

**United States Court of Appeals  
FOR THE EIGHTH CIRCUIT**

---

No. 09-3656

---

Hunter R. Levi,	*	
	*	
Petitioner,	*	
	*	
v.	*	
	*	Petition for Review of an
United States Department of Labor,	*	Order of the United States
	*	Department of Labor.
Respondent,	*	
	*	<b>[UNPUBLISHED]</b>
Anheuser-Busch Companies, Inc.	*	
	*	
Intervenor.	*	

---

Submitted: July 29, 2010  
Filed: August 3, 2010

---

Before LOKEN, MURPHY, and BENTON, Circuit Judges.

---

PER CURIAM.

Hunter Levi petitions for review of a final order of the United States Department of Labor Administrative Review Board (ARB), affirming the dismissal of his administrative complaint that Anheuser Busch Companies, Inc., violated the whistleblower provisions of the Sarbanes-Oxley Act of 2002, 18 U.S.C. § 1514A. Having carefully reviewed the record, we conclude that the ARB’s decision is not arbitrary, capricious, an abuse of discretion, contrary to the law, or unsupported by

substantial evidence in the record. See 49 U.S.C. § 42121(b)(4)(A), providing for review of an ARB decision under the Administrative Procedure Act; 5 U.S.C. § 706(2), prescribing the APA standard of review. Levi's contention that the Department of Labor is selectively enforcing the law is without merit. Accordingly, we deny the petition for review. See 8th Cir. R. 47B.

---