



Issue Date: 04 April 2005

Case No.: 2004-ERA-00004

In the Matter of:

WINBORN D. GREGORY,
Complainant,

v.

UNITED STATE ENRICHMENT CORPORATION,
Respondent.

Appearances:

Dennis Franklin James, Esq., for Complainant
Mark C. Whitlow, Esq., for Respondent

Before:

RICHARD E. HUDDLESTON
Administrative Law Judge

ORDER APPROVING SETTLEMENT

This matter arises upon a complaint filed by Mr. Winborn D. Gregory versus the above named Respondent, United States Enrichment Corporation, under the Energy Reorganization Act of 1974, 42 U.S.C. §5851 (ERA) and regulations promulgated thereunder at 29 C.F.R. Part 24, and the Rules of Practice and Procedure before the Office of Administrative Law Judges at 29 C.F.R. Part 18. By letter dated July 29, 2004, the parties jointly requested the appointment of a settlement judge in accordance with 29 C.F.R. §18.9(e)(2), and requested a continuance of the hearing which had been scheduled.

On March 29, 2005 the parties submitted a Joint Motion for Acceptance of Settlement Order and Dismissal of Claim, along with a Settlement Agreement and Release. Both parties are competently represented by counsel. Upon review of the motion and the settlement agreement, I find that the terms of the Settlement Agreement and Release as submitted are a fair, adequate, and reasonable settlement of the complaint. 29 CFR §§24.6(f)(1), 24.7(a), 24.8(a).

ORDER

Accordingly, it is hereby ORDERED that:

1. The Settlement agreement is approved as a fair, adequate, and reasonable settlement of the complaint;

2. The complaint filed in this matter is dismissed with prejudice; and
3. This Order Approving Settlement 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 petition for review must be received by the Administrative Review Board within ten business days of the date of this Order, and shall be served on all parties and on the Chief Administrative Law Judge. See 29 C.F.R. §§ 24.7(d) and 24.8.

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RICHARD E. HUDDLESTON
Administrative Law Judge