

**U.S. Department of Labor**

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**Issue Date: 05 February 2007**

CASE NO: 2007-AIR-00003

In the Matter of:

EDWARD J. FALLON, III.,  
Complainant,

v.

AERO CHARTER AND TRANSPORTATION, INC.  
Respondent.

**FINAL ORDER DISMISSING COMPLAINT  
AND CANCELING HEARING**

This proceeding arises from a complaint filed by Edward J. Fallon, III against Aero Charter and Transportation, Inc. 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), and its implementing regulations at 29 C.F.R. Part 1979. A hearing has been scheduled for February 15, 2007 in Albuquerque, New Mexico.

On February 1, 2007, the parties filed a Joint Motion to Dismiss, attached to which was a Release dated January 31, 2007 and signed by Mr. Fallon. Complainant agrees therein to a dismissal of his complaint in return for certain consideration offered him by Respondent. The parties' motion further notes that this agreement resolves all issues which were to be tried at the hearing on February 15, 2007, and they therefore jointly request that the hearing be cancelled and the complaint be dismissed with prejudice. After careful consideration of the terms and conditions set forth therein, I find them to be fair, adequate, and reasonable. Furthermore, I find that it is in the public interest to adopt the parties' agreement as a basis for the administrative disposition of this case. Therefore,

IT IS HEREBY ORDERED that the complaint filed by Edward J. Fallon, III in the above-captioned matter is DISMISSED, with prejudice.

IT IS FURTHER ORDERED that the formal hearing scheduled for February 15, 2007 in Albuquerque, New Mexico is CANCELLED.

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STEPHEN L. PURCELL  
Acting Associate Chief Judge

Washington, D.C.