor

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Issue Date: 13 February 2006

IN THE MATTER OF:

ELVIN SERRANO,
Complainant,

v.

Case No.: 2005-AIR-7

GENERAL AVIATION FLYING
SERVICE, INC.,
Respondent.

FINAL ORDER APPROVING SETTLEMENT

This proceeding arises from a complaint filed by Elvin Serrano against General Aviation Flying Service, Incorporated alleging violations of the employee protection provisions of Section 519 of the Wendell H. Ford Aviation and Reform Act for the 21st Century, 49 U.S.C. § 42121 (Act).

The parties have submitted a “**CONFIDENTIAL SETTLEMENT AGREEMENT AND GENERAL RELEASE**” that the parties contend constitutes a fair, adequate, and reasonable settlement of the complaint. The parties further request that the entire settlement agreement be treated as confidential commercial information pursuant to 29 C.F.R. § 70.26, to be handled as set forth in the regulations and described in *Cianfrani v. Public Service Electric and Gas Co.*, 95-ERA-33, footnote 2 (ARB, Sept. 19, 1996).

After review, it is determined that the Agreement is fair and reasonable on its face and effectuates the purposes and policies of the Act.

ACCORDINGLY, it is hereby ORDERED that:

1. The “Confidential Settlement Agreement and General Release” is APPROVED;
2. The complaint of Elvin Serrano is dismissed with prejudice; and
3. The “Confidential Settlement Agreement and General Release” shall be treated as confidential commercial information pursuant to 29 C.F.R. § 70.26 and handled as set

forth in the regulations and as described in *Cianfrani v. Public Service Electric and Gas Co.*, 95-ERA-33, footnote 2 (ARB, Sept. 19, 1996).

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Thomas M. Burke