



Issue Date: 26 February 2008

In the Matter of

SOURABH HAJELA
Complainant

v.

ING GROEP et al.
Respondents

Case No. 2007 SOX 00087

ORDER OF DISMISSAL

This case arose under the employee protection provisions of the Sarbanes-Oxley Act. The complainant filed his complaint with the Occupational Safety and Health Administration (“OSHA”) on September 18, 2006. On August 6, 2007, OSHA determined that the complaint was without merit. The complainant filed a timely appeal of that determination, and respondent cross-appealed alleging a lack of personal jurisdiction. The case was assigned to me for hearing and decision on August 30, 2007.

On September 7, 2007, I held a telephonic pre-hearing conference with counsel for the parties. At that conference, complainant’s counsel indicated that he was considering removing this case to Federal District Court, an option available to him since this Department did not issue a final decision on the complaint within 180 days. Complainant’s counsel has now notified this Office that he has amended a complaint against the respondent, previously filed in Federal District Court in Connecticut, to include the alleged violation of the Sarbanes-Oxley Act that was the subject of the Department of Labor complaint. Since the complainant has removed this matter to Federal District Court,

IT IS ORDERED that this case before DOL is dismissed.

A

JEFFREY TURECK
Administrative Law Judge

