



In the Matter of:

JAY S. BODINE,

ARB CASE NO. 02-022

COMPLAINANT,

ALJ CASE NO. 01-AIR-004

v.

DATE: February 28, 2002

INTERNATIONAL TOTAL SERVICES,

RESPONDENT.

BEFORE: THE ADMINISTRATIVE REVIEW BOARD^{1/}

NOTICE OF CASE CLOSING

On November 20, 2001, a Department of Labor Administrative Law Judge (ALJ) issued a Recommended Decision and Order Dismissing Appeal as Untimely in this case arising under section 519 of the Wendell H. Ford Aviation Investment and Reform Act, 49 U.S.C. §42121. The Department has not yet enacted regulations governing the procedures to be followed to obtain Administrative Review Board review of Recommended Decisions and Orders. Consequently the ALJ, who issued the Recommended Decision and Order, referred the case to the Board for review.

On February 5, 2002, the Administrative Review Board issued an order directing the parties to submit petitions for review, if they were interested in further review of the ALJ's Recommended Decision and Order. The parties were informed that if no petitions for review were received within the 15-day period for responses to the Board's order, the Board would issue an order closing the case, and the ALJ's Recommended Decision and Order would become the Secretary of Labor's final order as provided in 49 U.S.C. §42121(b)(3)(A). As neither party submitted a petition or expressed interest in doing so when contacted by telephone, the ALJ's decision will be considered the final administrative order. Accordingly, this case is **CLOSED**.

SO ORDERED.

M. CYNTHIA DOUGLASS
Chief Administrative Appeals Judge

OLIVER M. TRANSUE
Administrative Appeals Judge

^{1/} This appeal has been assigned to a panel of two Board members, as authorized by Secretary's Order 2-96. 61 Fed. Reg. 19,978 §5 (May 1996).