

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 27 October 2006

In the Matter of:

MICHELLE P. ENGEL,
Complainant,

CASE NO: 2005-AIR-15

v.

AMERICAN EAGLE AND EXECUTIVE
AIRLINES,
Respondents.

ORDER OF DISMISSAL

On October 12, 2004, Complainant, Michelle Engel filed a complaint against Respondents under § 519 of the Wendell H. Ford Aviation and Investment Reform Act for the 21st Century, 49 U.S.C. § 42121, with the Occupational Safety and Health Administration. OSHA determined that Respondents had not violated the Act and dismissed the complaint. On or about April 22, 2005, Engel filed objections and a request for hearing.

By telephone conference on October 11, 2006, the parties advised the undersigned that they had resolved their differences through arbitration. Accordingly, Engel desires to withdraw her objections to OSHA's findings and her request for a hearing and to dismiss objections to OSHA's findings and her request for a hearing and to dismiss this case. Pursuant to 29 C.F.R. § 1979.111(c), "a party may withdraw his or her objections to the findings or order [of OSHA] by filing a written withdrawal with the administrative law judge." Engel has filed a written withdrawal and consents to dismissal of this case with prejudice. Respondents do not object to withdrawal of the objections or to dismissal of the case. Accordingly, Complainant's motion to withdraw her objections to OSHA's denial of her claim is granted, and

IT IS ORDERED that this case is dismissed with prejudice.

A

LARRY W. PRICE