



Issue Date: 14 March 2011

Case No.: 2010 LCA 37

In The Matter of:

ADMINISTRATOR, WAGE AND HOUR DIVISION
Prosecuting Party

v.

ADVANCED COMPUTER ASSOCIATES, INC.
Respondent

ORDER DISMISSING REQUEST FOR HEARING

This matter was scheduled for hearing on March 29 and 30, 2011, in Kansas City, Kansas. On March 10, 2010, Ms. Gail A. Goeke, Esq., counsel for the Respondent, submitted a Motion to Dismiss with Prejudice. Ms. Goeke stated that the Respondent wished to withdraw its request for a hearing, and dismissal of this matter with prejudice. The Respondent acknowledged that the grant of this motion would result in the Administrator's Determination becoming a final and unappealable order of the Secretary of Labor.

Accordingly, IT IS HEREBY ORDERED that the Respondent's motion is granted, and this matter is dismissed, and the Administrator's August 27, 2010 determination is now final and unappealable.

SO ORDERED.

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LINDA S. CHAPMAN
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, 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).