



Issue Date: 14 September 2018

Case No.: 2018-CFP-00001

*In the Matter of:*

JOHN SIKORA,  
*Complainant,*

v.

PEOPLES BANK AND TRUST,  
*Respondents.*

**ORDER APPROVING WITHDRAWAL OF OBJECTIONS  
AND DISMISSING CLAIM**

The above-captioned claim arises under the Consumer Financial Protection Act (“CFPA”) of 2010, Section 1057 of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010, 12 U.S.C. § 5567. On November 22, 2017, Judge Daniel Solomon issued a *Notice of Assignment, Notice of Hearing and Prehearing Order*. On January 19, 2018, Judge Solomon issued an *Order Cancelling Hearing*, upon notice that the parties had agreed to private mediation.<sup>1</sup> On August 20, 2018, Complainant filed a *Notice of Voluntary Dismissal with Prejudice*. Complainant did not submit a copy of any proposed settlement agreement.

The rules governing withdrawal of CFPA complaints provide that “at any time before the ... findings and/or order become final, a party may withdraw its objections to the ... findings and/or order by filing a written withdrawal with the administrative law judge,” who shall then determine whether to affirm any portion of the findings or preliminary order or approve the withdrawal. However, if the withdrawal of objections is based on a settlement, the settlement must be submitted to the ALJ for approval. 29 C.F.R. § 1985.111(c). As the parties have not submitted to the court the terms of the proposed settlement agreement, I will treat the filing as an unopposed request by Complainant to withdraw his request for an administrative hearing and to

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<sup>1</sup> The case was subsequently reassigned to me upon Judge Solomon’s retirement from federal service.

dismiss his November 10, 2016 OSHA complaint.<sup>2</sup> Upon review of the entire record and for good cause shown, said request is hereby GRANTED. Accordingly,

**Order**

Consistent with the regulations, the above captioned matter is hereby DISMISSED with prejudice without costs or attorney's fees awarded to either party.

**SO ORDERED:**

STEPHEN R. HENLEY  
Chief Administrative Law Judge

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<sup>2</sup> On September 13, 2018, a member of my staff contacted Respondent's counsel, who did not object to treating Complainant's filing as such.