



IN THE MATTER OF:

B. C. WOODHAM,

ARB CASE NO. 13-067

COMPLAINANT,

ALJ CASE NO. 2013-FRS-016

v.

DATE: July 29, 2013

NORFOLK SOUTHERN RY. CO.,

RESPONDENT.

BEFORE: THE ADMINISTRATIVE REVIEW BOARD

Appearances:

For the Complainant:

W.C. Tucker, Jr., Esq.; Petway, Tucker & Barganier L.L.C., Birmingham, Alabama

ORDER OF CASE CLOSING

On June 13, 2013, the Complainant, B.C. Woodham, filed a Petition for Review in this case arising under the employee protection provisions of the Federal Railway Safety Act of 1982 (FRSA).¹ The FRSA's implementing regulations provide:

If a timely petition for review is filed pursuant to paragraph (a) of this section, the decision of the ALJ will become the final order of the Secretary unless the ARB, within 30 days of the filing of the petition, issues an order notifying the parties that the case has been accepted for review.^[2]

¹ 49 U.S.C.A. § 20109 (Thomson/West 2012), as implemented by federal regulations at 29 C.F.R. Part 1982 (2012).

² 29 C.F.R. § 1982.110(b).

The ARB has not notified the parties that it has accepted this case for review. Accordingly, the ALJ's decision has become the final order of the Secretary.

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, (202) 693-6200 (telephone) or (202) 693-6220 (facsimile).