U.S. Department of Labor   Office of Administrative Law Judges
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Issue Date: 13 September 2013

CASE NO: 2013-FRS-31

IN THE MATTER OF

JAMES CHAMBLISS

        Complainant

    v.

CSX TRANSPORTATION, INC.

        Respondent

DECISION AND ORDER APPROVING SETTLEMENT AND DISMISSING COMPLAINT

This case arises out of a Complaint of Discrimination filed by James Chambliss ("Complainant") against CSX Transportation, Inc. ("Respondent"), pursuant to the Employee Protection Provisions of Section 20109 of the Federal Rail Safety Act, 49 U.S.C. §20109 (the "Act"), so amended by Section 1521 of the Implementing Recommendation of the 9/11 Commission Act of 2007 (911 Act), Pub. L. No. 110-58 and as implemented by federal regulations set forth in 29 C.F.R. Part 18, Subpart A.

The parties hereby stipulated and agree that the above-captioned proceeding shall be, and hereby is dismissed with prejudice.

1. This Order shall have the same force and effect as an order made after a full hearing;

2. The parties waive any further procedural steps before this Court;

3. The parties waive any rights to challenge or contest the validity of this Order entered in accordance with the Settlement Agreement and General Release;

4. Each party shall bear all its own costs, expenses, and legal and accounting fees incurred in connection with this action; and

5. This Order and the Decision of this Court shall be the final agency action.

Pursuant to the requirements of the Act and the implementing regulations, I have carefully reviewed the terms of the parties' Settlement Agreement, and I have determined that it constitutes a fair, adequate and reasonable settlement of the Complaint.

Accordingly, it is hereby **ORDERED** that:

1. The "Settlement Agreement and General Release" is **APPROVED**.

2. The formal hearing scheduled on October 16, 2013 is **CANCELLED**.

So ORDERED this 13th day of September, 2013, at Covington, Louisiana.

C. RICHARD AVERY
Administrative Law Judge