



**Issue Date: 20 September 2007**

CASE NO.: 2007 SOX 71

***In the Matter of:***

HOWARD JAMES,  
Complainant,

v.

ROYAL CARRIBBEAN INTERNATIONAL,  
Respondent.

**DECISION AND ORDER ALLOWING VOLUNTARY  
WITHDRAWAL OF COMPLAINT**

This case involves a complaint by Howard James filed under the employee protective provisions of § 806 of the Sarbanes-Oxley Act (Corporate and Criminal Fraud Accountability Act of 2002, Public Law 107-204, 18 U.S.C. § 1514A, *et seq.*)(SOX or the Act), and the regulations promulgated thereunder at 29 C.F.R. Part 1980. The applicable statutory provision prohibits any company with a class of securities registered under § 12 of the Securities Exchange Act of 1934, or required to file reports under § 15(d) of that Act, or any officer, employee or agent of such company from discharging, harassing, or in any other manner discriminating against an employee with respect to terms and conditions of employment because the employee provided to the employer or Federal Government information relating to alleged violations of 18 U.S.C. § 1341 (mail fraud), § 1343 (wire, radio, TV fraud), § 1344 (bank fraud), or § 1348 (securities fraud), or any rule or regulation of the Securities and Exchange Commission (see, e.g. 17 C.F.R. Part 210 (2005), Form and Content of the Requirements for Financial Statements), or any provision of Federal law relating to fraud against shareholders. Complainant filed a timely appeal from a finding of no merit to his complaint after investigation by the Regional Administrator, Occupational Safety and Health Administration, U.S. Department of Labor.

At a prehearing telephone conference conducted by telephone on July 31, 2007, Complainant Howard James appeared *pro se* and advised this tribunal and the Respondent that he would withdraw his complaint because the concerns which had generated the complaint had been alleviated to his satisfaction. Pursuant to the order of this tribunal issued on August 7, 2007, Complainant has filed a letter addressed to the undersigned withdrawing his appeal. The letter recites in pertinent part, "I hereby withdraw my appeal regarding Royal Caribbean

International/James/4-1050-07-021. I thank you for your time and input in this matter.” There has been no settlement which requires approval by this tribunal in relation to the withdrawal of the appeal. 29 CFR § 980.111(c) expressly provides that, at any time before the findings or order become final, a party may withdraw his or her objections to the findings or order of the Regional Administrator, and this tribunal will determine whether the withdrawal will be approved. This tribunal has determined that the withdrawal should be approved, and that no remedial action is required. Wherefore, it is

ORDERED that the Complainant’s withdrawal of his appeal be approved, and that the complaint before this tribunal be dismissed.

**A**

Edward Terhune Miller  
Administrative Law Judge