

U.S. Department of Labor

Administrative Review Board
200 Constitution Ave. NW
Washington, DC 20210-0001



In the Matter of:

WILLIAM BOCH,

ARB CASE NO. 2022-0029

COMPLAINANT,

**ALJ CASE NOS. 2020-CFP-00002
2020-SOX-00004**

v.

DATE: June 15, 2022

J.P. MORGAN SECURITIES,

RESPONDENT.

Appearances:

For the Complainant:

William Boch; *Pro Se*; Lancaster, Ohio

Before: Thomas H. Burrell and Tammy L. Pust, *Administrative Appeal Judges*

DECISION AND ORDER DISMISSING PETITION FOR REVIEW

PER CURIAM. This case arises under the employee protection provisions of the Consumer Financial Protection Act of 2010, Section 1057 of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 (the CFPA),¹ and Section 806 of the Corporate and Criminal Fraud Accountability Act of 2002, Title VIII of the Sarbanes-Oxley Act (SOX).² Complainant William Boch alleges that Respondent J.P. Morgan Securities unlawfully terminated his employment because he engaged in conduct protected by the CFPA and SOX. On February 28, 2022, a United States Department of Labor Administrative Law Judge (ALJ) issued a Decision and Order granting Respondent's Motion for Summary Decision and dismissing Complainant's case.

¹ 12 U.S.C. § 5567 (2010); *see also* 29 C.F.R. Part 1985 (2021) (the CFPA's implementing regulations).

² 18 U.S.C. § 1514A (2010); *see also* 29 C.F.R. Part 1980 (2021) (SOX's implementing regulations).

The Administrative Review Board (the Board) received a Petition for Review from Complainant on March 10, 2022.³ The Board issued a Notice of Appeal and Order Establishing Briefing Schedule (Briefing Order) on March 15, 2022. The Briefing Order required Complainant to file an opening brief by April 12, 2022. Complainant did not file an opening brief as ordered.

Consequently, on April 26, 2022, the Board issued an Order to Show Cause requiring Complainant to show cause why the Board should not dismiss his appeal due to his failure to file an opening brief. The Board ordered Complainant to file his response to the Order to Show Cause, as well as a copy of his opening brief, by May 10, 2022. The Board cautioned Complainant that “[i]f the Board does not receive Complainant’s response and opening brief on or before May 10, 2022, the Board may dismiss the appeal without further notice to the parties.” Nevertheless, Complainant did not file a response or an opening brief as ordered.

The Board has the inherent “authority to effectively manage its docket” to “achieve orderly and expeditious disposition of cases.”⁴ Pursuant to this authority, the Board can “issue sanctions, including dismissal, for a party’s failure to comply with the Board’s orders and briefing requirements.”⁵ Complainant failed to file an opening brief as ordered by the Board. The Board then gave Complainant the opportunity to explain why he had failed to file his opening brief, and explicitly warned him that failure to do so could result in dismissal of his appeal. Again, Complainant did not file a response. Given Complainant’s failure to respond to, and comply with, the Board’s orders, we **DISMISS** Complainant’s appeal.

SO ORDERED.

³ Complainant’s Petition for Review consisted of a single sentence, stating “Formal Objection to Order and Conclusion, drafted by Judge John P. Sellers, III, granting the Respondent’s Motion for Summary Decision and Dismissing the Complainant’s complaint with prejudice.” Complainant did not present any factual or legal arguments regarding why he believed the ALJ’s decision should be reversed or vacated.

⁴ *Govindarajan v. N2 Servs., Inc.*, ARB No. 2020-0032, ALJ No. 2020-LCA-00001, slip op. at 2 (ARB Mar. 17, 2021) (quotations and citation omitted); *accord Alston v. HH Xpress LLC*, ARB No. 2022-0011, ALJ No. 2021-STA-00065, slip op. at 3 (ARB May 6, 2022).

⁵ *Govindarajan*, ARB No. 2020-0032, slip op. at 2 (quotations and citation omitted); *see also Klein v. Bank of Am.*, ARB No. 2022-0016, ALJ No. 2020-SOX-00039, slip op. at 2 (ARB Mar. 31, 2022) (citation omitted).