

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 12 August 2010

CASE NO. 2010-STA-25

In the Matter of:

ROBERT PHILLIPS,
Complainant

v.

BURGH EXPRESS/ARL TRANSPORT/TSL, LTD.,
Respondent

**RECOMMENDED DECISION AND ORDER APPROVING SETTLEMENT
AGREEMENT**

This case arises under Section 405, the employee protection provision of the Surface Transportation Assistance Act of 1982, 49 U.S.C.A. § 31105 (West 2003), and the implementing regulations at 29 C.F.R. Part 1978 (2006). On August 9, 2010 a Settlement Agreement and Release (“Agreement”) was made and entered into by and between Robert Phillips (claimant) and Burgh Express, Inc., (employer).

I have read the Settlement Agreement and General Release signed by the parties and find that the settlement is fair, adequate and reasonable. I recommend approval of the settlement agreement as set forth.

SO ORDERED.

A

MICHAEL P. LESNIAK
Administrative Law Judge

NOTICE OF REVIEW: The administrative law judge’s Recommended Decision and Order Approving Settlement, along with the Administrative File, will be automatically forwarded for review to the Administrative Review Board, U.S. Department of Labor, Suite S-5220, 200 Constitution Avenue, NW, Washington, DC 20210. *See* 29 C.F.R. § 1978.109(a); Secretary’s Order 1-2002, ¶4.c.(35), 67 Fed. Reg. 64272 (2002).