

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 16 October 2006

IN THE MATTER OF

GOVERNMENT OF GUAM
Complainant

Case Numbers: 2006-WIA-00004
2006-WIA-00005

v.

U.S. DEPARTMENT OF LABOR
Respondent

DECISION AND ORDER OF DEFAULT JUDGMENT

This case arises under the Workforce Investment Act (WIA), 29 U.S.C. § 2801 et seq., and the applicable regulations issued at 20 C.F.R. Part 667.800.

On April 7, 2006, the Department of Labor (DOL) notified Complainant of a Final Determination on audits of programs operated by Complainant. On May 11, 2006, Complainant filed a request for hearing in this Office. On June 12, 2006, this Office issued a Pre-Hearing Order which required both parties to file certain information regarding this case. By facsimile, DOL filed responses to the Pre-Hearing Order on July 7, 2006 and July 26, 2006. On August 21, 2006, this Office issued an Order to Respondent to Show Cause why a default judgment should not be entered in this matter for failure to respond to the Pre-Hearing Order. To date, Complainant has failed to file a response to the Pre-Hearing Order or the Order to Show Cause.

Accordingly, after considering Complainant's failure to respond in this matter, it is **ORDERED** that Complainant's request for a hearing be **DISMISSED** and a judgment by default be entered in this case. Complainant is **ORDERED** to pay a total of \$470,774.00 in disallowed costs to the United States Department of Labor.

A
Thomas M. Burke
Associate Chief Judge

TMB/lmr