



In the Matter of:

MICHAEL LEON,

ARB CASE NO. 11-069

COMPLAINANT,

ALJ CASE NO. 2008-AIR-012

v.

DATE: May 22, 2013

**SECURAPLANE TECHNOLOGIES,
INC.,**

RESPONDENT.

BEFORE: THE ADMINISTRATIVE REVIEW BOARD

ORDER DISMISSING MOTION FOR RECONSIDERATION

On April 15, 2013, the Administrative Review Board issued a Final Decision and Order in this case arising under the whistleblower protection provisions of the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century¹ and its implementing regulations.² On April 30, 2013, the Board received an Objection and Motion for Reconsideration filed by Complainant Michael Leon.

The Board subsequently learned that Leon had petitioned the Ninth Circuit Court of Appeals for review of the Board's decision³ on April 23, 2013. Accordingly, as the Board's authority to reconsider its decision has been pre-empted by Leon's appeal to the appellate court, his Motion for Reconsideration is **DISMISSED**.

FOR THE ADMINISTRATIVE REVIEW BOARD:

**Janet R. Dunlop
General Counsel**

Note: Questions regarding any case pending before the Board should be directed to the Board's Paralegal Specialists, : Telephone: (202) 693-6200
Facsimile: (202) 693-6220

¹ 49 U.S.C.A. § 42121 (West 2007) (AIR 21).

² 29 C.F.R. Part 1979 (2012).

³ See 29 C.F.R. § 1979.110.