

U.S. Department of Labor

Office of Administrative Law Judges
William S. Moorhead Federal Office Building
1000 Liberty Avenue, Suite 1800
Pittsburgh, PA 15222

(412) 644-5754
(412) 644-5005 (FAX)



Issue Date: 31 December 2012

CASE NO.: 2010-FRS-5

In the Matter of:

KYLE S. FURGE,
Complainant,

v.

CHICAGO FORT WAYNE & EASTERN RAILROAD,
Respondent.

ORDER OF DISMISSAL

On December 3, 2012, Complainant submitted a Notice of Intention to File a Complaint in District Court pursuant to 49 U.S.C. § 20109(d)(3) and 29 C.F.R. § 1982.114. On December 4, 2012, I issued an Order giving the parties until December 21, 2012 to show cause as to why I should not dismiss Claimant's claim pursuant to 29 C.F.R. § 1982.114(a). On December 21, 2012, I received a response from Respondent indicating that Fort Wayne & Eastern Railroad ("CF&E") has no objection to dismissal.

Wherefore, the above considered, the above-captioned case is **DISMISSED WITH PREJUDICE.**

MICHAEL P. LESNIAK
Administrative Law Judge