

SERVED: May 6, 2008

NTSB Order No. EA-5384

UNITED STATES OF AMERICA  
NATIONAL TRANSPORTATION SAFETY BOARD  
WASHINGTON, D.C.

Issued under delegated authority (49 C.F.R. 800.24)  
on the 6<sup>th</sup> day of May, 2008

|                                |   |                          |
|--------------------------------|---|--------------------------|
| _____                          | ) |                          |
| APPLICATION OF                 | ) |                          |
|                                | ) |                          |
| JOSEPH T. TAVALARO             | ) |                          |
|                                | ) |                          |
|                                | ) | Docket 328-EAJA-SE-17972 |
|                                | ) |                          |
| For an award of attorneys fees | ) |                          |
| and related expenses under the | ) |                          |
| Equal Access to Justice Act    | ) |                          |
|                                | ) |                          |
| _____                          | ) |                          |

**ORDER**

The Administrator has withdrawn his appeal from the law judge's March 28, 2008 written initial decision.

**ACCORDINGLY, IT IS ORDERED THAT:**

The Administrator's appeal is dismissed.

Gary L. Halbert  
General Counsel