

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 18 September 2008

CASE NO.: 2008-AIR-00006

In The Matter Of:

MELODI JOHNSTON-GERBER

Complainant

v.

WEST JET AIRCRAFT, L.L.C.

Respondent

**DECISION AND ORDER APPROVING SETTLEMENT
AND GENERAL RELEASE**

This is a proceeding under the provisions of Section 519 of the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century ("Air 21" or "Act"), 49 U.S.C. §42121. The Complainant, Melodi Johnston-Gerber, filed a complaint of discrimination with the Department of Labor against Respondent, West Jet Aircraft L.L.C. Following participation in the Office of Administrative Law Judge's Settlement Judge Procedures, the parties submitted a Joint Motion to Approve Settlement Agreement to me on September 17, 2008.

My review of the settlement agreement is limited to a determination of whether its terms are fair, adequate and reasonable. After careful consideration of the terms of the settlement agreement, I find the agreement is fair, adequate and reasonable. In addition, I have reviewed the parties' request that the settlement be confidential and that it be accorded confidential treatment. The rules governing confidential treatment to such information are set forth at 29 C.F.R. § 70.26, and the parties' request will be granted pursuant to the rule. To the extent the Release and Waiver contains provisions that may relate to actions by Complainant or Respondent under any other statute, this Decision and Order makes no determination regarding the propriety of such provisions.

Accordingly, IT IS ORDERED that the Settlement Agreement and General Release of All Claims be, and it hereby is, approved, and;

IT IS FURTHER ORDERED that the complaint filed in this matter, be, and it hereby is, dismissed with prejudice, and;

IT IS FURTHER ORDERED that the Settlement Agreement be accorded confidential treatment under 29 C.F.R. § 70.26.

SO ORDERED.

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COLLEEN A. GERAGHTY
Administrative Law Judge

Boston, Massachusetts