

U.S. DEPARTMENT OF LABOR

SECRETARY OF LABOR
WASHINGTON, D.C.

In the Matter of)
)
 DEPARTMENT OF LABOR)
)
 v.)
)
 MONTGOMERY COUNTY,)
 MARYLAND)

Case No. 82-CTA-308

ORDER GRANTING STAY

Now before me is a request by counsel for Montgomery County, Maryland (County), that I stay implementation of the final decision in the above-captioned matter (in which the County is ordered to pay a sum of money to the U.S. Department of Labor) pending direct review of that decision by the United States Court of Appeals for the Fourth Circuit.

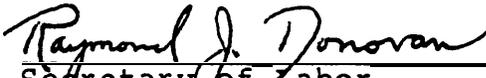
In support of its request the County states that "no injury will accrue to the Department [of Labor] in granting such stay, such stay will be in the public interest, and Respondent [County] would be otherwise forced to repay the Department out of nongrant funds an amount of money that may be altered by the ruling of the Appellate Court."

Upon consideration of the foregoing, it is Ordered that --

1. Implementation of the above-referenced decision IS STAYED pending review of it by the United States Court of Appeals for the Fourth Circuit; and that

2. The stay IS CONDITIONED UPON (1) timely filing by the

County of its petition to the court for review of that decision; and (2) submission by the County to the U.S. Department of Labor (USDOL), within 30 days of the issuance of this Order, of a written agreement by the County that, within 30 days after the Court of Appeals' issuance of a decision favorable to the USDOL, the County shall pay to the USDOL in cash the principal amount determined by the Court to be owed to the USDOL, and such further amount as may accrue in interest during the pendency of said review, at the interest rate(s) which the USDOL would normally charge for delayed payment of the principal amount during that period.


Secretary of Labor

Dated: May 29, 1984
Washington, D.C.

CERTIFICATION OF SERVICE

Case Name: Department of Labor v. Montgomery County, Maryland
Case No.: **82-CTA-308**
Document: "Order Granting Stay"

Copies of the above-referenced document were mailed to the persons listed below on May 29, 1984.

Danielle M. Clark

CERTIFIED MAIL

Honorable Charles Gilchrist
Montgomery County Executive
100 Maryland Avenue
Rockville, Maryland 20850

Mr. James L. Whitsett
Grant Officer
U.S. Department of Labor/ETA
P.O. Box 8796
Philadelphia, Pennsylvania
19101

Associate Solicitor for
Employment and Training
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, D.C. 20210
ATTN: Counsel for Litigation

Paul A. **McGuckian**, Esq.
County Attorney of Montgomery
County, Maryland
Executive Office Building
101 Monroe Street
Rockville, Maryland 20850
ATTN: Joyce R. Stern, Esq.
Assistant County Attorney

Mr. David T. Copenhafer, Director
Grant and Audit Closeout Task
Force
U.S. Department of Labor
Employment and Training Administration
601 D Street, N.W.
Washington, D.C. 20213

Marshall Harris, Esq.
Regional Solicitor
U.S. Department of Labor
3535 Market Street
Philadelphia, Pennsylvania 19101
ATTN: Joseph T. Crawford, Esq.