



Issue Date: 22 August 2022

Case No.: 2021-STA-00066¹
OSHA Case No.: 9-0370-19-044

In the Matter of:

SEAN HOLLIS,
Complainant,

v.

G6 2 AUTO AND DIESEL, LLC, and
KENNY WARREN,
Respondents.

DECISION AND ORDER APPROVING COMPLAINANT’S WITHDRAWAL OF OBJECTIONS TO SECRETARY’S FINDINGS AND ORDER DISMISSING THE COMPLAINT

The above-captioned case arises under the employee protection provisions of the Surface Transportation Assistance Act of 1982 (“STAA”), 49 U.S.C. § 31105, and the implementing regulations promulgated at 29 C.F.R. Part 1978 and is pending before the undersigned. It is currently scheduled for a formal hearing in Louisville, Kentucky, on September 27, 2022.

However, on August 19, 2022, counsel for the Complainant filed Complainant’s Withdrawal of Objections to Secretary’s Findings and Order and Motion to Dismiss Complaint without Prejudice, stating, in part:

Complainant withdraws his objections to the Secretary’s Findings and Order dated July 13, 2021 and moves the Court to dismiss his complaint without prejudice and without costs awarded to either party. Respondent is out of business and Complainant no longer wishes to pursue this matter. There is no side agreement between the parties.

The rules governing withdrawal of STAA complaints provide that “[a]t any time before the . . . findings and/or preliminary order become final, a party may withdraw its objections to

¹ The style and format of this Decision and Order have been modified to comply with Section 508 of the Rehabilitation Act, 29 U.S.C. § 794d.

the . . . findings and/or preliminary order by filing a written withdrawal” with the administrative law judge, who shall then determine whether to affirm any portion of the findings or preliminary order or approve the withdrawal. 29 C.F.R. § 1978.111(c).

ORDER

As no final decision has been issued in this matter, Complainant’s request for withdrawal of his objections to the Secretary’s findings is hereby approved. Consistent with the regulations, the July 13, 2021 Findings Determination becomes the final order of the Secretary. The above-captioned matter is hereby **DISMISSED**, and the hearing scheduled for September 27, 2022, in Louisville, Kentucky is **CANCELLED**. All previously issued deadlines are **REVOKED**.

SO ORDERED:

LARRY S. MERCK
Administrative Law Judge