

**U.S. Department of Labor**

Office of Administrative Law Judges  
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**Issue Date: 17 December 2013**

Case No.: 2013-STA-68

In the Matter of:

ROBYN STATON,  
Complainant,

v.

HEARTLAND EXPRESS, INC. OF IOWA,  
Respondent.

Appearances: Kenneth J. Heisele, Attorney  
For the Complainant

Christina L. Corl, Attorney  
For the Respondent

Before: Peter B. Silvain, Jr.  
Administrative Law Judge

**DECISION AND ORDER – APPROVAL OF SETTLEMENT  
AGREEMENT & DISMISSAL OF COMPLAINT WITH PREJUDICE**

This proceeding arises under the employee-protection provisions of Section 405 of the Surface Transportation Assistance Act (“STAA” or “Act”) of 1982, as amended and re-codified, 49 U.S.C. § 31101 *et seq.* and the corresponding agency regulations, 29, C.F.R. Part 1978. Section 405 of the STAA provides for employee protection from employer discrimination because the employee has engaged in a protected activity, consisting of either reporting violations of commercial motor vehicle safety rules or refusing to operate a vehicle when the operation would violate these rules or cause serious injury.

After a preliminary conference call on October 25, 2013, a conference was set in this case for December 16, 2013, to set a hearing date and location. However, on December 2, 2013, I received notice that the parties had settled the case and were no longer requesting a hearing. On December 16, 2013, I received the parties’ settlement agreement and request for dismissal with prejudice.

Having reviewed the settlement agreement and its provisions, which included dismissal of the complaint with prejudice, I find the terms, obligations, and conditions fair and reasonable. I also find the Complainant and Respondent were ably represented by counsel and that the

settlement was not procured by duress. Accordingly, I approve the parties' settlement and dismissal of the complaint with prejudice. The parties shall implement the terms of the approved settlement as specifically stated in their Settlement Agreement.

At the request of the parties, the terms of the settlement agreement shall remain confidential. Should the settlement agreement become the subject of a request under the Freedom of Information Act, 5 § U.S.C. 552, the procedures in 29 C.F.R. § 70.26 shall apply. 29 C.F.R. § 18.9; 42 U.S.C. § 5851(b)(2)(A); 29 C.F.R. § 70.26.

**ORDER**<sup>1</sup>

The parties' settlement agreement is **APPROVED**. The Complaint of Robyn Staton is **DISMISSED** with prejudice.

**SO ORDERED.**

PETER B. SILVAIN, JR.  
Administrative Law Judge

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<sup>1</sup> According to 29 C.F.R. § 1978.111(e), this order constitutes the final order of the Secretary.