

**U.S. Department of Labor**

Office of Administrative Law Judges  
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**Issue Date: 25 September 2009**

Case No.: **2009-LCA-5**

In the Matter of:  
ADMINISTRATOR, WAGE AND HOUR DIVISION,  
Prosecuting Party

v.

HALCYON SOLUTIONS, INC.,  
Respondent

Appearances:

Mary L. Bradley, Esq.  
Trial Attorney  
Office of the Solicitor  
U.S. Department of Labor  
Cleveland, Ohio  
For the Prosecuting Party

Brian S. Green, Esq.  
Murthy Law Firm  
Owings Mills, Maryland  
For the Respondent

Before: Alice M. Craft  
Administrative Law Judge

**DECISION AND ORDER APPROVING  
SETTLEMENT AGREEMENT AND CONSENT FINDINGS**

This matter arises under the Immigration and Nationality Act, as amended, 8 U.S.C. § 1101 and § 1182 (the Act), and the implementing regulations at 20 C.F.R. Part 655, Subparts H and I. The Respondent's request for a hearing was forwarded to the national office on October 28, 2008, after the Administrator's Determination was issued on October 14, 2008. During a telephone conference held on November 19, 2008, the parties agreed to waive the 60-day deadline to hold a hearing contained in the regulations in order to engage in settlement discussions. The parties have filed an executed Settlement Agreement and Consent Findings seeking approval of a settlement. The Settlement Agreement and Consent Findings appear fair, adequate and reasonable.

IT IS THEREFORE ORDERED that the Settlement Agreement and Consent Findings are APPROVED.

IT IS FURTHER ORDERED that:

1. This Decision and Order shall have the same force and effect as a Decision and Order made after a full hearing.
2. The entire record shall consist solely of the Determination Letter and the Settlement Agreement and Consent Findings.
3. Any further procedural steps before the Administrative Law Judge and the Administrative Review Board, and any right to challenge or contest the validity of the Settlement Agreement and Consent Findings, and this Decision and Order, with respect to the Respondent's liability arising out of these proceedings, are waived.
4. The alleged violations in the Determination Letter shall be deemed fully resolved by the Settlement Agreement and Consent Findings.
5. The Settlement Agreement becomes final and effective immediately upon the date of issuance of this Decision and Order.
6. This Decision and Order is in accordance with the agreed findings, terms and conditions specified by the parties in the Settlement Agreement and Consent Findings.
7. The parties shall carry out and comply with the provisions of the Settlement Agreement and Consent Findings in all respects.

**A**

Alice M. Craft  
Administrative Law Judge

**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, Room S-4309, 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).

