



Issue Date: 31 March 2008

Case No.: **2007-LCA-00020**

In the Matter of:

ADMINISTRATOR, WAGE AND HOUR DIVISION,
Prosecuting Party,

v.

JULIAN AND ASSOCIATES;
POLYTECHNIC EDUCATION AND CAREER SERVICES;
d/b/a ITI; and
NORTHWESTERN INSTITUTE OF HEALTH AND TECHNOLOGY,
Respondent.

DECISION AND ORDER - APPROVING CONSENT FINDINGS

This case arises under the H-1B provisions of the Immigration and Nationality Act of 1952, as amended by the Immigration Act of 1990, the Miscellaneous and Technical Immigration and Naturalization Amendments of 1991, and the American Competitiveness and Workforce Improvement Act of 1998 (Title IV of Pub. L. 105-277, Oct. 21, 1998, 112 Stat. 2681) found at 8 U.S.C. §§ 1101 and 1101(a)(15)(H)(i)(b).

On March 10, 2008, I received Settlement Agreement and Consent Findings signed by counsel for the Prosecuting Party and the Respondent's president and counsel. In the Consent Findings, the parties have accepted certain obligations and agreed to specific actions which resolve all existing issues. Having carefully considered the provisions of the Consent Findings, I conclude the parties' resolution is fair and legally sufficient. The signed agreement is attached to this order. Accordingly, I APPROVE the Consent findings, dated March 10, 2008. The Approved Consent Findings shall constitute the final administrative order in this case.

Each party shall bear his or its own costs, expenses, and attorney fees incurred in connection with this action.

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RICHARD K. MALAMPHY
Administrative Law Judge

RKM/ccb
Newport News, Virginia

NOTICE OF APPEAL RIGHTS: To appeal, you must file a Petition for Review ("Petition") that is received by the Administrative Review Board ("Board") within thirty (30) calendar days of the date of

issuance of the administrative law judge's decision. *See* 20 C.F.R. § 655.845(a). The Board's address is: Administrative Review Board, U.S. Department of Labor, Suite S-5220, 200 Constitution Avenue, NW, Washington, DC 20210. Once an appeal is filed, all inquiries and correspondence should be directed to the Board.

At the time you file the Petition with the Board, you must serve it on all parties as well as the administrative law judge. *See* 20 C.F.R. § 655.845(a).

If no Petition is timely filed, then the administrative law judge's decision becomes the final order of the Secretary of Labor. Even if a Petition is timely filed, the administrative law judge's decision becomes the final order of the Secretary of Labor unless the Board issues an order within thirty (30) days of the date the Petition is filed notifying the parties that it has accepted the case for review. *See* 29 C.F.R. § 655.840(a).