



**Issue Date: 10 December 2012**

**CASE NO: 2012-FRS-00064**

*In the Matter of:*

GEORGE RATLEDGE,  
*Complainant,*

v.

NORFOLK SOUTHERN RAILWAY COMPANY,  
*Respondent.*

**ORDER DISMISSING COMPLAINT**

This matter arises out of a complaint filed by George Ratledge (“Complainant”) against Norfolk Southern Railway Company (“Respondent”) under Section 419 of the Federal Rail Safety Act, 49 U.S.C. § 20109.

Complainant filed an initial complaint with the Occupational Safety and Health Administration (“OSHA”) on March 13, 2010 and an amended complaint on October 13, 2010. A final determination letter was issued by OSHA on July 18 20, 2012, finding against Respondent. Respondent submitted its objections to the Secretary’s Findings on August 8, 2012, and requested a hearing before an administrative law judge. On October 22, 2012, Complainant notified all parties under 29 CFR § 1982.114(b) that he intended to file a complaint in United States District Court. On November 8, 2012, I ordered Complainant to submit a file-stamped copy of the District Court complaint not later than 30 days from the date of the order. By way of an undated notice received on December 7, 2012, Complainant has done so.

Accordingly, IT IS HEREBY ORDERED that the complaint in the above-captioned matter be, and the same hereby is, DISMISSED.

**SO ORDERED.**

PAUL C. JOHNSON, JR.  
Associate Chief Administrative Law Judge