

UNITED STATES DEPARTMENT OF LABOR  
OFFICE OF ADMINISTRATIVE LAW JUDGES  
BOSTON, MASSACHUSETTS

Issue Date: 05 November 2019

CASE NO.: 2019-STA-00003

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SCOTT WILKINSON,  
*Complainant,*

v.

CRESTWOOD TRANSPORTATION, LLC.,  
*Respondent*

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**ORDER APPROVING SETTLEMENT AND DISMISSING COMPLAINT**

This proceeding arises from a complaint of discrimination filed under the employee protection provisions of Section 405 of the Surface Transportation Assistance Act (“STAA”), as amended, 49 U.S.C. § 31105, and the procedural regulations found at 29 C.F.R. Part 1978.

On October 29, 2019, the parties in the above captioned matter submitted a Confidential Settlement Agreement and General Release, in accordance with 29 C.F.R. § 1978.111(d)(2), resolving this matter and seeking approval of the settlement agreement.<sup>1</sup> I have reviewed the terms of the parties’ settlement agreement and determined it constitutes a fair, adequate, and reasonable settlement of the complaint.

Accordingly, it is hereby **ORDERED** that:

1. The Confidential Settlement Agreement and General Release are **APPROVED**; and
2. The Complaint is **DISMISSED** with prejudice.

**SO ORDERED.**

**TIMOTHY J. McGRATH**  
Administrative Law Judge

Boston, Massachusetts

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<sup>1</sup> In Section 16 of the Settlement Agreement, the parties indicated a Stipulation of Dismissal would be executed and filed with the Court. No such Stipulation of Dismissal has been filed, but I find this is not an impediment to approval. There is no requirement that an executed Stipulation of Dismissal be filed with the Court, and this Order Approving Settlement and Dismissing Complaint specifically states that the Complaint is dismissed with prejudice. Therefore, the parties’ failure to include an executed Stipulation of Dismissal is immaterial for purposes of resolving this matter.