

SERVED: April 14, 2015

NTSB Order No. EA-5743

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

Issued under delegated authority (49 C.F.R. § 800.24)
on the 14th day of April, 2015

_____)	
MICHAEL P. HUERTA,)	
Administrator,)	
Federal Aviation Administration,)	
)	
Complainant,)	
)	
v.)	Docket NA-114
)	
PATRICIO E. ZUMARRAGA,)	
)	
Respondent.)	
)	
_____)	

ORDER DISMISSING RESPONDENT’S PETITION TO ENFORCE SETTLEMENT

On September 9, 2014, the NTSB Chief Administrative Law Judge issued an order terminating the proceeding in this case because the parties had settled the case and moved for dismissal. On January 30, 2015, respondent filed a “Petition to Enforce Settlement Agreement”. The Administrator responded to the petition contending the Board lacks jurisdiction to enforce a settlement agreement.¹

The NTSB General Counsel, under 49 C.F.R. § 800.24(b), may “[a]pprove or disapprove in safety enforcement proceedings, for good cause shown, requests for ... changes in procedural requirements subsequent to the initial decision.”

¹ See Administrator v. Smith, NTSB Order No. EA-5708 (2014),

Procedurally, the Board lacks jurisdiction to enforce a settlement agreement.²

ACCORDINGLY, IT IS ORDERED THAT:

Respondent's petition is dismissed.

David K. Tochen

David K. Tochen
General Counsel

² Id.