

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 14 January 2009

CASE NO.: 2008-FRS-00005

In the Matter Of:

NIKOLAS ATLAS
Complainant

v.

METRO NORTH COMMUTER RAIL COMPANY, INC.
Respondent

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

This proceeding arises from a complaint of discrimination filed under the Federal Rail Safety Act, 49 U.S.C. § 20109, as amended by Section 1521 of the Implementing Recommendations of the 9/11 Commission Act of 2007, Pub. L. 110-53, 121 Stat 266 (Aug. 3, 2007). The matter is currently before the administrative law judge (“ALJ”) for an administrative hearing pursuant to 29 C.F.R. § 1979.107(a). On January 13, 2009, the parties notified the ALJ that they have reached a full settlement and agreed to dismissal of the action. Attached to the parties’ notification is a copy of their Release and Settlement Agreement.

Accordingly, the Parties’ settlement agreement is **APPROVED** pursuant to 29 C.F.R. § 1979.111(d)(2), and the matter is **DISMISSED**, with each party to bear its own costs for the proceeding before this ALJ. Approval of the parties’ settlement constitutes the final order of the Secretary of Labor and may be enforced pursuant to 29 C.F.R. § 1979.113. *See* 29 C.F.R. § 1979.111(e).

SO ORDERED.

A

DANIEL F. SUTTON
Administrative Law Judge

Boston, Massachusetts