

DATE: December 4, 1998
CASE No. 1997-JTP-18

BLACK HILLS SPECIAL
SERVICES COOPERATIVE
Complainant,

v.

U.S. DEPARTMENT OF LABOR,
Respondent.

ORDER OF DISMISSAL
ON WITHDRAWAL OF APPEAL

The above-captioned case arises under the Job Training Partnership Act, Sec. 169 (29 U.S.C. 1501, et. seq., Pub. L. 97-300, 96 Stat. 1322) and the implementing regs. at 29 C.F.R. Part 636. The rules provided at 29 C.F.R. Part 18 shall apply to this proceeding except as modified by 20 C.F.R. Part 636. This matter was referred to the Office of Administrative Law Judges for hearing and assigned to the undersigned Administrative Law Judge.

However, prior to the scheduling of a hearing, the parties submitted a Motion to Withdraw Appeal and requested a dismissal in this case without prejudice. The parties have reached a satisfactory resolution. Inasmuch as the withdrawal of this appeal does not result in a decision on the merits, and it has been requested that the appeal be dismissed, without prejudice to any party, therefore,

IT IS ORDERED that the Motion to Withdraw Appeal by both parties in the above matter should be **GRANTED**. Accordingly, the undersigned approves the Motion to Withdraw Appeal and this matter is **HEREBY DISMISSED** without prejudice.

THOMAS F. PHALEN, JR.
Administrative Law Judge