

**U.S. Department of Labor**

Office of Administrative Law Judges  
Washington, DC



**U.S. DEPARTMENT OF LABOR  
OFFICE OF ADMINISTRATIVE LAW JUDGE**

DATE ISSUED 9-6-78

RE: EWERS ORCHARDS, INC., CASE NO. 78-TLC-144;  
ROMNEY ORCHARDS, INC., CASE NO. 78-TLC-150;  
BLUE GOOSE GROWERS, INC., TRADING AS FAIRVIEW  
ORCHARDS, CASE NO. 78-TLC-151

THIS ACKNOWLEDGES RECEIPT OF YOUR MAILGRAM DATED SEPTEMBER 1, 1978, BY WHICH YOU WITHDRAW YOUR PETITIONS FOR REVIEW OF THE DENIAL OF TEMPORARY LABOR CERTIFICATION APPLICATIONS BY EWERS ORCHARDS, INC., ROMNEY ORCHARDS, INC., AND BLUE GOOSE GROWERS, INC. YOU ATTRIBUTE YOUR ACTION TO THE UNEXPECTED DELAY IN THE HANDLING OF THE PETITIONS.

AS I EXPLAINED TO YOU DURING OUR TELEPHONE CONVERSATION OF LAST FRIDAY MORNING, SEPTEMBER 1, 20 CFR 655.212 REQUIRES A DECISION IN THESE CASES WITHIN FIVE WORKING DAYS AFTER RECEIPT OF THE PERTINENT CASE FILES, AND NOT, AS YOU ASSUMED, FROM THE DATE OF THE REQUESTS FOR REVIEW. SINCE THE CASE FILES JUST BEEN RECEIVED, THE DECISION WAS REQUIRED TO BE ISSUED ON OR BEFORE SEPTEMBER 7 UNDER THE REGULATIONS. HOWEVER, IN VIEW OF YOUR MAILGRAM WITHDRAWING THESE APPEALS, THE SUBJECT CASES HAVE NOW BEEN CLOSED ON OUR RECORDS.

COPIES OF THIS MAILGRAM ARE BEING SENT TO EWERS ORCHARDS, INC.; ROMNEY ORCHARDS, INC.; BLUE GOOSE GROWERS, INC.; THE REGIONAL ADMINISTRATOR; THE ADMINISTRATOR, U.S. EMPLOYMENT SERVICE; THE ASSOCIATE SOLICITOR FOR EMPLOYMENT AND TRAINING; AND TO THE DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE.

NICODEMO DEGREGORIO  
HEARING OFFICER