

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 13 January 2015

CASE NO.: 2014-STA-00044

In the Matter of:

MARCUS MAJERCZYK,
Complainant,

vs.

ABSOLUTE WASTE REMOVAL,
Respondent.

ORDER APPROVING SETTLEMENT

This is a claim under the employee protection provisions of the Surface Transportation Assistance Act of 1982, 49 U.S.C. §31105. The matter is currently set for hearing in Des Moines, Iowa, on April 7, 2015.

On December 24, 2014, counsel submitted a Settlement Agreement in the form of a stipulation executed by counsel for the parties, and by the complainant, Marcus Majerczyk.

The agreement provides for a lump sum payment to the claimant of \$50,000.00 in compensatory damages, and for payment of \$25,000.00 in attorney's fees and costs to complainant's counsel, Sarah Reindl.

While approving the agreement as to attorney fees, I make no finding about the propriety of the hourly rates to which the parties have agreed. Rather, I assume the parties have bargained at arm's length to reach an hourly rate acceptable to them, and I accept their agreement for this particular case.

Having reviewed the settlement agreement, I find and conclude:

The agreed settlement is equitable and adequate, and not procured by duress.

The agreed settlement is approved.

The hearing date of April 15, 2015 in this matter is vacated

SO ORDERED.

CHRISTOPHER LARSEN
Administrative Law Judge