

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 17 July 2007

In the Matter of

PHILLIP P. BORRIS
Complainant

v.

U.S. DEPARTMENT OF ENERGY
Respondent

Case No. 2006 ERA 00014

ORDER OF DISMISSAL

On or about January 13, 2006, the complainant filed a complaint with the Occupational Safety and Health Administration (“OSHA”) under §211 of the Energy Reorganization Act as amended, 42 U.S.C. §5851, alleging that the respondent did not rehire him in retaliation for his safety complaints and participation in investigations of these safety complaints. That complaint was opposed by the respondent Department of Energy and, after investigation, was dismissed by OSHA. The complainant requested a hearing. The case was referred to the Office of Administrative Law Judges, and for purposes of discovery was consolidated with cases against four other companies filed by the complainant.

On June 25, 2007, complainant filed his *Unopposed Motion for Dismissal with Prejudice* of his complaint against the Department of Energy. Since complainant is represented by counsel, and the motion is unopposed,

IT IS ORDERED that this case is dismissed with prejudice.

A

JEFFREY TURECK
Administrative Law Judge