



**Issue Date: 28 October 2010**

**CASE NO.: 2010-STA-00001**

*In the Matter Of:*

**BRIAN A. THOMPSON,**  
*Complainant,*

v.

**EARLE W. NOYES & SON MOVING CO.,**  
*Respondent.*

**ORDER APPROVING WITHDRAWAL  
OF OBJECTIONS AND DISMISSING CLAIM**

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 (2004). Pursuant to 29 C.F.R. § 1978.111(c), a complainant may file a written withdrawal of objections to the Secretary's preliminary findings with an Administrative Law Judge at any time before the findings or order becomes final. The Complainant has submitted a request to withdraw his objections to the Secretary's preliminary findings and represents that the Respondent has agreed to Complainant's request to withdraw. The Complainant's request is hereby accepted.

Accordingly, consistent with the regulation, it is recommended that the complaint be **DISMISSED** with prejudice and the Secretary's preliminary findings be reinstated.

**SO ORDERED.**

**A**

**COLLEEN A. GERAGHTY**  
Administrative Law Judge

Boston, Massachusetts