



In the Matter of:

HENRY KLEIN,

ARB CASE NO. 2022-0016

COMPLAINANT,

ALJ CASE NO. 2020-SOX-00039

v.

DATE: March 31, 2022

BANK OF AMERICA,

RESPONDENT.

Appearances:

For the Complainant:

Henry Klein; *pro se*; Kansas City, Missouri

For the Respondent:

Charles Edward Solley, Esq.; *Moser Law Co.*; Atlanta, Georgia

**Before: James D. McGinley, *Chief Administrative Appeals Judge* and
Thomas H. Burrell, *Administrative Appeals Judge***

ORDER DISMISSING COMPLAINT

PER CURIAM. On February 3, 2022, the Administrative Review Board issued an Order to Show Cause based on Complainant Henry Klein's petition for review arising out of his Sarbanes-Oxley Act of 2002 (SOX) claim.¹ Under the terms of the Order, Complainant was to show cause regarding the reasons why the Board should not dismiss his case for not timely filing his opening brief no later than February 18, 2022.

¹ 18 U.S.C. § 1514A (2010), as implemented by the regulations at 29 C.F.R. Part 1980 (2021).

On February 17, 2022, Complainant filed a response to the order, but did not address why he failed to timely follow the Board's Notice of Appeal and Order Establishing Briefing Schedule. As explained in the Board's Order to Show Cause, the Board has authority to dismiss a case for a party's failure to comply with the Board's orders and briefing requirements.²

Accordingly, because Complainant has failed to show good cause as to why the Board should not dismiss his appeal after failing to timely file his opening brief, we **DISMISS** his complaint.

SO ORDERED.

² *Jessen v. BNSF Railway Co.*, ARB No. 2012-0107, ALJ No. 2010-FRS-00022, slip op. at 2 (ARB July 26, 2013).