



Issue Date: 21 November 2017

Case No. 2017-CFP-00005
OALJ No. 5-2210-15-003

In the Matter of:

JULIE K. ASHBY,
Complainant,

v.

HALLMARK HOME MORTGAGE, LLC, ET AL,
Respondent

**DECISION AND ORDER APPROVING SETTLEMENT
AGREEMENT AND DISMISSING COMPLAINT**

This proceeding arises from a claim of whistleblower protection under the employee protection provisions of Section 519 of the Consumer Financial Protection Act of 2010 (“CFPA”), Section 1057 of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010¹. On or about October 21, 2014, the Complainant filed a complaint alleging that Respondent violated the CFPA. On October 27, 2017 the parties filed a Settlement Agreement and General Release (hereafter the “Agreement”), which resolves all issues raised in the Complaint, for my review and approval. On November 7, 2017, I held a teleconference with counsel for the parties concerning paragraph 6 of the Agreement, and on November 13, 2017 the parties filed an amendment to paragraph 6. The Agreement, as amended by the letter dated November 7, 2017 and filed November 13, 2017, is attached hereto and is incorporated herein by reference. The Agreement has been signed by the parties. I have the authority to approve the Agreement pursuant to 29 C.F.R. § 1985.111(d)(2).

My review of the Agreement is limited to a determination of whether its terms are fair, adequate and reasonable. The settlement must adequately protect the whistleblower. Furthermore, the settlement must not be contrary to public interest. I note that the Agreement encompasses settlement of matters under laws other than the CFPA, however, I approve only those terms of the Agreement pertaining to the Complainant’s claim under the CFPA.

¹ 12 U.S.C. §5567 (2012).

After consideration of the Agreement, I find that the terms and conditions are fair, adequate and reasonable, and that the terms adequately protect the Complainant. Furthermore, I believe it is in the public interest to approve the Agreement as a basis for administrative disposition of this case, and I therefore approve the Agreement as set forth above.

IT IS THEREFORE ORDERED that the Agreement is **APPROVED**. In accordance with the terms of the Agreement, the Complaint is hereby **DISMISSED WITH PREJUDICE**. In accordance with the regulations, the settlement constitutes the final order of the Secretary of Labor and may be enforced pursuant to 29 C.F.R. §1985.111 (e).

LARRY A. TEMIN
ADMINISTRATIVE LAW JUDGE