

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 23 June 2009

CASE NO.: 2009-SOX-00002

In the Matter Of:

CHRISTIAN MARTIN

Complainant

v.

**BANK OF AMERICA CORPORATION,
NB HOLDINGS CORPORATION,
BANC OF AMERICA HOLDINGS CORPORATION,
BANC OF AMERICA SECURITIES, LLC**

Respondents

**FINAL ORDER APPROVING VOLUNTARY WITHDRAWAL OF OBJECTIONS
AND DISMISSING REQUEST FOR HEARING**

This proceeding arises from a complaint of discrimination filed by Christian Martin (“Complainant”) under Section 806 (“Section 806”) of the Corporate and Criminal Fraud Accountability Act of 2002, Title VIII of The Sarbanes-Oxley Act of 2002, 18 U.S.C.A. § 1514A (West 2008), and the procedural regulations found at 29 C.F.R. Part 1980 (2008). The case is currently before the administrative law judge (“ALJ”) on the Complainant’s request for a *de novo* hearing on his objections to the September 5, 2008 order of the Regional Administrator for the U.S. Department of Labor, Occupational Safety and Health Administration (“OSHA”), acting as agent for the Secretary of Labor (“Secretary”), which dismissed HIS Section 806 complaint. *See* 29 C.F.R. §§ 1980.106 and 1980.107.

By letter dated June 19, 2009, the Complainant notified the ALJ that an arbitration hearing on his Section 806 claims was completed on June 18, 2009 in *Christian Martin v. Bank of America Securities, LLC*, Finra Disp. Res. 08-00319. Accordingly, the Claimant stated that he “hereby withdraws his objections to the Secretary’s Findings and Order dated September 5, 2008, with prejudice.”

Based on the foregoing, the Complainant’s request to withdraw his objections to the Secretary’s January 7, 2009 preliminary findings and order is hereby **APPROVED**, and the Complainant’s request for hearing is hereby **DISMISSED**. Accordingly, the Secretary’s

September 5, 2008 order dismissing the complaint becomes the Department of Labor's final order in this matter. 29 C.F.R. § 1980.111(c) (2008).

SO ORDERED.

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DANIEL F. SUTTON
Administrative Law Judge

Boston, Massachusetts