



Issue Date: 10 April 2018

Case No.: 2018-STA-00017

In the Matter of

DAVID MARAH

Complainant

v.

J.L. HARTLEY, INC.

Respondent

ORDER APPROVING SETTLEMENT AND DISMISSING CLAIM

This matter arises under the “whistleblower” employee protection provisions of Section 405 of the Surface Transportation Assistance Act of 1982 (“the STAA”), as amended, 49 U.S.C. § 31105 (formerly 49 U.S.C. § 2305), and its implementing regulations at 29 C.F.R. Part 1978.

On April 6, 2018, the parties notified this Tribunal that they had reached settlement, and submitted a copy of their signed Settlement Agreement, General Release, and Non-Disclosure Agreement. The parties request that the scheduled hearing in this matter be cancelled.

This Tribunal finds that the proposed Settlement Agreement is proper, and approves it with one caveat. The language in this agreement purports to settle, release, or otherwise address claims or potential claims that far exceed the statute involved in this action. *See* Paragraphs 2, 3, and 4. The Tribunal limits its review to the asserted whistleblower claims only, as anything beyond that limitation exceeds this Tribunal’s jurisdiction.

Order

1. The parties’ requests to approve their Settlement Agreement and dismiss their STAA claims are GRANTED. **However, the parties are advised that this Tribunal does not**

bind the parties to the provisions in Paragraphs 2, 3, and 4 that are beyond its jurisdiction.

2. The proposed settlement agreement is fair and reasonable as to the claims under the STAA. None of the terms are against the public interest. The proposed “Confidential Settlement Agreement and Release of Claims” is APPROVED, and the parties are ORDERED to comply with its terms.

This matter is DISMISSED with prejudice. **The pre-hearing conference call scheduled for Monday, April 16, 2018 and the hearing scheduled for Monday, April 23, 2018 and Tuesday, April 24, 2018 in this matter are hereby CANCELLED.**

SO ORDERED

SCOTT R. MORRIS
Administrative Law Judge

Cherry Hill, New Jersey