

**U.S. Department of Labor**

Office of Administrative Law Judges  
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**Issue Date: 26 January 2010**

Case No.: 2009-LCA-00014

In the Matter of

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

v.

**NEEL SYS CONVERGENCE, INC.**  
Respondent

**FINAL ORDER APPROVING  
STIPULATED SETTLEMENT AGREEMENT**

This action 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 (“ACWIA”)(Title IV of Pub.L. 105-277, Oct. 21, 1998; 112 Stat. 2681) found at 8 U.S.C. § 1101, et seq.; (“INA”) and 8 U.S.C. § 1101(a)(15)(H)(i)(b). The Stipulated Settlement Agreement signed by the Parties (designated as Joint Exhibit 1) and herein incorporated by reference, has been presented to the undersigned and the parties have requested that the Stipulated Settlement Agreement be approved.

Having been advised by the parties that the terms of the Stipulated Settlement Agreement have been fulfilled, I have carefully considered the facts involved in this case and the difficult legal and factual questions in dispute, as well as the criteria set forth in 29 C.F.R. § 18.9. Upon careful evaluation of same, I conclude that the terms of the Stipulated Settlement Agreement are fair, in the best interests of both parties and were arrived at without duress and only after full exploration by the parties of all issues in dispute and the difficult legal and factual questions involved.

**ORDER**

IT IS ORDERED THAT the Stipulated Settlement Agreement is hereby APPROVED and this matter is DISMISSED.

**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, 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).