

UNITED STATES DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
WASHINGTON, DC

In the Matter of: VENTURA AIR SERVICES, INC.

FAA Order No. 2008-7

Docket No. CP07EA0014
FDMS No. FAA-2007-29199¹

Served: February 25, 2008

ORDER DISMISSING CROSS-APPEALS²

On November 27, 2007, Administrative Law Judge Isaac D. Benkin (the ALJ) issued a written initial decision granting the application for attorney's fees and expenses under the Equal Access to Justice Act (EAJA) filed by Ventura Air Services, Inc. (Ventura). Both Ventura and the Federal Aviation Administration (FAA) appealed from the ALJ's initial decision.

After filing their cross-appeals, the parties reached a settlement agreement. As a result of the settlement, the FAA withdrew its appeal by notice dated January 17, 2008, and Ventura withdrew its appeal by notice dated February 21, 2008.

¹ Materials filed in the FAA Hearing Docket (except for materials filed in security cases) are also available for viewing at <http://www.regulations.gov>. For additional information, see <http://dms.dot.gov>.

² The Administrator's civil penalty decisions, along with indexes of the decisions, the rules of practice, and other information, are available on the Internet at the following address: http://faa.gov/about/office_org/headquarters_offices/agc/pol_adjudication/AGC400/Civil_Penalty. In addition, Clark Boardman Callaghan publishes Federal Aviation Decisions. Finally, the decisions are available through LEXIS (TRANS library) and WestLaw (FTRAN-FAA database). For additional information, see the website.

THEREFORE, IT IS ORDERED THAT: The FAA's and Ventura's cross-appeals are dismissed.

ROBERT A. STURGELL
ACTING ADMINISTRATOR
Federal Aviation Administration

[Original signed by Vicki S. Leemon]

VICKI S. LEEMON³
Manager, Adjudication Branch, AGC-430

³ Issued under authority delegated to the Chief Counsel and the Assistant Chief Counsel for Litigation by Memorandum dated October 27, 1992, under 49 U.S.C. § 322(b) and 14 C.F.R. § 13.202 (*see* 57 Fed. Reg. 58,280 (1992)) and redelegated by the Assistant Chief Counsel for Litigation to the Manager, Adjudication Branch, by Memorandum dated August 6, 1993.