



Issue Date: 10 February 2022

CASE NO.: 2020-STA-00055
OSHA NO.: 3-3500-17-020

In the Matter of:

Darrin Stephens
Complainant

v.

JB Hunt
Respondent

**ORDER APPROVING SETTLEMENT AGREEMENT
AND DISMISSING COMPLAINT**

This matter arises under the employee protection provisions of the Surface Transportation Assistance Act of 1982 (“STAA”), 49 U.S.C. § 31105, as amended, and the regulations published at 29 C.F.R. Part 1978. Darrin Stephens (“Complainant”) is a self-represented litigant who has brought a claim against JB Hunt (“Respondent”).

The Respondent submitted a *Joint Motion to Approve Settlement and Dismiss Proceedings with Prejudice*, together with the *Settlement Agreement and General Release* entered into on November 30, 2021 (“Settlement Agreement”). The Settlement Agreement is signed by the Complainant and a representative for the Respondent.

Paragraph 12 of the Settlement Agreement provides that it shall be governed by the laws of the State of Georgia. This provision does not limit the applicability of federal law under the STAA.

Paragraphs 2 and 4 of the Settlement Agreement purports to release, acquit, or otherwise address claims or potential claims that far exceed the statute involved in this action. Paragraph 2 is proper only to the extent that it concerns the specific claims that the Complainant has set forth in this action. Paragraph 4 is proper only to the extent that it releases and discharges the Respondent from liability for the claims that the Complainant raised in this action.

Paragraph 6 is proper only in reference to the consideration paid by the Respondent to the Complainant in compliance with this settlement. To the extent that Paragraph 7 is inconsistent with any statute, laws, or regulations it is void and unenforceable.

ORDER

1. Having considered the parties' *Joint Motion to Approve Settlement and Dismiss Proceedings with Prejudice* it is hereby **GRANTED**.
2. Having reviewed the terms of the Settlement Agreement as to fairness, adequateness, and reasonableness as to the claims under the Surface Transportation Assistance Act of 1982, as amended, the Court does not bind the parties to the provisions in Paragraphs 2 and 4 that are beyond its jurisdiction.
3. WHEREFORE, the Settlement Agreement is **APPROVED** in accordance with this Order and this matter is **DISMISSED** with prejudice.

SO ORDERED.

FRANCINE L. APPLEWHITE
Administrative Law Judge
Washington, D.C.