



Issue Date: 04 April 2012

In the Matter of
KELLY PEYTON
Complainant

v.

Case Number **2012 FRS 00018**

UNION PACIFIC RAILWAY COMPANY
Respondent

Complainant
Pro se
Rami S. Hanash, Esquire
For Respondent

ORDER APPROVING SETTLEMENT

This case comes 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 ("9/11 Act"), Pub. L. No. 110-53. (Aug. 3, 2007), and was scheduled for hearing in Kansas City, Missouri for June 19, 2012. Any settlement approved in an FRS case constitutes the final order of the Secretary. 29 C.F.R. 1982.111(e).

On March 28, 2012 the parties submitted a settlement agreement signed by Complainant and Vice-President of Respondent. The Complainant represents his understanding of the agreement's provisions and voluntarily accepts the settlement.

Having been advised of the settlement amount and reviewed the settlement agreement, I find the provisions are fair, adequate and not contrary to public interest. Further, the settlement supports a finding that the complaint be dismissed with prejudice.

Accordingly, it is ORDERED that:

1. The Settlement Agreement is APPROVED; and
2. The complaint is DISMISSED WITH PREJUDICE.

A

DANIEL F. SOLOMON
Administrative Law Judge

