

**U.S. Department of Labor**

Office of Administrative Law Judges  
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**Issue Date: 22 June 2009**

CASE NO. 2009-SOX-00032

*In the Matter of*

LESLIE JONES,  
Complainant,

v.

HOME FEDERAL BANK,  
Respondent.

**ORDER OF DISMISSAL**

On June 3, 2009, Complainant, through counsel, notified this Office that Complainant would be pursuing this action in the United States District Court for the District of Idaho. When the Administrative Review Board has not issued a final decision within 180 of the filing of the complaint, "and there is no showing that there has been delay due to the bad faith of the complainant," the complainant may bring a *de novo* action in the district court. 29 C.F.R. §1980.114. Respondent has not objected or asserted that Complainant has engaged in a bad faith delay. Accordingly, as Complainant has elected to pursue this action in the district court, the matter pending in this forum is DISMISSED. The trial set for July 20, 2009 is VACATED.

SO ORDERED.

**A**

STEVEN B. BERLIN  
Administrative Law Judge