

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 06 June 2005

CASE NO.: 2005-SWD-00002

In the Matter of

SHARON MILLS
Complainant

v.

WOOD WASTE OF BOSTON, INC.
Respondent

**RECOMMENDED DECISION AND ORDER
DISMISSING COMPLAINT WITHOUT PREJUDICE**

On May 19, 2005, the Complainant filed a Notice of Voluntary Dismissal without prejudice in the above matter. By order issued on May 20, 2005 pursuant to 29 C.F.R. § 24.6(e)(4)(ii) (2004), any party opposing voluntary dismissal was directed to file a written opposition, showing cause why dismissal should not be granted, by not later than May 31, 2005. The prescribed period has expired, and no opposition to the Complainant's motion has been filed. Accordingly, it is recommended that the complaint be **DISMISSED** without prejudice pursuant to Fed. R. Civ. P. 41(a)(1)(i). See *Clarke v. Florida Power Corp.*, USDOL/OALJ Reporter, ALJ Case No. 94-ERA-18 (Sec'y Sept. 7, 1994) (final order).

SO ORDERED.

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DANIEL F. SUTTON
ADMINISTRATIVE LAW JUDGE

Boston, Massachusetts

NOTICE: This Recommended Decision and Order will automatically become the final order of the Secretary unless, pursuant to 29 C.F.R. § 24.8, a petition for review is timely filed with the Administrative Review Board, United States Department of Labor, Room S-4309, Frances Perkins Building, 200 Constitution Avenue, NW, Washington, DC 20210. Such a petition for review must be received by the Administrative Review Board within ten business days of the date of this Recommended Decision and Order, and shall be served on all parties and on the