



Issue Date: 18 November 2008

Case No.: 2008-LCA-00044

In the Matter of

**ADMINISTRATOR,
WAGE AND HOUR DIVISION**
Prosecuting Party

v.

ADVANTAGE REHABILITATION SERVICES, INC.
Respondent

**FINAL ORDER APPROVING
THE PARTIES' CONSENT FINDINGS**

This matter arises pursuant to the Immigration and Nationality Act, and the regulations governing temporary employment of Aliens in the United States. 8 U.S.C. § 1101(a)(15)(H)(1)(b); 20 C.F.R. part 655, subparts H & I.

On November 7, 2008, I issued an Order cancelling the hearing upon the parties' notification that they had reached a settlement. In addition, the parties were permitted until November 18, 2008 to submit the settlement documents.

On November 12, 2008, the parties submitted their Consent Findings to me for my approval. Having reviewed the parties' Consent Findings, I make the following findings:

- 1) The Consent Findings appear to be fair and reasonable, and reflect a fair and reasonable settlement.
- 2) This Final Order shall have the same force and effect as one made after a full hearing on the merits.
- 3) The parties are deemed to have waived any further proceedings before an administrative law judge of the U.S. Department of Labor regarding the matters that are the subject of this litigation.
- 4) The parties each agree to bear their own attorney fees and other expenses incurred by these proceedings.

Accordingly, I hereby **APPROVE** the parties' Consent Findings.

A

ADELE H. ODEGARD
Administrative Law Judge

Cherry Hill, New Jersey

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).