

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 09 December 2008

Case No. 2009-SOX-9

In the Matter of:

SIMON KAO,

Complainant,

v.

ST. JUDE MEDICAL, INC.,

Respondent.

ORDER CLOSING FILE

Complainant's counsel, Ms. Jill Gaulding, has filed a notice that she intends to file an action in the U.S. District Court on behalf of Complainant, rather than proceed here. See, 29 C.F.R. § 1980.114. Jurisdiction over the matter will vest in the Article III courts when she does so. *Stone v. Duke Energy Corp.*, 432 F.3d 320 (4th Cir. 2005) (case below 2003-SOX-12). This file is closed. Should Complainant fail to file an action in district court, any party may move to reopen this matter before the Secretary of Labor.

So Ordered.

A

LARRY S. MERCK
Administrative Law Judge